



Equality Impact Assessment Guidance

August 2025

History of Changes

Version	Description of Change	Authored by	Date

Contents

1. Introduction	Pg 2
2. Legal Requirements	Pg 2-3
3. Benefits of an Equality Impact Assessment	Pg 5
4. How and when to conduct an Equality Impact Assessment	Pg 5-6
5. Accountability and Ownership	Pg 7
6. What evidence is required for an Equality Impact Assessment	Pg 8
7. Equality Impact Assessment Template	Pg 9-12
8. Equality Impact Assessment Process	Pg 13-14

1. Introduction

What is an Equality Impact Assessment?

Equality Impact Assessments (EQIA) are a tool to help colleges, universities (and other public bodies) ensure that their policies, practices, changes and decisions are fair, meet the needs of their staff and students and that they are not inadvertently discriminating against any protected group.

EQIAs should be an integral part to good decision making by an organisation. They can assist in fully understanding the relevance and effect of proposal and changes and in identifying the most proportionate and effective responses. Delivery of services depends on an understanding of the communities to be served and taking account of diverse needs.

2. Legal Requirements

Equality Impact Assessment for colleges and universities is a legal requirement.

EQIAs originate in the Race Relations (Amendment) Act 2000 and are included in the legal duty placed on public sector organisations in the Disability (2005) and Gender (2006) Equality legislation. These Acts place a duty on public authorities to engage in meaningful consultation with stakeholders when developing and reviewing policy or practice.

These separate Acts have since been incorporated into the Equality Act 2010 where the requirement to conduct an EQIA extends to all protected characteristic groups. These are age, disability, gender reassignment, sex, race, religion or belief, sexual orientation, marriage and civil partnership and pregnancy and maternity.

In accordance with the College's Equality, Diversity and Inclusion Policy (2025) and The Fairer Scotland Duty, Part 1 of the Equality Act 2010 which came into force in April 2018, we also have a legal responsibility to pay due regard to (actively consider) how we can reduce inequalities of outcome caused by socio-economic disadvantage.

We should also consider those who may experience disadvantage in society, such as those from deprived communities, care experienced, have criminal convictions, trade union membership and family or caring responsibilities. EQIAs should be carried out through a Trauma Informed lens.

EQIA and the law Scotland

Borders College has a responsibility to meet the requirements of the Equality Act 2010 including the Public Sector Equality Duty (PSED)¹, and the Fair Scotland Duty².

The PSED requires us to give due regard to the general equality duty to;

- Eliminate unlawful discrimination, harassment, and victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

The Public Sector Equality Duty (PSED) does not prevent organisations from making difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor does it stop organisations from making decisions which may affect one group more than another group. The EHRC provides guidance which outlines that;

The equality duty enables you to demonstrate that you are making financial decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of your community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on people with different protected characteristics.

*Assessing the impact on equality of proposed changes to policies, procedures and practices is not just something that the law requires, it is a positive opportunity for you as a public authority leader to ensure you make better decisions based on robust evidence.*³

Once an EQIA has been completed the results – whether the policy or practice has been changed or not – is required by law to be published.

Since October 2007, the Equality and Human Rights Commission (EHRC) has been charged with enforcement responsibilities, and failure to comply with the legal obligation to conduct EQIAs may result in a compliance order being issued against the organisation by the Secretary of State.

¹ The Public Sector Equality Duty Equality and Human Rights Committee June 2022

² Fairer Scotland Duty: guidance for Public Bodies Scottish Government October 2021

Making fair financial decisions Guidance for decision makers Equality and Human Right Committee
³rd Edition January 2015 (p 2)

3. Benefits of an Equality Impact Assessment

EQIAs provides a number of benefits to the College other than legal compliance

- It encourages robust evidence-based policy and practice. An evidence-based approach supports organisational development and improvement of staff and student experiences by demonstrating the benefits of change where it is required.
- It promotes transparency and accountability in decision making.
- It helps foster good relations between different groups within our College community.
- It helps us learn about how policies and practices can impact on different groups and incorporate that learning into our day-to-day decision making across every area of Borders College – this is what we mean by “mainstreaming equality”.
- It supports external and internal reviews, processes for quality enhancement and self-evaluation.
- It improves the equality of outcomes and enhanced service delivery for everyone at the College by understanding the needs of students, staff and other stakeholders allowing services to be responsive, relevant and focussed on the needs of the user.
- It provides an evidence base which helps counter claims where discrimination is alleged.

4. How and when to conduct an Equality Impact Assessment

An EQIA is required when developing or significantly changing a new or existing policy, strategy, function, or service that could have an impact on people, especially concerning the protected characteristics outlined in the Equality Act 2010.

It should be conducted at the earliest stages of the process to identify potential adverse impacts on different equality groups and explore opportunities to promote equality, allowing time to implement necessary adjustments and mitigate negative effects.

The EQIA should be completed on the standardised template (Section 7). Staff can also refer to the step-by-step guidance which provides a recommended structure for the EQIA process (Section 8).

If you're unsure whether you need to complete an EQIA consider these three simple questions to determine whether your proposed activity requires one:

Q1. To what extent does your proposed activity impact people?

Any activity that impacts on the lives of people will inevitably impact on people with protected characteristics, and therefore an EQIA should be completed to identify specifically who will be affected and how. This may be a change to a service, policy, strategy, practice or plan which means a significant change for a person or group of people. For example, moving the location of an office or service would have a significant impact. Changing the colour of the chairs in that office is unlikely to have a significant impact.

An EQIA needs to be proportionate; the greater the potential impact of the proposed activity, the more thorough and demanding the process of an EQIA will be. Any policy or activity which impacts significantly on people is likely to require engagement or consultation. If there is little change or impact the EQIA will not require the same level of detail.

Q2. Will the proposed activity have a particular impact on those who share a protected characteristic?

As well as considering the overall impact on people, the particular impact on protected groups (e.g. people with a disability), and / or more vulnerable people will need to be considered.

Vulnerable groups could include, for example, deprivation, care experienced, carers etc. An EQIA will support you in identifying who will be affected and how as well as helping you to systematically check that you have properly considered all impacts. This may include identifying any groups of people you need to engage with or consult on the impacts identified / activity you propose.

Q3. Is the impact positive and / or negative?

An EQIA enables you to systematically check that you have properly considered any impact, positive and negative, on students, staff, stakeholders, service delivery, and / or job applicants before a final decision is made and that you have evidence of this

The College, department or delivery area that has the lead responsibility for developing the implementing the policy or practice should conduct an EQIA. Before you begin you can consult with the Equalities Officer who will support and guide you through the various steps of the EQIA process (Section 8).

5. Accountability and Ownership

A collaborative approach is required to effectively conduct EQIAs. Outlined below are the roles and responsibilities of those involved;

Equalities Officer will;

- Develop and update, as appropriate, the EQIA guidelines and process
- Provide advice, guidance and training to relevant policy/practice owners on conducting EQIAs
- Receive and review completed EQIAs
- Consult with Equalities & Inclusion Committee on the content of EQIAs
- Keep a Tracker of EQIAs and share progress with Equalities & Inclusion Committee
- Publish EQIAs

The individual/department/delivery team implementing a change will;

- Conduct an EQIA. For staff related matters the People Services Team may be involved. For student-related matters the Student Services Team and the Students' Association may be involved
- Revise and update policy/practice, proposal or change as and when required
- Notify the Equalities Officer of EQIAs once completed and forward relevant documentation to them

The Senior Leadership Team will;

- Ensure EQIAs are conducted by the appropriate team prior to the approval of any policy or practice development

The Equality and Inclusion Committee will;

- Oversee the implementation of EQIAs on behalf of the College

All staff have a responsibility to consider the impact of their own practice and decisions. Where these may have a significant impact on other people, an EQIA should be considered, and advice sought from the relevant line manager or Equality, Diversity and Inclusion (EDI) Officer.

Conducting an EQIA inadequately could have a discriminatory effect on our existing or potential staff, students and service delivery, where the consequences of a decision or policy may result in less favourable treatment because of a protected characteristic.

6. What evidence is required for an Equality Impact Assessment

Assessments of the impact on equality must be carried out at a formative stage so that the EQIA is an integral part of the development of a proposed policy or action, not a later justification of what has already been adopted.

EQIAs need to be based on relevant information and enable the decision-maker(s) to understand the equality implications of a decision and any alternative options or proposals. As with everything, proportionality is a key principle.

The EQIA process should be evidence based. Some evidence gathering methods include;

Data Gathering

The College holds a lot of information centrally which means you may not need to collect new data. Instead, there may be opportunities to tap into existing data sets to assist with the analysis of impact on minority groups.

Feedback & Consultation

Consulting with members of protected characteristic groups is an effective way to identify how best to meet their needs and overcome challenges.

Legislation & Research

The Equalities Officer can advise on where any local or national published research can be used to provide supporting evidence.

Anecdotal Evidence

Where none of the above exist, some anecdotal information may be used to support the EQIA until such a time when data gathering, consultation or research becomes available.

7. EQIA Template

Please refer to the guidance document to support the completion of this EIA.
This EQIA has five sections A, B, C, D & E

Section A: Planning Process

Information Required	Response
EQIA Owner	
Policy, practice, process, project/activity or delivery change being assessed.	
Purpose and anticipated outcomes.	
Is this a new or existing policy, practice, process, project/activity or delivery change being assessed?	
List of participants and who will be consulted in EQIA <i>e.g. staff, stakeholders, students, etc.</i>	
Who is likely to be affected? <i>e.g. employees, visitors, contractors, women, men, young people, older people, people with disabilities etc.</i>	
What evidence is available of how the policy/decision, etc. affects, or may affect, protected groups? <i>Evidence could be data, research, gaps consultation etc</i>	
Are there any other policies, practices etc. that may be affected?	
Date EQIA started	
Completion date	

Section B: Meeting the Public Sector Equality Duty (PSED)

Please state in the column of 'Information Provided' how this policy, practice, process, project/activity or delivery change will comply with each/any elements of the PSED listed in the first column.

PSED	Information Provided
Eliminating discrimination, harassment, and victimisation	
Advance equality of opportunity between people who share a protected characteristic and those who do not • Removing disadvantage • Meeting different needs • Encouraging participation	
Foster good relations between people who share a protected characteristic and those who do not. • Tackling prejudice • Promoting understanding	

Section C: Assessing Impact

Please consider the impact this policy, practice, process, project/activity or delivery change will have on equality groups. Place 'X' in relevant impact box and provide further details. Further information on Equality groups can be found in Appendix 1.

Equality Group	Positive Impact	Negative Impact	No Impact	Describe the changes or actions (if any) you plan to take to mitigate or maximise impact.
Age				
Disability				
Race				
Sex				
Gender Reassignment				
Sexual Orientation				
Religion or Belief				
Pregnancy or Maternity				
Marriage or civil Partnership				
Additional Characteristics				
Corporate Parenting / Care Experienced				
Poverty or Social Deprivation				
Past Criminals Convictions				
Employment or Trade Union Members				

Armed Forces Community				
Those with experience of Trauma				

Section D: Acting on the result of the EQIA

Before submitting this, please choose one of the outcomes listed below to show the final decision as a result of this EQIA.

No barriers identified – the assessment is that the policy, practice, process, project/activity or delivery change is/will be robust and can proceed.	
Adapt, adjust or change the policy, practice, process, project/activity or delivery change – this involves taking steps to remove bias and any barriers, to better advance equality and/or to foster good relations.	
Barriers and impact identified however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy, practice, process, project/activity or delivery change. Therefore, you are going to proceed with caution knowing that it may favour some people less than others, providing justification for this decision.	
Stop the policy, practice, process, project/activity or delivery change as there are adverse effects cannot be prevented/mitigated against.	

Section E: Monitoring and Sign Off

Monitoring

When will the policy, practice, process, project/activity or delivery change be reviewed?	
Can this EQIA be published in full now? (yes or no)	
If 'no' please specify when it may be published or indicate restrictions that apply e.g. committee schedule process	

Sign off

EQIA Owner	
Date	
EDI Officer	
Date	

Please send the completed EQIA to the Equality, Diversity & Inclusion Officer
hbroatch@borderscollege.ac.uk

8. EQIA Process

Step 1: Clarity & Understanding

- Know the name, aims & purpose of the policy, practice, process, project/activity or delivery change to be reviewed
- Who it covers (e.g. staff, students, cohorts)
- Owner of policy, practice, process, project/activity or delivery change
- Date of approval and who was it approved by?
- How often is it reviewed?

Step 2: Plan the EQIA process

- Allow sufficient time to consult relevant people and gather evidence. Evidence could be quantitative, qualitative or anecdotal.
- Could there be any implications for a protected characteristic group in this policy/practice?
- Identify whether the policy or practice links with college equalities policies or action plans for any of the protected characteristics.

Step 3: Compliance with the General Equality Duty

Assess the compliance of the policy with the General Equality Duty by asking:

- How does the policy, practice, process, project/activity or delivery change eliminate discrimination?
- How does the policy, practice, process, project/activity or delivery change contribute to advancing equality of opportunity?
- How does the policy, practice, process, project/activity or delivery change affect good relations?

Step 4: Assessing impact

- Assess the potential impact by considering whether the evidence gathered indicates potential differential impact on each protected characteristic group.
Evidence could include:
 - Monitoring information
 - Surveys, evaluations and feedback
 - Recruitment and promotions data
 - Evaluation of delivery programmes
 - Self-Evaluation
 - Organisational Data
- If you have no relevant data sets, you should consider;
 - Collecting anecdotal information (e.g. hold a focus group)
 - Review policy/practice with stakeholders
 - Benchmark against other colleges or national data
 - Review the policy/practice with a relevant external group/partners
 - Request data sets from relevant college teams
- Make an informed decision and provide detail for this decision.

Step 5: Acting on the results of the assessment

Considered potential impact, develop possible actions to address negative impacts or evidence gaps.

Positive impact: This means the policy, practice, process, project/activity or delivery change complies with the college's equalities policies and national legislation.

Examples

- College publications available in a variety of formats
- Accessible toilets available across all campuses

Negative impact: This means the policy, practice, process, project/activity or delivery change could be discriminatory and may breach legislation.

Examples

- Delivery is provided for younger users only
- Facilities fail to cover accessibility needs for disabled users

No impact: This means policy, practice, process, project/activity or delivery change has no relevance to protected characteristic groups, and is therefore equally applicable to all

Example

- Provision of sports facilities that are open to all students and staff

Step 6: Recommending a decision

Use the findings or results of the EQIA to determine the outcome for the proposed policy, practice, process, project/activity or delivery change. The possible outcomes are outlined in the EQIA template.

Step 7: Monitoring and evaluation

Monitoring and evaluating the decisions made during EQIA will ensure and demonstrate that the actions taken are effective and appropriate.

EQIAs should form part of a continuous quality review process. The owner of the EQIA is responsible for overseeing the implementation of actions arising from an EQIA.

Step 8: Approval, Sign Off & Publication

The EQIA owner must consider the EQIA fully as they make a final decision on adopting the policy, practice, process, project/activity or delivery change.

Any doubts about whether the EQIA is robust enough the EQIA owner should consult their line manager, a Senior Leader/Executive or EDI Officer for advice.

Equality legislation places statutory responsibility on the college to publish the results of all EQIAs. It is considered good practice to inform stakeholders of how their contribution has improved or affected the policy or practice.

The completed EQIA templates should be signed and returned to the EDI Officer.

Appendix 1

Equality Group	For Information
Age	Someone belonging to a particular age, or range of ages
Disability	A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities
Race	Refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins
Sex	Gender assigned at birth
Gender Reassignment	The process of transitioning from one gender to another (can include changing names, pronouns, dressing differently, medical intervention and living in their self-identified gender)
Sexual Orientation	A person's sexual and/or romantic attraction to other people, or lack thereof
Religion or Belief	Religious and philosophical beliefs, including lack of belief (atheism)
Pregnancy or Maternity	Refers to being pregnant and the period after birth (linked to maternity leave in the employment context)
Marriage or civil Partnership	Married couples and civil partnership should be treated the same on a wide range of matters
Corporate Parenting/ Care Experienced	Someone who has been or is currently in care or from a looked-after background at any stage in their life. This includes adopted children who were previously looked-after.
Poverty or Social Deprivation	Low income, material or area deprivation.
Past Criminals Convictions	Individuals with known criminal convictions.
Employment or Trade Union Members	Someone who is a member of an Employment or Trade Union
Armed forces community	This group includes serving and former members of the Armed Forces and their families.
Those with experience of Trauma	This group includes those who may have had or are experiencing Trauma. <i>Trauma Informed Practice ensures recognition of trauma, the impacts of trauma, responding safely and effectively to those experiencing or surviving trauma and reduction of re-traumatisation and vicarious trauma.</i>

Status: Approved
Policy Dated: August 2025
Author: EDI Officer
Review Date: August 2028
Equality Impact Assessed: Complete