

Equality Screening and Impact Assessment form

INTRODUCTORY GUIDANCE TO EQUALITY SCREENING AND IMPACT ASSESSMENT

What is it? Equality screening and impact assessment helps us consider the effect of our policies and practices¹ on different people. It helps us minimise negative impact and potential discrimination and promote opportunities to advance equality, inclusion and good relations between different groups of people.

There are two main elements to equality screening and impact assessment. Firstly a set of equality screening questions are reviewed. These questions help determine whether the policy is relevant to equality and whether it needs to go through an equality impact assessment. The second element, if required, is the equality impact assessment meeting. This is where a panel of people review the proposed policy, particularly thinking about its impact on different groups of people, trying to identify and counter any potential negative impact and promote any opportunities to enhance equality. The panel suggests actions for the policy owner to adopt.

Why do we do it? The process helps us improve our policies and build equality into our work. Equality screening and impact assessment helps us consider the potential impact of what we do on different groups who are susceptible to unjustified discrimination, some of whom are legally protected against this, whether by UK or other law. It helps us demonstrate that we have proactively considered equality when developing our policies.

When should we do it? Assessing the impact on equality should start early in the policy development process, or at the early stage of a review. Assessing the impact on equality should be ongoing rather than a one-off exercise, because circumstances change over time, so equality considerations should be taken into account both as the policy is developed and also as it is implemented. The guidance here is to help assess the impact on equality before the policy is implemented.

It takes some time to properly set up an equality impact assessment meeting if one is needed, so the equality screening questions should be considered as early as possible once the policy is drafted. If an equality impact assessment is required it will take a little time to identify a chair, a note-taker, a diverse panel and to set up the meeting arrangements. In addition once the meeting has taken place there are likely to be actions to be implemented before the policy is launched. All this needs to be considered when determining the best time to address equality screening and impact assessment.

When we are implementing a policy that has been developed elsewhere, for example by a government department, or by a partner organisation we also need to assess the impact on equality. Although responsibility for the policy itself rests with the organisation that developed it, we may have choices in how it is implemented that can help eliminate potential discrimination and promote equality, inclusion and good relations.

How do we do it? Consider the purpose of the policy, the context in which it will operate, who it should benefit and what results are intended from it. Reflect on its potential impact on people with different equality categories and think about which aspects of the policy, if any,

¹ Consistent with its broad definition in Section 75 of the Northern Ireland Act and other equality legislation, this guidance uses the term 'policy' as a shorthand for policies, practices, activities and significant decisions about how we work and carry out our functions.

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are most relevant to equality. Answer the equality screening questions to determine whether an equality impact assessment meeting is necessary.

Identify someone to chair the equality impact assessment panel meeting, if one is necessary, and someone to take the notes. The chair and note-taker play a crucial role and specific guidance has been developed to support them ([guidance for Chairs](#); [guidance for Note-takers](#)). A diverse panel should be approached, including a range of colleagues from different teams/departments/countries/regions as appropriate, some of whom should be directly involved in or impacted by the policy. Panel members should be sent the part-completed ESIA form and the policy documents, giving them at least a full week to read them and prepare for the meeting.

We particularly focus on the following equality categories (many of which are protected by equality legislation in the UK and beyond): age, dependant responsibilities (with or without), disability, gender including transgender, marital status/civil partnership, political opinion, pregnancy and maternity, race or ethnic origin, religion or belief and sexual orientation. Invariably there are other areas to consider including full-time/part-time working, geographical location, tribe/caste/clan or language, dependent on the country. We also review what is being proposed against the organisation's values (creativity, integrity, mutuality, professionalism and valuing people).

After the meeting the action points identified by the panel are reviewed by the policy owner and implemented as appropriate. The policy owner confirms implementation of the action points (and outlines a justification for any action points that won't be taken forward) and then signs off and sends the completed form to ESIA@britishcouncil.org.

Northern Ireland

There is particular legislation in Northern Ireland which requires a more detailed process of equality screening and impact assessment for policies that are deemed to have high relevance to equality. This includes external consultation with relevant contacts and organisations. Given this, there is a need to confirm whether the proposed policy affects anyone in Northern Ireland. **If it does, all parts of the form need to be completed and the guidance at Annex A must be read and followed.**

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EQUALITY SCREENING

POLICY² DETAILS – *Please complete*

Title of policy	Mediation Framework
Name of policy owner	Rachel Waugh
Intended implementation date	End of January 2017

BACKGROUND - *Provide brief background information about the policy, or change to it. Include rationale, intended beneficiaries and expected outcomes. (Use as much space as you wish, the text box below will expand as you enter information).*

The mediation framework is a global initiative which is being introduced as an alternative way to deal with conflict and avoid conflict going to formal stages of the grievance process, unnecessarily.

The mediation framework operates by having an internal impartial third party, the mediator, facilitate a conversation with the parties in conflict, to help the parties work together to form a solution.

The documents to be assessed in the panel include:

The mediation policy: this sets out the scope, the principles and standards and also roles and responsibilities.

Mediation Guide: this sets out further guidance on what mediation is, the role of the mediator and the process used for mediation.

Mediation Process Diagram: outlining the mediation process at the British Council in flowchart form.

IS AN EQUALITY IMPACT ASSESSMENT REQUIRED?

To determine this, please answer the following by ticking yes, no or not sure:

Question	Yes	No	Not sure
Is the policy potentially significant in terms of its anticipated impact on employees, or customers/clients/audiences, or the wider community?	Yes		
Is it a major policy, significantly affecting how programmes/services/functions are delivered?		No	

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Might the policy affect people in particular equality categories in a different way?			Not sure
Are the potential equality impacts unknown?	Yes		
Does the policy have the possibility to support or detract from our efforts to promote the inclusion of people from under-represented groups?	Yes		
Will the policy have an impact on anyone in Northern Ireland?	Yes		
Total responses Yes/No/Not sure	4	1	1

DECIDING IF AN EQUALITY IMPACT ASSESSMENT IS NECESSARY

If all the answers to the questions above are 'no' then an equality impact assessment is not needed.

Please move to the 'Record of decision' section below.

If there are any 'yes' responses then an equality impact assessment is necessary.

Please move to the 'Record of decision' section below.

If there are no 'yes' responses but there are any 'not sure' responses then please discuss next steps further with the Regional Diversity Lead or with the Diversity Unit, who will help you decide if an equality impact assessment is necessary. Examples of situations where it is not necessary to carry out an equality impact assessment include:

- Producing a team newsletter
- Changing the time of a meeting
- Planning an internal event

In these instances relevant equality issues should still be considered, but there is no need to carry out an equality impact assessment.

RECORD OF DECISION

I confirm an equality impact assessment is required / is not required (*delete as relevant*).

Policy Owner: Rachel Waugh (Name) Employee Relations Consultant (Role)

Date: 16.12.2016

Note 1: *If an equality impact assessment **is required**, please complete questions 1-3 in the following section and send this part-completed form to the panel along with any relevant background documentation about the policy at least one full week prior to the EIA meeting. This should include the draft policy and any supporting data or relevant papers.*

Note 2: *If an equality impact assessment **is not required**, please send this screening section of the form to ESIA@britishcouncil.org.*

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EQUALITY IMPACT ASSESSMENT

PART A: This section is to be completed before the EIA panel meeting and sent at least one week in advance to the panel along with the policy and other relevant documents.

TITLE OF POLICY:	Mediation Framework
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(Take as much space as required under each heading below)

- 1. Please summarise the purpose of the policy, the context in which it will operate, who it should benefit and what results are intended from it.**

The Purpose of the Framework

This framework has been designed to be used globally as an alternative way to resolve conflict. The framework will provide assistance where parties have tried but have been unsuccessful in resolving issues themselves. The process works by using an independent third party, a mediator to facilitate a conversation between the parties to help them reach a negotiated agreement.

The context in which it will operate

The framework will be used globally and will be used as an alternative method of resolving conflict between parties

The benefits of the policy are:

- Conflict being resolved in a constructive way
- Conflict being dealt with in a more timely manner
- Conflict not being escalated to grievance level

- 2. Please explain any aspects of the policy you've been able to identify that are relevant to equality. This will contribute to the equality-focused discussion the panel will have.**

The policy is directly related to people and therefore it is important to ensure no groups will be adversely impacted. Though, there are no groups of staff that should be impacted more than others as the policy applies equally to all staff the ESIA should help to identify any potential conflict.

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- 3. Please outline any equality-related supporting data that should be considered. This could include consultation with Trades Union Side or staff associations, equality monitoring data, responses from staff surveys or client feedback exercises, external demographic and benchmarking data or other relevant internal or external material.**

The Union have been consulted in this project, as have EDI facilitators. There has also been a global working group of HR staff who have given input in the development of the project.

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PART B: *This section captures the notes of the Equality Impact Assessment panel meeting.*

TITLE OF POLICY³:	Mediation Framework
DATE OF EIA PANEL MEETING:	12 January 2017

1. Please list the names, roles/business areas and geographical location of the panel members. If contributions have been received in writing by people who could not attend please list their details too and note 'input in writing' by their name.

Rachel Waugh (policy owner) – Global Employee Relations Consultant, Human Resources, based in Manchester, UK.

Fiona Bartels-Ellis (chair) - Global Head of Equality, Diversity and Inclusion (EDI), based in London, UK.

Jane Franklin (notes) - Deputy Head of EDI, based in Manchester, UK.

Sarah Bagshaw - Head of Arts France; Equality Diversity and Inclusion (EDI) Lead for EU region and Accredited Diversity Facilitator.

Julian Child - Knowledge Sharing Manager based in Manchester and Chair of Trade Union Side.

Popi Fasianou - Document Business Development Manager, based in Thessaloniki, Greece; Diversity Assessment Framework (DAF) Lead and EU EDI Regional Lead and Accredited Diversity Facilitator.

Reena Johl – Country Director Malawi; Regional EDI Lead for Sub-Saharan Africa.

Pooja Malhotra - Head of Human Resources and EDI for the Shared Services Centre (SSC) based in Noida; Accredited Diversity Facilitator.

Andy Phillips - Regional Head of Business Transformation, based in Learning and Development's Centre of Expertise, currently working on a management capability programme.

Medy Wang - Head of Schools and Football Programmes for China; East Asia Regional EDI Lead and Accredited Diversity Facilitator.

Summer Xia - Deputy Director Thailand; East Asia EDI Lead and Accredited Diversity Facilitator.

Many of the panel members had previous experience of involvement in conflict resolution, both formal and informal, as well as experience of participating in ESIA's at a country, regional and corporate level.

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1. Summarise the main points made in the discussion, noting which documents were reviewed. Note any points relating to clarity/quality assurance as well as points relating to equality issues.

The Chair commented about the panel's relevant experience and confirmed that this meeting is trying to take a critical view of what has been proposed specifically in relation to strengthening the promotion of equality and inclusion, and also by identifying if anything set out in the policy may lead to unjustified discrimination. It was held to be a very positive and much needed policy and framework.

Given it is often difficult to flip between protected characteristics and make the wider comments that policy owners value which improve the overall quality of the policy, the Chair explained how the four documents (the part-completed ESIA form, the policy, the process diagram and the guide) would be reviewed and how the meeting would proceed.

Reviewing the part-completed ESIA form

The Policy owner gave an overview of the intention of the policy as outlined in the ESIA form. Mediation was described in the documentation as an 'Alternative approach to conflict/dispute resolution' and there were questions about whether 'alternative' was the right word. (Action) It was confirmed this is an internal process involving a trained internal mediator. It would normally be used to avoid moving to the formal stage of dispute resolution but could in some circumstances be used after the formal stage to aid resolution. The panel felt that currently across the documentation it doesn't come through clearly enough that mediation can be used after a formal process has taken place and that reflecting this consistently would be likely to promote greater inclusion. (Action)

The panel felt that some of the Equality screening questions (p4 of the ESIA form) needed to be reviewed as the policy as proposed may well support efforts to promote inclusion and would definitely impact on people in Northern Ireland. (Action)

Part A – The purpose was again described as an 'alternative way to resolve conflict' – is 'alternative' the right word? The Policy Owner confirmed that the intention is that mediation would provide assistance where parties have tried but been unsuccessful in resolving issues themselves. This is because mediation is time intensive so parties need to try to resolve things themselves first.

Clarification was sought about 'disagreement arising between two or more parties' which is mentioned in some places but not always in a consistent way across the documentation. The Policy Owner confirmed that mostly disagreement is likely to take place between two parties, but occasionally it could extend to teams (maybe up to as many as six). (Action) The panel were asked to think about equality implications of this. A recent example was provided by a panel member - four people in a team were being bullied by a manager and it was asked whether they would be seen as four separate parties plus the manager in the policy. Issues of balance with multiple parties were also discussed and whether efforts will be made to map identities of the party/ies with the mediator, which may be problematic in cases with multiple parties. It was felt the documentation could give an example of how mediation with more than two parties might work, to bring reassurance and clarity to colleagues from the outset. (Action)

The panel felt the section on equality-related data and previous benchmarking in the ESIA form (Q3 of Part A) was rather brief and could be strengthened. (Action)

Similarly, the panel felt that currently the benefits were not articulated as strongly as they could be throughout the documentation. (Action)

Research (from Wainwright Trust and other places) shows many equality concerns are not felt to be dealt with properly which prompts people to take them to tribunal.

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Given the backdrop of not dealing seriously with equality related issues, it was felt it should be demonstrated clearly how mediation as proposed could help with this (particularly given the current references to mediation not being suitable in instances of discrimination and bullying, etc). (Action)

Mediation Policy

The Chair asked the panel to work through the Mediation Policy and think particularly about the different equality categories in relation to what is outlined.

Purpose – Comments to be picked up later about how mediators would be selected and the nuanced wording within the documentation were raised but there were no concerns identified with the proposed purpose.

Scope – no concerns identified.

Standards and principles – clarity was sought about the wording, especially the terms ‘independent’ and ‘impartial’ (as it was felt this implied the mediator would be external rather than an internal colleague); would an HR Business Partner be perceived by colleagues as independent and impartial? A discussion took place about power dynamics highlighting that structural inequality in the mediation room could undermine the process. It was felt this could be addressed by clarifying expectations in the documentation and possibly also by an FAQ specifically about an independent, impartial mediator. The Policy Owner confirmed there was an opportunity to take advantage of the size and diversity of the organisation to allow mediators to be independent and impartial – explaining the desire to move outside HR in the region (approaching other colleagues in countries in the region) and encourage diversity (as many managers as possible). Mediators will be trained and impartiality will be covered, with encouragement to state if they can’t mediate a particular case. It was asked how risks to neutrality could be minimised and the panel expressed the need for clarity about roles, the involvement of HR (as there may be perceived alignment with a manager or the more senior party), and the need to manage expectations about the skills of mediators and the training they had received. It was felt the credibility of the training should be highlighted in the policy (and that the training content should include unconscious bias). The Policy Owner confirmed the training would be co-delivered by an external specialist. (Action)
Questions were raised about terminology and whether arbitration should be used when power dynamics between the parties were different. (Action)

The panel proposed additional standards should be considered to better promote inclusion, including: ‘EDI good practice informs and supports the framework’; ‘Mediators are people who are appropriately trained’ along with reference to alignment to the organisational values and to other relevant British Council policies. (Action)

A general point was made about ensuring the language across the documentation was consistent, for example referring to ‘parties’ or ‘employees’ throughout, rather than to both and also accurate and nuanced (for example – if the mediator is ‘appointed’ this sounds as if it is fixed, whereas it would promote inclusion if a mediator is suggested who then is appointed if agreed by both/all parties. (Action)
The voluntary nature of mediation should be explained in more detail – including that parties will be able to withdraw at any stage and that they can comment if they feel the suggested mediator is not sufficiently impartial or not suitable for another reason. (Action)

Clarity was sought about confidentiality after mediation, to make it clear when the discussions or agreements entered into could be called to be shared and when this would not happen (would it be accurate to say the content of the discussion as remembered would only be shared in extreme circumstances, such as if a criminal act was implied, or if unlawful activity had taken place?). Is there sufficient clarity

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about what to do if someone discloses a mental illness or a child protection issue? This should be checked with colleagues in Legal Team. (Action)

Roles and responsibilities – starts with During the Mediation

The panel felt this section needed extending. It should include different sections on Before/During and After mediation. The roles of the parties, the mediator, line managers, associates/representatives, HR Business Partners, need to be listed and clarified. The wording should mirror what is presented in the Process Diagram and in the Guide – all documentation should be consistent. (Action)

Questions were raised about the alerting process for mediation and how people are trained to recognise this? Also it needs to be clear if HR referral is the only route to mediation, or if in some circumstances, line managers can refer, or if people can self-refer – and if not what the rationale for this is. (Action)

Clarity about taking notes is crucial. The Policy Owner said that current thinking is that parties can bring one sheet of paper to the joint meeting. Assistive technology impact was discussed and it was confirmed exceptions would be made and adjustments and flexibility would be possible where requested on grounds of disability, or on other relevant grounds.

It was confirmed that having clarity about how to prepare for meetings, and what was allowed within meetings in terms of notes and reminders, would play a significant role in increasing equality and in the extent to which people might be willing and able to participate in the process. (Action)

Mediation Agreement

No follow up is mentioned in the Mediation agreement section of the Policy, so amends are needed here. (Action)

The panel then moved to work through the Guide to mediation.

Guide to mediation - What is Mediation?

The proposal of mediation taking one full day with the morning for individual meetings and afternoon for joint meetings, although perhaps sensible in many instances, might be problematic for a number of groups, including disabled people, those with dependents/caring responsibilities, part-time workers and people operating in a language other than their first. The Policy Owner clarified that this would be the general expectation, but there could be flexibility to suit the particular needs of the parties. Reference to the rationale for the proposed approach (which include the importance of maintaining momentum) might be helpful and reflecting flexibility and the support available (including but ideally not restricted to EAP) would also help promote inclusion.

Questions were raised about the time needed for individual meetings and whether it was too long/short, but there was acknowledgement that providing an ideal timeframe (that individual meetings last about an hour and joint meetings last about three hours) was helpful. (Action)

There was agreement for reasons of fairness and not to disadvantage people that the meetings should take place face-to-face wherever possible, but concern that this is resource intensive and might potentially impact on which cases are allowed to go for mediation. It was felt that there should be acknowledgement in the Guide about the cost of mediation and also about the benefits that would potentially offset the cost and a steer that cost should not determine which cases are offered mediation, but other transparent criteria should be used. (Action)

Questions were asked about how confidentiality could be preserved when meetings are taking place face-to-face and can be seen/discovered by others? This might be a particular issue for those working in small offices (and the issues of cost might also disproportionately affect those in smaller offices). (Action)

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There were particular concerns about confidentiality for line managers and it was felt this could be addressed by reference to them in the Roles and Responsibilities section, but that this should be in the Guide rather than in the Policy.

The Panel felt that reviewing the headings across all documentation and ensuring alignment between them would further help to provide clarity and in so doing would help mitigate risk and promote greater equality. (Action)

P4 of the Guide to Mediation sets out the stages of mediation, but there seem to be some missing steps, so this section needs a review to provide the detail and clarity that will help take-up. (Action)

P5 of the Guide currently seems to suggest bullying and harassment etc may be appropriate for mediation but the Process Diagram states it isn't. Articulation is currently a bit ambiguous. Often people feel there has been a breach of values and covert discrimination, or a micro-inequity that would be well dealt with by mediation (obviously not rampant harassment or discrimination), so clarity would be useful and would potentially significantly help to promote equality. (Action)

There was some confusion expressed about what the documentation suggests should happen after mediation and how the 'case' gets closed. The panel felt this needed greater explanation which would help provide clarity for mediators as well as for the different parties and would prevent unreasonable requests and demands being made of mediators once the meetings had finished but in the six-month period afterwards. The current proposal (the Policy Owner confirmed) is that the mediator would check in with the parties twice during the six-months after the meeting to see if it has been successful. If not, their role would be to remind both parties about the agreement drawn up. Virtual check in would be ok – as long as both parties receive comparable treatment. This is not outlined in the Guide and the panel felt that it should be, so that there is consistency in approach across the organisation. (Action)

It was felt that more information around decision making, who owns the process and who takes things forward would be welcome. It needs to be acknowledged that there are practical, administrative arrangements as part of mediation (particularly if mediators will be travelling to attend meetings) and the Guide should outline how these can be addressed whilst preserving confidentiality. (Action)

Questions were asked about the plans to monitor and record mediations (so that take-up could be monitored and the relative success could be shared across the organisation). There would be opportunity to minimise inequality in the take-up of mediation by recording and analysing such data. (Action)

The Policy Owner asked the Panel for guidance on whether a Policy was needed along with a Guide, or if a single document would suffice. The Panel felt it was useful to have a Policy, outlining the principles, supported by a fuller Guide providing the detail people need to fully understand the process, as long as both are aligned.

The Chair thanked all for their participation and acknowledged that the equality issues raised were more general than specific. The potential for negative impact is largely around the lack of clarity and lack of specific attention to the needs of vulnerable people. The opportunity to promote equality comes from the clarity and from outlining the flexibility that can be afforded in different instances, to meet the different parties' needs. Conflicts and disputes are emotionally draining and resource intensive so it was felt to be very good to have a framework in place.

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2. **Capturing information about the protected groups/characteristics** - Based on the notes of the discussion (section above), record here any potential for negative impact identified and any opportunity to promote equality, inclusion and good relations.

Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Different ages (older, middle-aged, young adult, teenage, children; authority generation; vulnerable adults)		Confirmation that all parties need to agree with the selection of the mediator and that identity and issues of power and structural inequality will be taken into account as relevant and appropriate could help promote inclusion.
Different dependant responsibilities (childcare, eldercare, care for disabled and/or extended family)	Mediation meetings being scheduled to take place in 'one full day' might be problematic for people with particular domestic responsibilities and/or working patterns.	As above.
Disabled people (physical, sensory, learning, hidden, mental health, HIV/AIDS, other)	Mediation meetings being scheduled to take place in 'one full day' might be problematic for people with particular impairments.	As above. Reference in the Guide to assistive technology, reasonable adjustments and the offer of support where needed could help promote inclusion.
Different ethnic and cultural groups (majority and minority, including Roma people, people from different tribes/castes/clans)	Mediation meetings being scheduled to take place in 'one full day' might be problematic for people operating in a second (or third) language.	See point noted under Age above. Acknowledgement in the Guide about particular difficulties relating to language and culture and how to overcome these could help promote inclusion.
Different genders (men, women, transgender, intersex, other)		See point noted under Age above.
Different marital status (single, married, civil partnership, other)		
Different political views or community backgrounds (particularly relevant to Northern		

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Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Ireland)		
Pregnancy, maternity, paternity and adoption (before/during/after)		
Different or no religious or philosophical beliefs (majority/ minority/ none)		See point noted under Age above.
Different sexual orientations (gay, lesbian, bisexual, heterosexual)		See point noted under Age above.
Additional equality grounds (such as full-time/part-time working, language, geographical location, other ⁴)	Mediation meetings being scheduled to take place in 'one full day' might be problematic for people based on their location, working pattern, language, etc.	Flexibility in scheduling to suit all parties could help promote inclusion.
British Council values (valuing people, creativity, integrity, mutuality, professionalism)		<p>Emphasising alignment with the organisational values and other British Council policies could help reinforce the benefits of mediation and promote inclusion.</p> <p>Detail about the training offered to mediators could help confirm their credibility and support professionalism.</p> <p>Confirming that decisions about which cases can be put forward for mediation will be made against clear criteria (rather than cost or seniority) could help demonstrate valuing people and integrity.</p>

⁴ Any other categories people share that might impact on how the policy affects them.

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4. Agreed actions - Insert additional rows for more action points and number these.				
Action identified by Panel	Agreed by Policy Owner (Yes/No)	Justification if not agreed	Date to be implemented	Confirmation of implementation
1. Consider changes to the Equality Screening and Part A sections of the ESIA form to note 'Yes' to opportunity to support efforts to promote inclusion and that it will have an impact on people in Northern Ireland. Also consider strengthening the section about equality-related data (Q3, Part A).	Yes			Implemented
2. Review wording throughout the documentation - A general point was made about ensuring the language is consistent (for example referring to 'parties' or 'employees' throughout, rather than to both); accurate and nuanced (for example if the mediator is 'appointed' this sounds as if it is fixed, whereas it would promote inclusion if a mediator is 'suggested' who then is appointed if agreed by both/all parties; is mediation an 'alternative' approach to conflict resolution?). Also consider if 'mediation' is always the right term or if there needs to be reference to other terms in certain instances (for example arbitration where there are cases with different power dynamics).	No	In order for informal resolution not become hierarchical the same term will be applied to all cases		Implemented

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3. Check Policy headings and content align and whether they also align with what is outlined in the Guide and the Process Diagram.	Yes			Implemented
4. The panel felt that currently across the documentation it doesn't come through clearly enough that mediation can be used after a formal process has taken place and that reflecting this consistently would be likely to promote greater inclusion.	Yes			Implemented
5. Consider consistently referring to mediation taking place between 'two or more parties' and whether further guidance is needed (maybe in an FAQ?) about a maximum number of parties (and the resulting impact on time and other factors this will have). This might particularly impact on the identity of the mediator, where this is an important factor.	Yes			Implemented
6. It may strengthen engagement and take up if the benefits of mediation are clearly articulated in the documentation.	Yes			Implemented
7. Currently the documentation seems to present mixed messages about whether mediation can be used in instances of discrimination and bullying and/or to address equality-related concerns. This should be clarified.	Yes			Implemented
8. Provide further information (maybe in the form of an FAQ?) to confirm what is meant by an 'independent' and 'impartial'	No	Independent and impartial clearly articulates that mediators are impartial		

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mediator.		and not involved in the matter		
9. Highlight the credibility of the training in the policy, including that it will be co-delivered by an external specialist (and that the training content will include unconscious bias).	Yes			Implemented
10. Additions to be included in the Standards and Principles section: 'EDI good practice informs and supports the framework'; 'Mediators are people who are appropriately trained' along with reference to mediation's alignment to the organisational values and other relevant British Council policies.	Yes			Implemented
11. Expand emphasis on the voluntary nature of mediation – including stating that parties will be able to withdraw at any stage and that they can comment if they feel the suggested mediator is not sufficiently impartial or not suitable for another reason.	Yes			Implemented
12. Clarify and check with Legal Team the section on confidentiality and when mediation discussions might need to be shared (e.g. if unlawful activity is disclosed) to appropriately manage expectations.	No	Documentation provided with ACAS clearly provides information on this so need to go to legal team		
13. Revise the roles and responsibilities section of the Policy and reflect this in the Guide (and where relevant in the Process Diagram) to include different sections on Before/During/After mediation and to outline the roles of the parties, the mediator, line managers, associates/ representatives and HR Business Partners.	Yes			Implemented
14. Clarify if HR referral is the only route to mediation, or if in some circumstances, line managers can refer, or if people can	Yes			Implemented

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self-refer – and outline the rationale.				
15. Build detail on note taking into the documentation so there is the opportunity for consistency. Make reference to assistive technology and other adjustments to meet the specific needs of individual parties.	Yes			Implemented
16. Ensure the Guide and other documentation reflects that what is 'generally expected' and 'provided as an indication' can be adapted to suit the individual needs of one or more of the parties involved (e.g. how the mediation meetings are structured). Make written reference to flexibility which is likely to promote inclusion and encourage engagement with the process.	Yes			Implemented
17. Build into the Guide reference to the cost of mediation, the benefits that potentially offset the cost, and a steer that cost should not determine which cases are offered mediation, but other transparent criteria should be used – and note what this will be.	Yes			Implemented
18. Consider how to strengthen the section on confidentiality to acknowledge how it might be preserved in small offices in particular (maybe through an FAQ?).	Yes			Implemented
19. Review the stages of mediation across all documentation and ensure there is sufficient detail and alignment from initial dispute/conflict, through to how the case is closed.	Yes			Implemented
20. The Guide should acknowledge the practical and administrative dimensions of mediation and propose a way to deal with these.	No	The guide is meant to be high level		
21. Consider how the offer and take up of mediation is recorded and monitored in a way that will highlight any potential	Yes			Implemented

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inequality.				
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5. Sign off by policy owner

I confirm that the policy has been amended as identified in the **Agreed actions** table above.

If the policy has an impact on people or functions in Northern Ireland, I confirm Annex A has also been completed.

_____ Rachel Waugh _____ (Name) _____ Global Employee Relations Consultant (Role)
_____ 06/06/2017 _____ (Date)

6. Record keeping

The Policy Owner (or their agent) must email the completed ESIA form to ESIA@britishcouncil.org.

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ANNEX A

POLICIES WITH AN IMPACT IN NORTHERN IRELAND

In accordance with the Guide for Public Authorities, policies which have a MAJOR impact on equality will share some of the following factors:

- they are deemed to be significant in terms of strategic importance;
- the potential equality impacts are unknown;
- the potential equality and/or good relations impacts are likely to be adverse or experienced disproportionately by groups who are marginalised or disadvantaged;
- the policy is likely to be challenged by a judicial review;
- the policy is significant in terms of expenditure.

Policies which have a MINOR impact on equality will share some of the following factors:

- they are not unlawfully discriminatory and any residual potential differential impact is judged to be negligible;
- aspects of the policy are potentially unlawfully discriminatory but this possibility can readily and easily be eliminated by making the changes identified in the action points at Section 4;
- any differential equality impact is intentional because the policy has been designed specifically to promote equality for particular groups of disadvantaged people;
- by amending the policy there are opportunities to better promote equality, inclusion and/or good relations.

Policies which have NO impact on equality will share some of the following factors:

- they have no relevance to equality, inclusion or good relations;
- they are purely technical in nature and have no bearing in terms of the impact on equality, inclusion or good relations for people in different equality groups.

For policies impacting on people or functions in Northern Ireland, you must identify whether any of the issues identified by the EIA panel in the table at Section 3 are likely to have a MAJOR, MINOR or NO impact on equality. This consideration must be given to all the items listed in the table at section 3 whether they have potential for negative impact or the opportunity to promote equality, inclusion and good relations.

Equality categories	Negative/Positive impact on equality, inclusion or good relations		
	NO	MINOR	MAJOR
Age	No	*	
Dependants	No	*	
Disability	No	*	
Ethnicity	No	*	
Gender	No	*	
Marital status	No		
Political opinion	No		
Religious belief	No	*	
Sexual orientation	No	*	

If the answer to the above questions is NO, no further action is needed.

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If MINOR impact is identified and the actions listed at Section 4 will address this, no further action is needed. Where the actions listed at Section 4 will not sufficiently address the impact, additional measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations should be considered. If mitigating measures and/or an alternative approach cannot be taken then the policy should be subject to full Equality Impact Assessment (EQIA) aligned to Northern Ireland's equality legislation.

If a MAJOR impact is identified in any of the answers above then the policy should be subject to full Equality Impact Assessment (EQIA) aligned to Northern Ireland's equality legislation.

For guidance on completing full EQIA aligned to Northern Ireland's equality legislation, see <http://www.equalityni.org/archive/pdf/S75GuideforPublicAuthoritiesApril2010.pdf>.

A member of the Diversity Unit should be involved in any EQIAs that take place.

RECORD OF DECISION AND SIGN OFF BY POLICY OWNER: *(please delete 2 of the following statements)*

I confirm that a full EQIA is needed and that I will refer to the Guide for Public Authorities and the Diversity Unit for support in carrying this out.

or

I confirm that a full EQIA is not needed, providing all the Agreed actions at Section 4 and/or other noted mitigating actions are carried out.

Note other mitigating actions that are not listed at Section 4 here _____

or

I confirm that a full EQIA is not needed and no further action needs to be taken.

Signed by:

Rachel Waugh

_____ (Name) _____ Global Employee Relations Consultant
_____ (Role)

_____ 06/06/17 _____ (Date)

RECORD KEEPING

The Policy Owner (or their agent) must email the completed ESIA form to ESIA@britishcouncil.org.