

EQUALITY IMPACT ANALYSIS TOOLKIT

*Includes step by step guidance on how
to carry an Equality Impact Analysis*

April 2021



CONTENTS

Introduction	3
8 steps to analysing impact	6
Equality impact analysis template	12
Glossary	17



INTRODUCTION

We all want to experience dignity and fairness, so we can easily understand that everyone else has the same desire. However, we are always limited by our own experiences, so it is all too easy to make decisions that have unintended consequences, particularly when operating in a complex environment that is made up of interconnected departments, resources, processes, and most of all people.

By embedding equality impact analysis in our processes and practices, we can ensure that the decisions we make at all levels in the organisation do not disadvantage people, but instead promote equality and foster an ethos of inclusivity and respect for all.

This Toolkit sets out the University's framework and guidance for undertaking an Equality Impact Analysis (EIA). It is designed to assist staff who will have to undertake an Equality Impact Analysis in the course of their work.

The University has a legal requirement to promote equality and set out how we plan to meet the 'general' and specific duties' specified in the Public Sector Equality Duty. Public Sector Equality Duties give public bodies legal responsibilities to demonstrate that they are taking action to promote equality in relation to policy making, the delivery of services and employment.

The Equality Act was introduced by the government in October 2010. The Act brings together, harmonises and extends current equality law. The Act makes it unlawful to discriminate (treat less favourably) either directly or indirectly because of a protected characteristic in relation to employment; supply of goods and services including education.

Public Authorities have a legal responsibility to assess their activities, and to set out how they will protect people from discrimination on the basis of the following 'protected characteristics':

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Throughout this document, the term 'protected characteristic' should be taken to include all the above equality strands.

Changes being proposed through policy, strategy, committee papers, project management or other methods need to be analysed from an equality perspective and the results considered *before* decisions are made. Where negative impacts are identified, consideration needs to be given to mitigating those negative impacts.

The findings of the analysis need to be documented and reported to the University Executive group (EG) where there are financial implications and to the Joint Staff Negotiation and Consultation Committee (JSNCC) or steering groups that are responsible for considering information *before* making decisions and making changes.

This Toolkit sets out the steps that will need to be undertaken in order to carry out an Equality Impact Analysis.

What is an Equality Impact Analysis (EIA)?

An Equality Impact Analysis (EIA) is a process by which individuals systematically assess and record the likely impact of their work on individuals or groups before making a decision and take action to mitigate and/or minimize the impact of such decisions, where appropriate.

EIAs are carried out by completing the template within Appendix A, drawing on available evidence, data monitoring information, and consultation. Once this has been completed, action plans can be drawn up and any decisions to change the delivery of an activity or policy can be made.

Why do we need to conduct an Equality Impact Analysis (EIA)?

Carrying out EIAs goes beyond fulfilling our responsibility under the Public Sector Equality Duty and is aimed to ensure we protect equality and fairness in everything we do. It is imperative to be aware of the consequences of the decisions we make and to understand how those affect our staff and students. In order to do this, the complexities and interdependencies behind any change to policy, practice or service must be thoroughly assessed so that appropriate action can be taken to mitigate any unwanted consequences. The main reasons why we must carry out EIAs are to:

- Identify whether certain groups are excluded from any services;
- Identify any direct or indirect discrimination;
- Promote good relations between people of different equality groups;
- Act as a method to improve policy, practices or services;
- Increase staff and student trust;
- Increase social inclusion;
- Promote a culture of inclusivity and sense of community.

Equality Impact Analysis should not be seen as a separate exercise to undertake. It should be built in as an integral part of our processes and be embedded in our culture. The Equality Impact Analysis Process will enable documented equality deliberations and conclusions and show transparency and accountability to the wider community.

What are the relevant inspecting and enforcing bodies?

Various bodies have legal remedy against the University for non-compliance with equality issues including the Equality and Human Rights Commission (EHRC). The EHRC aims to secure and implement an effective legislative and regulatory framework for equality and human rights. The EHRC has advisory powers and continues to work with, and advise, public authorities in achieving compliance. However, they also have enforcement powers and can come into an organisation, scrutinise and issue Enforcement Orders.

Which activities and policies should be assessed?

All policies, procedures and processes should be assessed.

An Equality Impact Analysis should be carried out when:

- Developing:
 - New policies
 - New guidelines
 - New services/functions
 - New projects
 - New Processes
- Reviewing:
 - Existing policies
 - Existing guidelines
 - Existing services

Assessing the relevance (ie the potential effect of this activity on people with protected characteristics) and proportionality (ie how strong the effect is) are important elements of an EIA and should be reviewed and revisited regularly.

What does positive action mean?

Some activities are targeted at particular individuals/groups with protected characteristics and these by definition will have a differential impact. The assessment of this impact must take into account whether it is lawful or justifiable. Differential impact can be justified as part of a wider strategy of positive action in relation to particular groups, where the initiative is intended to encourage equality of opportunity for a particular group. Where this is the case it is necessary to justify actions and provide a clear and legal rationale for them.

Who is responsible for carrying out an Equality Impact Analysis (EIA)?

The member of staff who holds responsibility for the policy/process/service is ultimately responsible for ensuring that an Equality Impact Analysis is undertaken and that it is of satisfactory quality. However, although they remain ultimately responsible for the completion of an EIA, they may not necessarily be the person undertaking the EIA should someone else have more knowledge of that area of work.

An Equality Impact Analysis needs to be undertaken by someone with a good understanding of the policy or process.

All staff who think they may have to undertake an Equality Impact Analysis are encouraged to complete the 'Equality Impact Analysis' online training before they conduct any stage of an Equality Impact Analysis. This training can be found within Staff Training Moodle.

Equality Impact Analysis training

To help you carry out an Equality Impact Analysis (EIA), you can access our dedicated E-learning module on Staff Training Moodle which compliments this toolkit. The module introduces the principles of equality impact analysis and will prepare you to start carrying out your own. It will help you to identify possible negative impacts of decisions on individuals and groups with protected characteristics and plan mitigating action accordingly, as well as explore opportunities to advance equality within policies, strategies, and services.

The module can be accessed by logging into Staff Moodle Training (<https://moodle.kent.ac.uk/stafftraining>) under the category 'Job Skills'.

8 STEPS TO ANALYSING IMPACT



Many people go ahead with important changes or decisions without considering, or planning for, the impact on other individuals or teams with protected characteristics. The 8 steps described in this toolkit will help you gain a clear view of the change that you're about to undertake, and who and what it will affect. The results will help you to decide whether the change really will benefit the University, when you look at the consequences as a whole. If the change is beneficial, then it's time to begin implementing it. However, if you're not convinced of its overall value, you may need to come up with an alternative solution to the original problem, and then analyse its impact.

Although it takes time to complete an Equality Impact Analysis, you will make a better decision if you do so, as you'll know what you're facing. You'll have a good idea of the arguments and obstacles in your way, and you'll be in a much better position to implement your change effectively. This will make your plans and decisions more inclusive, and you'll feel much more confident. What's more, you'll demonstrate and uphold the values that are important to the University and protect its reputation as an employer and education provider.



Step 1 – Scoping

Before you begin an equality impact analysis, you must be very clear about the decision, solution or change that you want to look at. This means that you need to define/scope the proposed policy, activity or service carefully. If you are the person responsible for this change, then you are also responsible to ensure an EIA is carried out following the steps described in this document. You also need to identify any other area that may be affected by the change or decision you are making.

? Questions you should keep in mind:

- What am I aiming to achieve?
- What am I changing?
- Could the policy, process or service I am looking to change have a negative impact on people with a particular protected characteristic? For example does it put a particular group at a disadvantage on the grounds of age, disability, gender reassignment, religion or belief, sex or sexual orientation, etc?
- Are there any interdependencies with other processes, practices or services that I should consider?
- Could the policy, practice or service have a negative impact on relations between different groups?
- Which other stakeholders are involved in the current process, practice or service that I should liaise or consult with?
- Are there any risks I need to consider?

Following your preliminary reflections, you should be able to determine if the policy, practice or service you are looking to change is directly or indirectly likely to have an impact on equality. If it is then you are required to carry out an Equality Impact Analysis, starting with the most relevant and impacting policy or change first.

Remember: EIAs are not just about addressing discrimination or adverse impact, they should also positively promote equal opportunities, improved access, participation in public life and good relations.

Step 2 – Data and information gathering

Once you have completed step 1, you should have a better idea of what you are dealing with. You should then start gathering the relevant information you will need to carry out an initial EIA.

? Questions you should keep in mind

- What do I need/want to know?
- Who can help me determine what data is required and where to get this from?
- What data is needed to ensure that all perspectives are taken into account?
- What existing quantitative and qualitative data is available internally and externally (including data related to people with protected characteristics)?
- What additional information is required?

Various data collection techniques are likely to be used during an EIA, these may include:

- Knowledge
- Review of complaints made
- Surveys
- Evidence from consultations/community consultation
- Performance data/Inspection/audit/assessment
- Existing research
- Monitoring information

Remember: The lack of data is never an excuse for not assessing impact – some data will almost always be available and where data isn't available, it must be actively gathered following the correct process.

Step 3 – Assessing impact

The Initial Equality Impact Analysis is based mainly on what information you already have/what you already know in relation to the policy/process/service including a review of all formal and informal policies, procedures and practices that are already in place that impact the EIA. This may be in the form of gathered data or previous consultation. This stage does however, prompt you to engage in some consultation where you have little information available.

By using the information you have collated, the Initial Equality Impact Analysis will determine if the policy, process or service you are looking to introduce or change could have a negative impact on different Equality Groups (people with protected characteristics). In some cases your initial equality impact analysis will show that no negative impact may be identified or that it is very low in which case you can skip step 4 & 5 and go straight to step 6. You will always need to record the rationale behind your decision not to carry out a full EIA.

In other cases, it may be clear from your findings that the impact may be such that a full EIA is necessary in which case all steps described within this document should be followed and documented.

Step 4 – Consultation and stakeholder engagement

A key element of an Equality Impact Analysis is to consult and engage with relevant stakeholders to determine how the new or revised policy, process or service will impact on particular groups of people to help develop any action plans that are needed.

The nature and extent of the consultation will depend on the type of policy, practice or service being developed/reviewed and the level of relevance this will have on different equality groups.

A Full EIA requires consultation. If your findings have pointed to real concerns in terms of a negative impact on certain equality groups, then you will need to consult more widely in order to understand the impacts further, explore options, draw conclusions and make recommendations (in order to support the Equality Analysis Improvement Plan).

Consultation involves:

- Engaging with representatives with protected characteristics who are likely to be affected by the policy or process (ie EDI Network);
- Engaging with staff reps and Trade Unions as appropriate (ie JSNCC);
- Consultation can be undertaken in various forms depending on circumstances: face-to-face meetings, focus groups, questionnaires, discussion papers, business cases, etc.

Remember: The degree of consultation and stakeholder engagement needed will depend on your initial analysis (step 1 to 3). It should be proportionate to the complexity of the change or decision you are looking to make and the likely impact on equality. However, do not neglect this step. The information and insights that can be gained from engagement and consultation are essential and stakeholders should ideally be involved as early in the planning and development process as possible.

Step 5 – Identifying and analysing specific impact(s)

By this stage, you'll have mapped out as many as you can of the people, areas, processes, and resources that could be affected by your decision. Depending on the complexity of the change or decision you are looking to make, you may need to go deeper in your analysis by brainstorming the specific effects/impacts that your change or decision could have in each of the areas that you identified. You need to involve as many knowledgeable or affected people as appropriate in this exercise. This helps you to get a full and thorough insight into your decision's potential consequences and any interdependencies that may need to be taken into consideration before finalising your plan.

? Here are some suggested questions to help you to explore each area:

- Are there any existing basic requirements that will conflict with the proposed change (ie service level agreements, specifications, regulations, etc)?
- Are there other changes (eg projects) under way that might conflict with the proposed change?
- What are the opportunities and risks of making the proposed change?
- Will the change trigger changes in other areas? If so, what?
- Is further research or consultation necessary and would this be proportionate to the policy, practice or service you are looking to change? Is it likely to change the outcome?
- How might people outside the organisation (for example, suppliers, prospective students) change their behaviour in reaction to your change, and what consequences will this have for your plan?

Remember: Go as far as you need to with your equality analysis, but don't get bogged down! An Impact Analysis is not intended to cover every single event that might happen but to get you to think about how your decision could affect certain individuals or groups with protected characteristics.

Step 6– Evaluating impact(s) and potential corrective measures

At this point you may have a large set of possible impacts for the change you're considering. Your next task is to evaluate each one, and to categorise it as an action, benefit or obstacle impact.

- **Action impacts:** these require an action to be taken before your change will be successful – for example, you might need to modify a procedure to account for the change. You'll need to put a plan in place to make sure the action is carried out properly and in time.
- **Benefit impacts:** these are good news for the organisation! The more benefits your change can bring, the easier it will be to 'sell' your idea. But make sure that you have a systematic benefits realisation plan in place.
- **Obstacle impacts:** these represent a problem, risk, threat, or some other negative effect of your proposed change. You'll need to plan actions that will mitigate that risk as much as possible, make contingency plans to deal with the problem if it were to arise, or adjust your proposal to minimise the threat. The more knowledgeable you are about these consequences, and the more effectively you deal with them, the smoother your implementation will be. If an EIA identifies a negative or adverse impact on equality, an action must be created and documented within the template.

Remember: The quality of an EIA is not measured by its page count but by the quality of the analysis, the action taken as a result and the outcomes achieved through implementation. The time and efforts involved should be in proportion to the relevance and nature of impact(s) of the policy, practice or service you are looking to change.

Step 7 – Action planning and decision making

You now have a good understanding of the type of impact(s) the change or decision you are making will have on different areas of the organisation. So, you can plan to manage the negative impacts and to build on the positive ones. Look at each of the obstacle impacts you have identified, and determine whether you can mitigate them in some way. You need to document your decisions and mitigating actions using the Equality Assessment Analysis Plan.

? Questions you should keep in mind

- What messages do you need to communicate?
- Whose support could you win?
- What contingency plan can you put in place?
- How could you adjust your plan without losing its positive impacts?
- What else do you need to do to prepare for the change?
- What are the arrangements for monitoring and reviewing the impact and action plans for improvements to mitigate impact(s)? How, who and when will these be reviewed?

What do you know now that you didn't know before? Take time to reflect on your Impact Analysis. Take everything positive and negative into account, and reconsider your decision to go ahead with the proposed project or decision. In particular, check whether you've identified any fundamental flaws with the plan that would make it unwise to proceed. Ask yourself whether it's really worth pushing on, given the possible negative consequences, and the effort and cost of managing them. It's much better to abandon the plan before you've committed time, money and reputation to it. Most of all, be sure not to charge ahead and then fail because of an 'unforeseen' impact that you could have predicted with a little forethought.

Remember: An EIA must always inform a decision to change a policy, practice or service if such decision or change has an impact on equality. Unless your policy or project is perfect and all equality aspects have been fully considered (which is unlikely!), your analysis should lead to change, even if it is minimal.

Step 8 – Signing off and publishing an EIA

The completed EIA document should be submitted to the Joint Staff Negotiating and Consultation Committee (JSNCC) for information as part of the normal process for signing off EIAs. The change to policy, practice or service should not be implemented until the JSNCC meeting has taken place. In some cases, the JSNCC may ask questions or clarifications to the individual who submitted the EIA. Where there is a financial impact to the project, policy, practice or service change (eg procurement of a new system), then the EIA should go to Executive Group alongside the relevant business case prior to the JSNCC.

After the EIA has been submitted to the JSNCC for information (and potentially approved by EG prior to that), the document should be published on the University's EDI webpages. Approved Equality Impact Analysis must be sent to the Equality and Diversity email to be added to the University EDI page (equalityanddiversity@kent.ac.uk).

Publishing results of an Equality Impact Analysis shows commitment to promoting equality and demonstrates that the University is carrying out the specific duties of assessment, involvement, consultation and monitoring.

Important note: Before publishing, some data may be redacted so that individuals and their EDI profiles cannot be identified. A good way to do this is to combine data eg LGBT+ for sexual orientation, or merging age bands.

There may be a number of versions of an EIA as it develops alongside the changes it is analysing and the process should definitely be seen as a continuum not a one-off task or tick box exercise. For complex projects, interim EIAs may be published at various stages in the project to share the results of consultations/actions planned or taken as things go along.

Remember: EIAs are not an end in themselves but a way to show due regard for our public sector equality duties and foster a positive culture of equality for all. EIAs should be an integral part of our policies and processes.

EQUALITY IMPACT ANALYSIS TEMPLATE

Please note: All sections of the Impact Analysis form must be completed when undertaking an Equality Impact Analysis



Department/Division:		School/Sub Department:	
Person(s) completing this form:		Tel no:	
Others involved:		Start date of this assessment:	
Title of policy/process being assessed:		Policy/process implementation date:	
What is the main purpose (aims/ objectives) of this policy/process?			
What consultation method(s) did you use?			
Tick if EDI networks consulted			
How are any changes/ amendments to be communicated?			
Who is affected by the policy/ activity/event?			
What are the arrangements for monitoring and reviewing the impact of the change and the EDI profile of staff affected by the activity (before and after)?			

DATA COLLECTION AND CONSULTATION

Protected characteristic group	Is there a potential for positive or negative impact? (separate clearly)	Please explain and give examples of any evidence/data used	Action to address negative impact (eg risk management for any impact, avoid it happening/ minimise the impact of it happening/accept the risk and take no action)
Disability			
Gender reassignment			
Marriage or civil partnership			
Pregnancy and maternity			

Protected characteristic group	Is there a potential for positive or negative impact? (separate clearly)	Please explain and give examples of any evidence/data used	Action to address negative impact (eg risk management for any impact, avoid it happening/ minimise the impact of it happening/accept the risk and take no action)
Race and ethnicity			
Religion/belief or culture			
Sexual orientation			
Sex			
Age			
Social economic considerations			
Carer			

EVALUATION/SIGN-OFF

Question	Explanation/justification	
Final decision	Tick the relevant box	Include any explanation/justification required

Will this EIA be published* Yes/Not required	
Date completed	
Review date (if applicable):	

Change log

Name	Date	Version	Change
		1	

GLOSSARY



A

Activity

We have chosen this expression for the purpose of Equality Impact Analysis. It means any policy, function, guidelines, procedure, service, or initiative within the University in connection with the employment of our workforce.

Adverse impact

A negative impact on individuals/groups with any of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

For example: A significant difference in patterns of representation or outcomes between racial groups, with the difference amounting to a detriment for one or more racial groups.

Age

An age group includes people of the same age and people of a particular range of ages. An age group would include 'over fifties' or twenty-one year olds. Age equality aims to ensure that in everything we do, we make every effort to eliminate unlawful discrimination and promote equality of opportunity for all age groups.

B

Burden of proof

The burden of proving discrimination was changed in 2001 by the Burden of Proof Regulations 2001. Once an individual can show that there is an issue of potential discrimination, the burden of proof shifts to the employer to defend the case and show that the reason for difference in treatment is justifiable and not discriminatory. This represents an important change: previously the complainant had to prove that they had been discriminated against, now the employer needs to prove that they did not discriminate.

C

Carers

Carer does not mean care-worker or care staff of any kind who are paid to provide care as part of a contract of employment. By carers we mean people who look after a relative or friend who need support because of age, physical or learning disability or illness, including mental illness. There are nearly 5.7 million carers in Great Britain.

Parent carer: By parent carer we mean a parent of a disabled child. Parents will often see themselves as parents rather than carers, but their child will have additional care needs and may be entitled to additional services.

Young carers: This means carers who are under the age of 18. The person receiving care is often a parent but can be a brother or sister, grandparent or other relative who needs support. There are estimated to be between 20 and 50,000 plus young carers in the UK. <http://www.carers.gov.uk/whatis.htm>

Consultation

Asking for views on policies or processes from staff, and students. Different circumstances call for different types of consultation. For example, consultation includes, focus groups, surveys and questionnaires, and meeting with experts.

D

Direct discrimination

Direct discrimination occurs when a person is treated less favourably than another on the grounds of their protected characteristic (ie race/age etc). No justification is possible for this type of discrimination. Also see indirect discrimination. **Example:** Failing to offer a man a job because he is gay.

Disabled

The law says that a disabled person is someone with ‘a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.’ Examples include cancer, diabetes, multiple sclerosis and heart conditions; hearing or sight impairments, or a significant mobility difficulty; and mental health conditions or learning difficulties. However, only the courts can say if a particular individual is defined as disabled under legislation.

Disability can mean different things to different people, and can include:

- people who are disabled for a short time or who are disabled for a long time,
- people who have been disabled since they were born and people who became disabled when they were older
- people who describe themselves as ‘disabled’ and people who do not describe themselves as disabled.

E

Equality groups

Now referred to as individuals/groups with ‘protected characteristics’. The Equality Act 2010, brings together all of the previous Equality Legislation and sets out on what grounds groups of people are protected. These protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marital and civil partnership
- Maternity and pregnancy
- Race
- Religion or belief
- Sex (gender)
- Sexual orientation

F

Focus group

Focus group research involves organised discussion with a selected group of individuals, to obtain information about their views and experiences on a particular topic. Focus group interviews are particularly suited for obtaining several perspectives about the topic.

Functions

The full range of activities carried out by a public authority to meet its duties.

G

Gender reassignment

This is where a person has proposed, started or completed a process to a gender different to the sex assigned at birth.

General and specific duties

All Public Authorities are required to have in place, an Equality Scheme which sets out how they plan to meet the 'general and specific duties' (legislative requirements) contained in the Equality Act 2010.

These duties ensure public authorities have a legal responsibility when carrying out their functions to have 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment, victimisation;
- Advance equality of opportunity between those covered by the Equality Act and those not covered, eg between disabled and non-disabled people;
- Foster good relations between these groups.

Genuine Occupational Requirement (GOR)

In strictly limited situations, anti-discrimination legislation allows for a job to be restricted to a person of a particular gender/race or ethnic or national origin/disability status/sexual orientation/religion or belief/[age] if it is proportionate to apply a GOR to the job. GOR supersedes the term 'Genuine Occupational Qualification'.

H

Harassment

Unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

This definition applies to harassment on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation equality.

I

Impact assessment

A thorough and systematic analysis of a policy or service, whether that policy is written or unwritten, formal or informal and irrespective of the scope of that policy.

Indirect discrimination

The use of an apparently neutral practice, provision or criterion which puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and applying the practice, provision or criterion cannot be objectively justified.

Institutional racism

This is a term that came from the McPherson Inquiry report into the death of Stephen Lawrence and is defined as follows:

"The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen in or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racial stereotyping which disadvantage minority ethnic people."

M

Marriage and civil partnership

People who are married or have a civil partner are in a marriage or civil partnership. A married man and a woman in a civil partnership both share the protected characteristic of marriage and civil partnership.

Mentorship

Mentoring is a form of human development, where one person invests time, energy and personal know-how to assist another person to grow and to fulfil their true potential, and to increase their capacity for learning.

P

Policies

Policies are the sets of principles or criteria that define the different ways in which an organisation carries out its role or functions and meets its duties. Policies also include formal and informal decisions made in the course of their implementation.

Positive action

Refers to a range of lawful actions that seek to overcome or minimise disadvantages (eg in employment opportunities) that people who share a protected characteristic have experienced, or to meet their different needs.

Examples:

- Providing facilities or services (in training, education or welfare) to meet the particular needs of people from a particular racial group, for example English language classes.
- Targeting job training at racial groups that have been under-represented in particular work during the previous 12 months.

Positive discrimination

Selecting someone for a job/promotion/training/transfer/etc purely on the basis of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation equality, not on their ability to do the job. This is illegal under anti-discrimination legislation*.

Pregnancy and maternity

For women this is when they are pregnant or during maternity, as distinct from their sex, in specified situations outside work. It protects a woman from discrimination because of her current or a previous pregnancy. It also protects her from maternity discrimination, which includes treating her unfavourably because she is breast-feeding, for 26 weeks after giving birth and provides that pregnancy or maternity discrimination as defined cannot be treated as sex discrimination

Protected characteristic

Previously known as Equality Target Groups/Equality Strands.

The Equality Act 2010, brings together all of the previous Equality Legislation and sets out on what grounds people are protected. These protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marital and civil partnership
- Maternity and pregnancy
- Race
- Religion or belief
- Sex
- Sexual orientation

Public authority

Organisations and individuals that carry out public functions – this would include government departments, local authorities, health authorities and hospitals, schools, prisons, and police for example.

Q

Qualitative data

Information gathered from individuals about their experiences. Qualitative data usually gives less emphasis to statistics.

Quantitative data

Statistical information in the form of numbers normally derived from a population in general or samples of that population. This information is often analysed using descriptive statistics, which consider general profile distributions and trends in the data, or using inferential statistics, which are used to determine significance within relationships of differences in the data.

R

Race

Race includes colour, nationality and ethnic or national origins. People who have or share characteristics of colour, nationality or ethnic or national origins can be described as belonging to a particular racial group. A racial group can be made up of two or more different racial groups.

Religion

This may be philosophical belief, or a religion which has a clear structure and belief system. Denominations or sects within a religion can be considered to be a religion or belief, such as Protestants and Catholics within Christianity. It also includes a lack of religion or belief.

S

Sex

Legal sex assigned at birth.

Sexual orientation

This is a person's sexual orientation towards:

- people of the same sex as him or her (NB there are other forms of sexual orientation)
- people of the opposite sex from him or her (the person is heterosexual)
- people of both sexes (the person is bisexual).

Specific duty

These duties ensure public authorities have a legal responsibility when carrying out their functions to have 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment, victimisation;
- Advance equality of opportunity between those covered by the Equality Act and those not covered, eg between disabled and non-disabled people;
- Foster good relations between these groups.

T

Transsexual/transgender people

Refers to a person who has the protected characteristic of gender reassignment. This may be a woman who has transitioned or is transitioning to be a man, or a man who has transitioned or is transitioning to be a woman. The law does not require a person to undergo a medical procedure to be recognised as a transsexual.

V

Victimisation

Treating people less favourably because they have made a complaint or intend to make a complaint about discrimination or harassment or have given evidence or intend to give evidence relating to a complaint about discrimination or harassment.

University of Kent
The Registry, Canterbury
Kent CT2 7NZ

www.kent.ac.uk

University of
Kent