

Diversity Unit

Equality Screening and Impact Assessment

June 2021

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Equality Screening and Impact Assessment

Introductory Guidance

What is it?

Equality screening and impact assessment (ESIA) 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.

It is deliberately a time and resource intensive process because it encourages us to slow down and build in perspectives from a range of different people.

There are **two** main parts to equality screening and impact assessment.

- **Part 1 (Equality Screening):** The first part of the form presents a set of equality screening questions. These questions help determine whether the policy is relevant to equality and whether it needs to go through an equality impact assessment.
- **Part 2 (Equality Impact Assessment):** The second part of the form, is the equality impact assessment. 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 (ESIA) 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 development of a new policy or review of an existing policy. 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

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.

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

If an equality impact assessment panel meeting is necessary, identify someone to chair the meeting, and someone to take the notes. The chair and note-taker play a crucial role and specific guidance has been developed to support them:

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 (i.e. Part 1 and Section 1 of Part 2) 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

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- Gender including transgender
 - Marital status / civil partnership
 - Political opinion
 - Pregnancy and maternity
 - Race or ethnic origin
 - Religion or belief, and
 - Sexual identity / orientation.

Invariably there are other areas to consider including socio-economic background, full-time / part-time working, geographical location, tribe / caste / clan or language, dependent on the country.

We also encourage consideration in support of our commitments towards decolonisation, particularly thinking about tone and positioning of the UK and other countries, especially but not only when policies are being developed from the corporate centre. The aim here is to raise awareness of colonial privilege so it can be avoided.

There should be reflection on what is being proposed against the organisation's values (open and committed; expert and inclusive; optimistic and bold).

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 or provides a planned date for implementation (and outlines a justification for any action points that won't be taken forward) and then signs off and sends the completed form to the ESIA inbox for audit by the Diversity Unit.

Northern Ireland

There is specific 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.**

Wales

As a public body operating in Wales there is a legal requirement for us to produce any information intended for the general public in Wales in the Welsh language. Therefore there is a section in the form seeking confirmation of whether the Welsh public will be affected by the proposed policy.

Procedural notes

Please note, the document will be considered invalid for audit if not correctly completed.

- Complete Part 1 (Equality Screening) ensuring the Record of Decision is signed and dated by the policy owner (a digital signature including typed name is acceptable)
- If Part 2 (Equality Impact Assessment) is required progress to Part 2
- If Part 2 (Equality Impact Assessment) is **not** required, submit the Part 1 (Equality Screening) form to the ESIA inbox for audit by the Diversity Unit.

Submitted tools which pass the audit are uploaded to SharePoint and form part of a database of examples accessible by colleagues.

The audit process informs Diversity Assessment Framework moderation in relation to the use of EDI planning tools.

Part 1: Equality Screening

Policy Details²

Title of policy	Background Screening (formerly Pre-Appointment Screening or PAS)
Name of policy owner	Matt Anderson, Global Head of Resourcing
Planned implementation date	Sept 2021 Pilot. Full deployment Oct 2021 onwards

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 table below will expand as you enter information.

This ESIA concerns the next stage of delivery of British Council's commitment to background Screening, outlined in the Background Screening policy (formerly called Pre-Appointment Screening or "PAS"). The policy was originally approved in 2018 and implemented from Nov 2018 onwards for new hire employees joining British Council.

The British Council now needs to deliver its commitment to screen existing employees in a compliant and appropriate, which is the purpose of this ESIA.

The purpose of background screening is to mitigate and manage 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 screening 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 the Independent Inquiry into Child Sexual Abuse (IICSA)
- Reduction of risk in the resourcing process, specifically the risk of "negligent hire"
- Compliance with UK Government and Centre for Protection for National Infrastructure (CPNI) best practice framework.
- Improved Protection for our consumers and colleagues
- Achievement of Corporate Plan commitment of being 'Fit for Purpose'

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.

- Evidence for stakeholders and funding partners (e.g. EU, UNICEF) of our commitment to risk management and safeguarding, therefore ensuring our ability to bid for funding.

Since October 2020 British Council has been screening all new hire employees to the organisation, this ESIA seeks to examine the equality impacts of the deployment of recurrent annual screening of all British Council employees.

Equality Screening Questions

To determine if an EIA is necessary, 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?	Yes		
Might the policy affect people in particular equality categories in a different way?			Not Sure
Are the potential equality impacts unknown?			Not sure
Does the policy have the possibility to support or detract from our efforts to promote the inclusion of people from under-represented groups?			Not Sure
Will the policy have an impact on anyone in Northern Ireland?	Yes		
Will the policy need to be communicated externally in Wales and therefore translated into Welsh?		No	
Total responses Yes / No / Not sure	3	1	3

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 and record confirmation of this by indicating "is not required".

If you answered 'yes' to any of the questions, then an equality impact assessment is necessary. Please move to the '**Record of decision**' section below and record confirmation of this by indicating "is required" **then progress to Part 2.**

If you did not answer 'yes' to any of the questions but there are any 'not sure' responses then please discuss next steps further with the Regional EDI Lead or with the Diversity Unit, who will help you decide if an equality impact assessment is necessary.

Record of Decision

I confirm an equality impact assessment is required.
Policy Owner (Name): Matt Anderson
Policy Owner (Role): Global Head of Resourcing
Policy Owner (Signature):
Country / Business Area and Region: UK, HR
Date: 31.8.21

Procedural notes

Note 1: If an equality impact assessment **is required**, please complete Part 2, Section 1 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 (i.e. Part 1) of the form to the ESIA inbox.

Part 2: Equality Impact Assessment (EIA)

Section 1

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	Background Screening policy (formerly Pre-Appointment Screening “PAS”)
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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.

Background screening (formerly PAS) is a key element in conducting ‘due diligence’ in relation to the recruitment and on-going employment process. A robust background screening policy and process are essential to meet our legal obligations and set a foundation for a safe and secure workplace.

The Background screening 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 went through ESIA screening in June 2018.

The deployment of recurrent screening checks will:

- Fulfil our legal, regulatory, and contractual requirements
- Demonstrate our response to the Independent Inquiry Child Sex Abuse (IICSA) and Public Accounts Inquiry “Tackling Overseas Expenditure – April 17”
- Reduce risk of continuing to employ someone who is unsuitable for the role they are hired to.

The Background screening project is specifically seeking to deploy a second phase of screening checks as outlined in the policy. Namely the recurrent annual screening of all employees, to meet all our outstanding commitments to the above policy objectives.

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 specific aspects that are relevant to equality, noting that all checks are appropriate and proportionate to the risk profile of the job role and are applied equally to candidates according in policy scope.

Most organisations, including charities, private sector employers, NGO's and public sector bodies, carry out screening checks on people working for and with them, the exact nature of elements checked are dependent on the risk profile of the employer, their regulatory sector and the roles being employed or contracted to. Organisations with whom we spoke to benchmark our policy did not raise any concerns. For information, the policy was written in conjunction with Mills & Reeve which should provide further assurance.

We note that the policy is already being applied to all new hire employees of British council, and those transferring between roles. There are clearly defined escalation processes in our "Positive Disclosure Process" to ensure that where gaps or issues are identified during the checking process, these are handled in a fair, equitable and consistent way. Protections also exist in legislation, for example, unless a UK employee is working in Regulated Activity, the applicable (DBS) check will only include unspent convictions under the terms of the Rehabilitation of Offenders Act.

The project is running a pilot prior to phased deployment of annual recurrent screening, to test employee reaction to and experience of the recurrent screening process. Further deployment will be aligned with any necessary transformation activity in countries and business units. EDI unit are aware of the pilot.

In due course all employees regardless of background or seniority will be included on a cyclical recurrent screening appropriate to the risk profile of their job role, and what is legally permissible in their location. There is a dependency on the deployment of "job coding" in MYHR so it is anticipated that until that goes live recurrent screening will be limited to teachers. Expanding to other job codes following transformation throughout FY2022/ 23.

3. Please outline any equality-related supporting data that has been 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.

Policy and approach to recurrent screening has been developed in collaboration with PAS project stakeholder board and PAS oversight board

Consultation has involved HRLT and HRD, Safeguarding and Internal Audit.

We have taken advice from our supplier on EDI impacts of background screening. They advise that globally the only data consistently recorded is age (calculated from date of birth) and in some territories gender. It is therefore very difficult to identify / report on people with protected characteristics being negatively impacted by Background screening. HR data team confirm similar view from HR data at Applicant stage.

During September a pilot has involved screening small group of teachers in Malaysia to gauge employee reaction and experience of the recurrent process

A briefing for PCS union is timetabled for 7th October 2021

Thereafter a briefing for EWC members will be scheduled.

Section 2

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

Title of Policy³:	Background Screening Policy (Formerly Pre-Appointment Screening “PAS”)
Date of EIA Panel Meeting:	7th October 2021
Name of Panel Chair:	Christine Fraser

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.

1. Helen Worwood, Project Lead, Pre-appointment & Background screening, UK. Responsible for deploying background screening process into British Council. Helen’s first ESIA experience for British Council. Has been involved in ESIA in previous organisations for policies that are applied to local government projects.
2. Matt Anderson, Global Resourcing Director, UK. SRO for Pre-appointment screening now known as background screening project. Lots of ESIA experience having been involved with HR Processes and owning the global recruitment policy which has been through ESIA. Pre-appointment Screening policy also went through ESIA during initial rollout in 2017.
3. Christine Fraser, Head Workplace Performance, Global Estates/Panel Chair and member of Disability Working Group, Scotland. Has done a lot of work on Disability with EDI team, been in ESIA chair for a number of years and has chaired/attended many ESIA’s for British Council.
4. Yohana Solis, Regional Safeguarding Manager & EDI lead for The Americas, has attended ESIA panels previously. Works with a network of EDI coordinators in the region to prepare ESIA documents for various policies. Been with British Council for years, was previously teaching centre manager in Argentina.

Invited but not able to attend on the day – post meeting feedback sought.

- 5.. Rachel Karberry, Head of YL, Korea – Written Submission submitted and added below
6. Paul Mburu, Programme Manager, Creative Enterprise, Nigeria
- 7.. Paul Smith, Country Director, Germany
8. Amanda Hawthorne, Teacher, Spain
9. Anna Murray, Teacher, France

³ 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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10. Emma McKie, Teacher, Oman
 11. Karen Hooper, Governance and Ethics Manager, UK
 12. Makram Elmouzayen, Customer Support Coordinator, Saudi Arabia
 13. Eelco Vugs, Regional Safeguarding Manager, South Asia
 14. Neha Puri, Senior Manager Human Resources, India
 15. Basma Aftab, Venue Staff Pool Manager, Pakistan
 16. Deepa Sundararajan, Assistant Director Society, India
 17. Joanne Newton, Head of Business Development & Partnerships, South Africa
 18. Joseph Field, Head of English, Turkey
 19. Maja Mandekic, Regional Portfolio Manager Cultural Engagement, Wider Europe
- And Amy Hamilton, Team supervisor Transformation selection, acting as notetaker

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 panel firstly discussed if meeting should go ahead as very few invited colleagues were in attendance. The Panel Chair (Christine) advised that we could go ahead but could be deemed insufficient at audit due to lack of input. Policy owner (Matt Anderson) made decision to proceed on the basis that we could ask for written submissions from the missing attendees and due to time constraints on project rollout. Decision to be made to record the meeting and to share with colleagues in non-attendance so they can make written submissions.

Christine – overview: Confirmed that all invitees had received the ESIA information pack. The meeting is confidential; individuals can speak freely or afterwards with Christine. Purpose of ESIA is to review the work that we do through an Equality lens. Assess negative and positive impacts of new processes that are introduced to British Council.

Matt – intro: SRO for this project and has been for the past 6 years. Huge project with a long way to go – referred to as PAS (Pre-appointment screening) however as it moves into the next phase it will be known as Background screening as it will involve the recurring screening of existing members of staff and not just new hires. We need to ensure existing members of staff do not provide a risk to the organisation. British Council were a named party into the independent inquiry into child sex abuse (IICSA). Matt was part of the team that provided a response and helped prepare Adrian Greer’s witness statement on behalf of the British Council. Screening process was fortunately robust enough to provide a response which was enough to ensure there was no more negative publicity around British Council.

Policy defines checks for different categories of staff. Work in party with third party screening specialist organisation First Advantage as we don’t have all the skills or tools in house to do it

ourselves. Its common practice for large organisations to work with a specialist partner. Checks must be appropriate and proportionate and compliant and aligned to the risk. Other factors include ensuring there is not a negative diversity impact.

Held to account by a wide variety of external stakeholders. Department of Education guidelines to be adhered too, Charity's commission as regulator, plus many other partners that we have processes in place and standards to adhere too with regards to the people we hire/have hired. We must prove that we are doing what we are required to, to ensure that the people we hire/employ have no links to fraud, terrorism, etc.

SLT requested for a policy to be designed and implemented. First phase was to design a policy in 2017. An ESIA happened at that time to assess the impact of the initial Pre-appointment screening rollout, the ESIA today is regarding the next stage of the rollout – the screening of existing members of staff (Background screening). There are no changes to the policy or process just the employment stage of individuals who will be screened.

New hire screening started in 2018 for Teachers as they are the higher risk group in regulated activity and in 2020 the process was rolled out to all new hires globally as approved by SLT. There are open risks around checks for contingent employees (non permanent or off payroll workers). They are more complex to screen as they are not British Council employees. They are not in scope of the project we are discussing today.

We need to protect the council from risk and ensure that we have systems that we can report from and be audited from and comply with all the relevant laws. Links to safeguarding is critical and Child Protection have been at the heart of this project. This project looks to minimise the impact screening has on Hiring Managers and taking the responsibility away from them as in some regions/countries they were having a lot of involvement.

Helen – overview of ESIA Briefing deck which was shared with panel and invitees prior to the meeting: Just to recap on what is happening now as this is rooted in understanding how we will assess the impact of screening employees within the organisation. Workforce was assessed for risk when project started, and we defined 4 different profiles/screening packages for the people we employ:

- Standard (ID, right to work in country of origin, basic DBS),
- Enhanced (finance with significant accountability for assets),
- Enhanced Plus (regulated/working with children)
- Senior Manager (significant accountability for assets, people or sensitive materials).

That gives us the risk profile for 4 broad roles within our organisation. Different levels of checks for each of the screening packages (credit check for finance for example). We meet the UK minimum baseline requirements with these type of checks in place (Baseline Personal Screening Standard – BPSS)

Question from Yohana regarding the credit check package is this only applied in Finance roles? answered by Helen - Yes. Further question regarding criminal record check, it is illegal to request criminal records in certain countries/region, how would we get past this in these

countries? Helen advised in some Mexican states we cannot do criminal record check and in France we cannot run a credit check. We would only carry criminal record checks where legally permissible and not in the countries we are unable to. Vendor would provide a report to say not permissible so we can show we have attempted and are covered from an audit view. We are aware in a lot of countries that the criminal record process or child protection is not robust and these could be countries where offenders are drawn too. Hopefully with the extensive checks we undertake in countries of origin we can still have this covered and gives some assurances.

What we are proposing to do;- Key requirements are keeping the money and the people safe. What checks are we proposing to run to ensure there are no financial or criminal irregularities on our staff.

There are three types of checks that we will carry out on our current employees – Prohibited Transaction check, Credit check and criminal record check. Prohibited transaction check will apply to everyone in the organisation annually. Small group of individuals will undergo a credit check annually.

All Teachers will undergo a prohibited transaction check every year and in their third year we will re-run a criminal record check in the country they are teaching and in their country of nationality.

Some teachers who have onboarded during process rollout have not gone through the enhanced plus screening and these will be identified and will go through a baseline screening to bring them to same standard as newer hires.

Yohana question – Non permanent workers, in some regions/countries – have a lot of NPWs in regulated activities/teaching roles, are we planning to do the screening for these individuals?

Matt answer – it's a challenge that the organisation needs to find a way to deal with. It's a difficult situation as we are unable to undertake the level of checks we would like as they do not hold British Council contracts. It is part of the project but not in the scope of what we are looking at today, but it is firmly on the agenda and is a significant issue at British Council particularly in English & Exams

Positive Disclosure/What would checks flag? Examples are that Credit check would report back on defaulted loans/debts above a tolerance limit. A Criminal record check would show “unspent” convictions, - which may not be relevant to the role the person undertakes, however crimes of violence, drugs and alcohol require further investigation by HR and Line manager

Line Managers are to support any staff members that undergo any investigation and HR are to provide support and advice and help to seek a resolution. Do the findings affect the employee's role are to be taken into consideration – i.e. driving conviction would not affect someone working unless their role involved driving. HR & HM will consider the disclosure received and follow up further investigations as necessary.

How will the process work? SuccessFactors will be used to remind Line Managers and employees when their screening is due on annual basis via a notification/Email the month

before check is due. HM can request delay is inappropriate to screen at that time. Employee will receive email inviting them to undertake screening with third party supplier First Advantage. In most cases a report will come back in a matter of days to the Background screening team and if no concerns this will be directly uploaded directly to SuccessFactors. This will be visible in the employee profile page. Positive disclosures will be alerted to Line Manager and HR and they will decide if further investigation is required. Automated process to make it as seamless as possible for employee and Line Manager.

SF current set up only lets us identify teachers that need screening. "Job codes" will enable to identify all employees early next year by adding relevant 'codes' to each individual in SuccessFactors. Following these changes Managers/employees will be able to access a 'screening' section in MyHR showing their status and when each employees screening is due.

SLT have decided there will be no screening for people before going through transformation (cost element)

Yohana question – in some countries some checks have a cost, police check for example in Americas has a cost so in order for employee to submit the document for the screening the employee might have to pay up front for the checks. This is a concern for lower pay bands and may cause delays.

Helen answer - as long as applications are made through the software there is no immediate cost to employee. There are some countries where individuals would have to apply and pay direct to authorities - i.e. our 3rd party vendor cannot apply on their behalf, however this can be reclaimed back through the expenses processes. British Council requirement to have the checks so British Council will cover the costs.

15 minute break / Returned to discuss the individual equality groups and if there will be any negative or positive impact.

Different age groups

Helen mentioned that although this is about existing employees that it may be worth noting that with the recurring checks it offers a far higher level of safeguarding to the customers we have under the age of 18, it is a substantial benefit

Yohana felt we need to be careful when we communicate to clients. Explained that there could be a negative impact on clients (teaching centres) if we find positive disclosures with 3 of the 5 teachers working in their centre and they must be removed, what do we have in place to deal with the impact of that?

Recommendation for HR to set out a clear plan / have a bank of example mitigations that we can offer to clients in the event that screening/positive disclosures has an effect on their staffing levels which may affect the service being offered. Helen to have discussion/take advice from with HR.

Christine wondered if having access to certificates that were pre digital might cause issues with recurring screening, but it was concluded that certificates were checked at the point of hire.

Different dependant responsibilities

Discussion around it may take part-time workers for example longer to complete some activities. Helen reminded they do receive 1-month notice and the initial invite to screen is open for 10 days and can be extended on request. Concern raised around maternity leavers. Helen advised that anyone out of the business for such a reason would not need to complete until their return.

Recommendation - Timeframe given to complete checks for part-time workers may need to be longer or reminder sent earlier as could take longer for this group of individuals to complete.

Disability Groups

Christine relayed that some individuals might have to go somewhere physically to collect their evidence for screening and that access to certain buildings could be an issue. Might need to provide provision for someone to accompany them or allow more time for them to gain access (some countries have restricted access to certain buildings/businesses).

Yohana raised that we should ensure that the provider system has all the relevant tools for visual impairment/speech readers. Helen confirmed its an American piece of software equivalent to ISO standard. Christine recommended someone to do a test on the speech reading software.

Different Ethnic Groups / Languages

Yohana commented that the language on some systems are all in English. It can be difficult when uploading certificates that are in Spanish for example, these can result in being rejected from the system. Helen advised we take the documents via the system and have been able to translate them locally. Yohana advised that Local staff have done an instruction manual in local language to explain the MyHR system. Could it be possible to have a translation manual for some of the major language groups for the initial sequence on the screening system? Helen advised it would be tricky as dependant on the screening information input for each individual it would take you off to different screens.

Similarly to part-time workers / those with dependencies, we need to consider religious holidays such as Ramadan within the screening timing.

Different Gender groups

Yohana gave the example of a gender transition individual, NPW, didn't have documentation with new name. Had issues registering on SAP as needs to be set up with legal name. Wanted to check how this would work through First Advantage system. Helen - Standard way for changing name – system will ask for name or if been known by any other name. System doesn't discriminate or ask 'why' name change. Helen advised for some countries an ID document would be required but just by the serial number such as passport number or other countries may just ask for mothers maiden name. System is set by country entered (different requirements for each). System lists Female, Male or Other as gender selection. Yohana explained in some countries they may ask what previous gender was if current is different – police systems will hold original gender. Not been any cases where system has rejected 'other' but could be a possibility in some countries where ID is required.

Recommendation from chair – need a little more work/research done with the screening provider (First Advantage) in the area of gender transition. It's a very sensitive area and we want to treat people with respect because of the different geographic legislation and complexities to ensure it won't affect individuals in some countries.

Yohana raised that in some countries women have more limited work histories than men due to childcare, pregnancy, etc. May find more gaps in women's job history and wants to ensure when checking for work history, maternity leave/caring responsibilities are accounted for within the screening. Helen explained there is a gaps policy and escalation guide. If travelling will look for travel stamps / if carer will look for official documentation confirming this such as medical appointments or carers allowance. The provider will look to account for the gaps in any way they can.

Touched again on Languages, covered slightly earlier. Christine asked if there was any requirement to translate to Welsh. Helen confirmed there hadn't been to date.

Different marital status

Panel could not think of any challenges (name change discussed under different gender groups)

Different political views or community backgrounds

Yohana explained in some countries such as Cuba where there are political issues, frequent power outages, it can affect retrieving of documents or just getting online/accessing required systems. Access needs to be considered for individuals such as refugees, could be hard to find the evidence to submit. *Links to and is listed below in additional equality backgrounds*

Christine asked can we make interventions in the system if geographies are affected – current situation in Nepal, not providing criminal records – are there opportunities in the system to raise these issues? Helen advised there are things in place for certain countries such as Iran and Afghanistan, certain checks are not done as not legally able to do so. Can also be done where natural disasters happen. **Recommendation from the panel.**

Pregnancy, maternity, paternity and adoption

Helen explained that the screening would not be applicable until the individual is back in the business. Line Manager will be automatically informed via MyHR and can change the target date.

Different or no religious or philosophical beliefs

Covered under ethnic backgrounds regarding timeframes to do screening due to religious events

Panel already discussed **Sexual orientation** and **additional equality groups** (above)

British Council Values

Panel could not think of any challenges (name change discussed under different gender groups)

Christine gave everyone the opportunity to raise any other concerns outside of the main equality groups. None raised and Christine concluded with a recap of recommendations and timelines.

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)		Builds on and increases the level of safeguarding for our customers especially under 18 years old
Different dependant responsibilities (childcare, eldercare, care for disabled and/or extended family)	Timeframe given to complete checks – might take longer for this group of individuals to complete (1 month notice currently given and a link lasting 10 days with 3 auto reminder messages if not completed to facilitate data entry). If the link expires a new one can be resent	
Disabled people (physical, sensory, learning, hidden, mental health, HIV/AIDS, other)	<p>May need to consider providing support for staff members for whom the police station is difficult to access (e.g. people with disabilities / requirement to obtain records from police station in some countries)</p> <p>Ensuring system provider uses has all the disability tools for visual impairment or deaf people – software accessibility. Vendor confirms that the software used complies</p>	

	<p>to is WCAG - Web Content Accessibility Guidelines, including keyboard navigations and screen reading, ARIA certified – AA & AAA. Software is also compatible with RNIB, JAWS, NVDA, Windows Narrator, Applevis and many others.</p>	
<p>Different ethnic and cultural groups (majority and minority, including Roma people, people from different tribes/ castes/clans)</p>	<p>may need to consider providing support for staff members for whom the police station is difficult to access (e.g. ethnic or religious groups)</p> <p>Local holidays and religious festivals to be kept in mind – Ramadan, Christmas, in the 1 month timeframe so as not to discriminate against different ethnic groups.</p> <p><i>From 14.10.21 JCC briefing: Consider additional communication to reassure Muslim colleagues that that “Zakat” charitable payments are unlikely to be flagged as “prescribed transaction”</i></p>	
<p>Different genders (men, women, transgender, intersex, other)</p>	<p>May need to consider providing support for staff members for whom the police station is difficult to access (women alone in certain countries).</p> <p>Also to consider some countries and positive disclosures that may consider certain activity (e.g. LGBTQI relationships) illegal? (First Advantage) in the area of gender transition needs to be investigated so it</p>	

	<p>goes not discriminate against gender transition individuals – how would they complete if they are part through and do not have new ID documents, how will this be represented in the system?</p>	
<p>Different languages (Welsh and/or other UK languages, local languages, sign language/s)</p>	<p>may need to consider providing support for staff members for whom the police station is difficult to access (e.g. not being able to speak local languages).</p> <p>Language – concern in some regions. Upload of information in mother tongue such as Spanish teaching certificates.</p> <p>Is there a requirement to transfer into Welsh? Hasn't been done for new hires. Christine to check with individuals in Cardiff office – post meeting note not required for existing staff.</p>	
<p>Different marital status (single, married, civil partnership, other)</p>		
<p>Different political views or community backgrounds (particularly relevant to Northern Ireland)</p>	<p>Cuba & Venezuela – political circumstances, government offices, lack of internet, power outages, political turmoil – might affect access to legal documentation or internet, etc. Refugees and stateless people, might be harder for them to find evidence to submit for screening.</p>	

Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Pregnancy, maternity, paternity and adoption (before / during / after)		Date is adjusted in SF to ensure screening takes place when individual returns to organisation after a period of leave.
Different or no religious or philosophical beliefs (majority/ minority/ none)	Timeframes – should be covered with 1 month notification to complete but certain times of the year could be difficult for some religions due to religious events.	
Different sexual orientations (gay, lesbian, bisexual, heterosexual)	<p>And, what about CRC checks in some countries and positive disclosures that may consider certain activity (e.g. LGBTQI relationships) illegal? What if this appears on a person’s record? How would it be dealt with?</p> <p>The screening report, including any positive disclosures is sent from FADV to British Council. Any disclosures of concern are escalated to the person’s line manager in the first instance and any risk related to this disclosure is considered by a risk review panel including HR and Safeguarding as appropriate</p>	
Additional equality grounds (such as socio-economic background , full-time /	Cuba & Venezuela – political circumstances, government offices, lack of internet, power outages,	

<p>part-time working, geographical location, other⁴)</p>	<p>political turmoil – might affect access to legal documentation or internet, etc.</p> <p>Refugees and stateless people, might be harder for them to find evidence to submit for screening.</p> <p>Part-Time workers have reduced timeframe to complete or receive reminder.</p> <p>Cost should not adversely affect staff where up front payments for documents are a requirement.</p>	
<p>British Council values (open and committed; expert and inclusive; optimistic and bold)</p>		
<p>Alignment with our commitments to decolonise our work (positioning of UK and other countries, power, status and privilege)</p>		

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

4. **Agreed actions:** Insert additional rows for more action points and number each individual action point.

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	If not, indicate planned date to complete
<p>Recommendation for HR to set out a clear plan / have a bank of example mitigations that we can offer to clients in the event that screening/positive disclosures has an effect on their staffing levels which may affect the service being offered. Helen to have discussion/take advice from with HR.</p>	<p>NO -</p>	<p>This is out of scope of the purpose of this ESIA. However, the pilot shows there is low risk of positive disclosures leading to potential dismissal.</p>	<p>NO</p>	
<p>Recommendation to tie in with the above for a comms strategy for external/internal of conveying of positive disclosure results to customers.</p>	<p>NO</p>	<p>This is out of scope of the purpose of this ESIA. It is up to the business to decide if / when/ how to communicate screening standards to customers</p>	<p>NO</p>	
<p>Recommendation - Timeframe given to complete checks for part-time workers or certain religious groups may need to be longer or reminder sent earlier as could take longer for this group of individuals to complete.</p>	<p>NO</p>	<p>We have already built in a month notification of check being due. Individuals have 10 days to respond while the link is "live". Data entry for most people takes 5 – 10 minutes. If someone doesn't complete data entry they receive reminders.</p>	<p>NO</p>	

		<p>Managers can extend the timeline in exceptional cases, and if the link expires a second can be sent</p> <p>This timeframe has worked during the pilot to allow time to complete data entry</p>		
<p>Recommendation from chair – need a little more work/research done with the screening provider (First Advantage) in the area of gender transition. It’s a very sensitive area and we want to treat people with respect because of the different geographic legislation and complexities to ensure it won’t affect individuals in some countries.</p>	Yes	<p>Gender (if required) is captured on the personal details section of the application form only.</p> <p>Applicants have the option to answer male, female or other. This is not a mandatory field should candidates not wish to answer this question, it can be skipped.</p> <p>Authorities processing requests for criminal checks will usually request gender as a mandatory requirement to process the check, which British Council would have to fulfil to obtain the results. If a candidate hasn’t provided their gender or refused to provide, then our vendor would contact British Council to provide direction on next steps. We can work with EDI colleagues to prepare a suitable follow up mail to seek this information from an employee in order to sensitively fulfil the requirements for screening.</p>	No	<p>Will be created before deployment – before end Dec 2021</p>

Recommendation from the panel to make interventions in the system for countries that are affected by political disputes / natural disasters.	Yes	<i>Already in place for known “sensitive countries” and working with GNT leadership to regularly review this for change</i>	yes	
Recommendation that regarding NPW’s clarity on screening is provided.	NO	<i>Out of scope for this ESIA, Screening for NPW is being looked at separately</i>	no	
Recommendation from JCC: Need to add clarity on what checks are checking for and especially reassure Muslim colleagues that “Zakat” payments would not be considered “prohibited transactions”	Yes	We will provide clear definition of what is “prohibited transactions” screening to provide assurance.	No	Dec 2021

Sign-off by Policy owner

I confirm that the policy has been amended as identified in the Agreed actions table above. Any actions planned but not yet completed will be implemented before the policy is introduced. If the policy has an impact on people or functions in Northern Ireland, I confirm Annex A has also been completed.
Policy Owner (Name): Matt Anderson
Policy Owner (Role): Director – global resourcing
Policy Owner (Signature): Matt Anderson
Country / Business Area and Region: Recruitment /HR

Date:5th November 2021

Procedure Note

The Policy Owner (or someone acting on their behalf) **must email** the completed ESIA form for audit by the Diversity Unit once the action table is fully completed.

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 2, Point 3 above 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 2, Point 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		
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	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.

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 point 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 two of the following statements (those that do not apply).

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 point 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) _____ (Role) _____ (Date)

Procedure Note: The Policy owner (or someone acting on their behalf) **must** email the completed ESIA form for audit by the Diversity Unit.

Prepared by the Diversity Unit
Version: 1 July 2021