

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.

Equality Screening and Impact Assessment form

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.**

Equality Screening and Impact Assessment form

EQUALITY SCREENING

POLICY² DETAILS – *Please complete*

Title of policy	Pre-Appointment Screening policy
Name of policy owner	Matt Anderson
Intended implementation date	Immediate

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).*

This is a new HR policy with the purpose of mitigating and managing risk to the organisation by ensuring all those working for, with or on behalf of the British Council anywhere in the world and in all types of role, have been subject to the relevant pre-appointment checks and assessments.

The policy applies to, for example, current or prospective employees, temporary workers, trustees, secondees, interns, volunteers, work experience placements, partners, suppliers, contractors and consultants.

Successful Implementation will bring significant benefits to British Council:

- Evidence of an effective improvement plan in response to Independent inquiry
- Reduction of Risk in the Resourcing Process.
- Compliance with HMG and CPNI Best Practice Framework.
- Improved Protection for our Consumers.
- Achievement of Corporate Plan commitment of being 'Fit for Purpose'

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?	X		
Is it a major policy, significantly affecting how programmes/services/functions are delivered?	X		

² 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.

Equality Screening and Impact Assessment form

Might the policy affect people in particular equality categories in a different way?			X
Are the potential equality impacts unknown?			X
Does the policy have the possibility to support or detract from our efforts to promote the inclusion of people from under-represented groups?		X	
Will the policy have an impact on anyone in Northern Ireland?	X		
Total responses Yes/No/Not sure	3	2	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

Policy Owner: Matt Anderson (Name) Head of Global Resourcing (Role)

Date: 27/04/18

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*

Equality Screening and Impact Assessment form

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.*

Equality Screening and Impact Assessment form

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:	Pre-Appointment Screening policy
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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.**

Pre-Appointment Screening (PAS) is a key element in conducting 'due diligence' in relation to the recruitment process. A robust PAS policy is essential to meet our legal obligations and set a foundation for a safe and secure workplace.

The Policy applies to all those wishing to work for, with or on behalf of the British Council, including for example current or prospective employees, temporary workers, trustees, secondees, interns, volunteers, work experience placements, partners, suppliers, contractors and consultants.

The policy will:

- Fulfil our legal, regulatory and contractual requirements
- Support our response to the Independent Inquiry Child Sex Abuse (IICSA) and Public Accounts Inquiry "Tackling Overseas Expenditure – April 17"
- Reduce risk in recruitment of employees, NPWs, contractors and consultants

- 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.**

We do not believe there are particular aspects that are relevant to equality, noting that the policy will be applied equally to all candidates/employees regardless of background or seniority. The majority of organisations, including NGO's and public sector bodies, carry out screening checks; those with whom we spoke did not raise any concerns. For information, the policy was written in conjunction with Mills & Reeve which should provide further assurance.

- 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**

Equality Screening and Impact Assessment form

exercises, external demographic and benchmarking data or other relevant internal or external material.

Consultation on the policy is taking place with EB, HRLT & TUS.

Equality Screening and Impact Assessment form

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

TITLE OF POLICY³:	Pre-Appointment Screening policy
DATE OF EIA PANEL MEETING:	12 June 2018

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.

Nita Bewley, Programme Manager, HR Policy and Advisory Services UK (chair)
Birgit Neubauer, Talent and Development Partner, Wider Europe (note taker)
Matt Anderson, Global Head of Resourcing, UK
Angela Richmond, Head of Resourcing EU and Wider Europe, UK
Siobhan King, Head of Child Protection, UK
Maria Vergez, Regional Child Protection Manager, Spain
Sarah Rolph, English Project Manager, UK

2. 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 policy owner gave an overview of Pre-Appointment Screening (PAS) and outlined why the policy is introduced.
He stressed that the policy will apply globally and that we will work through the policy in the ESIA to ensure that implementation of the policy is supported by EDI principles.

The PAS means a process change across the organisation and the PAS will be implemented by working with a 3rd party vendor.

The panel reviewed the different sections of the Pre-Appointment Screening policy

The Panel felt the Purpose and Scope of the policy were clear

1) Review and discussion of the 10 standards set out in the policy.

STANDARD 2: *Work will not commence until the required checks have been satisfactorily completed.*

The panel discussed the timeline for this and pressure from business areas for recruits to start. There was a question about where will checks be recorded. The policy Subject matter Expert explained that checks will be recorded in MyHR and that vendors carrying the checks need to put forward a SLA indicating the

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Equality Screening and Impact Assessment form

maximum timeframe for each check in each country. Recruitment plans and workforce planning needs to be amended accordingly.

STANDARD 4: *If any of the screening checks result in adverse findings, a panel comprising of [not less than two] senior representatives from the relevant business areas will be convened to assess risk of appointment and decide whether or not to appoint.*

The panel highlighted that this standard needs to be treated carefully in terms of quality and that the panel is crucial in making judgements for fair outcomes.

✓ **Action Point /:** need to develop guidelines for parts of the policy and set a framework. The use of a panel is critical because judgement has to be applied. The panel pointed out that disclosure will depend on local legislation and in some countries claims will be removed after a certain number of years.

STANDARD 5: *Decisions not to appoint based on the outcomes of required checks will be recorded and periodically reviewed for consistency, compliance with the Policy and equality factors.*

The panel asked how often checks will be reviewed and by whom. The policy owner suggested this needs to be done annually and by his team

Action Point: Include in Standard 5 frequency of checks

STANDARD 10: *In partnership arrangements where the organisation is not the lead partner, consideration must be given to the partner's Pre-Appointment Screening Policy to determine if working with such individual(s) or organisation(s) may result in an increased risk to the organisation's staff or assets, or to its reputation or relationships. These factors must be taken into account when deciding whether to engage.*

The Chair asked who will monitor this and be accountable since inequalities may arise from the decision making.

The panel suggested that this could be a panel or an EB member and felt that standards 9 and 10 of the PAS policy go beyond HR and need to be part of procurement and to be in all contracts.

Action Point: Include in Standard 10 how decisions will be made – either by panel or EB member

✓ **Action Point:** Ensure Procurement include within contracts the requirement for partners to supply their pre-appointment screening policy

2) Review and discussion of the roles and responsibilities listed in the PAS policy.

The panel discussed that there is confusion about who falls into categories of employee and non-employee and that there can be some confusion on how we use this terminology in the organisation. The Panel also felt that it was difficult to distinguish between the 2 sections for Managers, one refers to employees and the other to Non-Permanent Workers. This needs to be clearer, one suggestion was to embolden the different wording

See
more
Annual review
by PAS leader

HR will not
monitor - business
accountable for
applying policy.

Standard X
Risks

Equality Screening and Impact Assessment form

Action Point: Consider how the roles and responsibilities for Managers of employees and non-employees could be differentiated

The panel asked whether decision making lies with SBU leads or Country Directors.

The policy owner suggested this should be the regional Head of HR in collaboration with SBU partners as there might legal requirements or limitations that the SBU teams in Spring Gardens might not be aware of.

A member of the panel stressed that we must reduce the risk of things getting lost or not checked and need to ensure that there is no miscommunication. This needs collaboration and sharing the same level of information.

Action Point:

Child Protection offered to share the Child Protection approach and accountability framework as an example and to have a follow-up conversation with the policy owner

3) PAS appendix document

The panel highlighted again that there are ambiguities around categories of employee and non-employee / payroll and non-payroll within the British Council and that definitions need to be clear in the PAS document.

The policy owner explained that implementation will only cover employees as we have no control over off-payroll people i.e. venue staff.

This raised a discussion on challenges are around implementation as it means that in terms of executing the policy there is no control over non-employees and off payroll workers.

This was raised as the biggest risk: We can't control off-payroll workers but policy applies to everyone

The panel stressed this group was the greatest concern with respect to child protection.

It was suggested that an EB decision is needed for who is accountable for a solution/policy on off-payroll workers.

The policy owner explained that this was signposted to EB but that there is no currently no solution for off- payroll workers

The panel agreed that the important element is to ensure that the policy will be effectively implemented and actioned.

Action Point: There needs to be a conceptual framework around implementation covering when we will address non-payroll staff and what solution will be provided. This should be a discussion with EB

— this is not the remit of the panel.

Mandatory screening checks section of the appendix document:

- Standard checks apply to everyone
 - Enhanced checks only apply where the risk is higher
 - Enhanced Plus
- Siobhan asked for these checked to be expanded to include vulnerable adults (

Action Point: Vulnerable adults need to be included; from legal perspective but also to be inclusive – safeguard children, our beneficiaries and customers

Equality Screening and Impact Assessment form

The panel asked for clarity on what is meant by relevant qualifications for Enhanced Plus:

- *Relevant professional qualification(s) where legally required or considered essential criteria for the role*

Action Point: add a more specific explanation and define who exactly falls in this category of enhanced plus: i.e. teachers for children, finance

The panel then discussed whether checks might inadvertently impact groups and raised the rehabilitation of defenders act and convictions for people for civil unrest.

Action Point: A framework needs to be in place as there can a lot of subjectivity that could cause inequality so checks and balances need to be in place as a mitigating action

The Panel stressed that there is a lot of positive impact coming from the policy but that there needs to be detailed guidance for implementation and Child Protection offered support.

The policy owner explained that there is no time to take the PAS back to ESIA prior to implementation.

The contract with the 3rd party vendor is to be signed mid-July

After work starts with the vendor for implementation then conversation with the network starts

X
refer to
definition of
'regulated activity'

✓
escalation
matrix in
place.

Equality Screening and Impact Assessment form

3. **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)		Add working with vulnerable adults in the appendix document under the relevant screening checks
Different dependant responsibilities (childcare, eldercare, care for disabled and/or extended family)		
Disabled people (physical, sensory, learning, hidden, mental health, HIV/AIDS, other)		
Different ethnic and cultural groups (majority and minority, including Roma people, people from different tribes/castes/clans)		
Different genders (men, women, transgender, intersex, other)		
Different marital status (single, married, civil partnership, other)		
Different political views or community backgrounds (particularly relevant to Northern Ireland)	Potential for discrimination if i.e. convictions for civil unrest	Put together a PAS framework and guidelines for implementing PAS listing how to use checks and balance to mitigate risks of discrimination
Pregnancy, maternity, paternity and adoption (before/during/after)		
Different or no religious or philosophical beliefs (majority/ minority/ none)		

Equality Screening and Impact Assessment form

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 sexual orientations (gay, lesbian, bisexual, heterosexual)		
Additional equality grounds (such as full-time/part-time working, language, geographical location, other ⁴)		
British Council values (valuing people, creativity, integrity, mutuality, professionalism)		

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
<i>See notes in Section 2.</i>				

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.

 (Name) Head of Resourcing (Role) 20 Nov (Date)

6. Record Keeping

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

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

Equality Screening and Impact Assessment form

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 or 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				
Dependants				
Disability				
Ethnicity				
Gender				
Marital status				
Political opinion				
Religious belief				
Sexual orientation				

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

Equality Screening and Impact Assessment form

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:

 _____ (Name) head of research _____ (Role)

20 Nov 18. _____ (Date)

RECORD KEEPING

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

