



Equality in admissions

Equality impact assessments in higher education

Introduction

This briefing has been written for staff who are involved in admissions policies, practices and procedures or who are responsible for conducting equality impact assessments (EIAs) in higher education institutions (HEIs). Although focussed on admissions, this briefing will also be relevant for staff working in student recruitment and widening inclusion.

The briefing has been developed in response to requests from admissions staff for guidance on how to conduct impact assessments. It outlines the benefits of impact assessment in the admissions context and provides examples from HEIs that have conducted EIAs on their admissions policies, practices and procedures.

Equality Challenge Unit (ECU) and the Supporting Professionalism in Admissions programme (SPA) would like to thank all of the higher education institutions that responded to the call for case studies.

What is an EIA?

The Higher Education Funding Council for England (HEFCE) describes an EIA as:

‘...the thorough and systematic analysis of a policy or practice to determine whether it has a differential impact on a particular group. It can be seen as a quality


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control mechanism by which HEIs can evaluate their activities and best meet the needs of their stakeholders. This can lead to better value for money, increased productivity and maximisation of resources leading to a more efficient and effective working and learning environment.'

www.hefce.ac.uk/pubs/hefce/2004/04_37

Essentially, EIAs are planning tools that enable HEIs to build equality into their mainstream mechanisms of policy-making, including change management proposals and processes. The former Department for Children Schools and Families produced an excellent summary of the background to the use of EIAs in the UK. This resource will be useful in explaining the concept of impact assessments to colleagues.

www.ecu.ac.uk/inclusive-practice/equality-impact-assessment

Why are EIAs necessary?

There are three main reasons for organisations to carry out equality impact assessments – to ensure fairness, ensure compliance with legislation, and improve organisational effectiveness.

Ensure fairness

Where EIAs are carried out, admissions departments are likely to be more aware of applicants' requirements and will be able to improve on the service provided to all applicants. Impact assessment can help HEIs ensure that their recruitment and admissions policies and procedures are fair and adequately address the requirements of their applicants, in turn improving the applicant experience. Most importantly EIAs ensure that new or revised policies and procedures are right from the point of implementation thereby reducing complaints and the need to make amendments following its introduction.

Ensure compliance

Legislation

The Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 place requirements on HEIs in England, Scotland and Wales through the Race Equality Duty 2001, the Disability



Equality Duty 2006 and the Gender Equality Duty 2007 to eliminate discrimination and actively promote equality on the grounds of **race**, **disability** and **gender** (including **gender reassignment**). In order to help HEIs meet these requirements, specific duties were introduced which include the obligations to publish equality schemes, monitor staff and student progression and conduct EIAs.

In Northern Ireland, section 75 of the Northern Ireland Act 1998 places a requirement on HEIs to conduct EIAs as part of their equality scheme.


The requirement to conduct EIAs applies to all new policies, procedures and practices from the dates the duties came into force. HEIs are also required to prioritise existing policies for impact assessment.

In England, Scotland and Wales, the Equality and Human Rights Commission (EHRC) has significant powers to enforce HEIs' responsibilities under the race, disability and gender equality duties, including the ability to launch official inquiries and formal investigations. The Equality Commission for Northern Ireland has responsibility for the enforcement of HEIs' obligations under section 75 of the Northern Ireland Act 1998.

The equality bill received royal assent on 8 April 2010, becoming the Equality Act 2010. The Act consolidates and streamlines current anti-discrimination legislation and includes a new public sector equality duty (PSED), which extends the scope of existing equalities legislation and will replace the existing race, disability and gender equality duties. The PSED is likely to be introduced in April 2011 and applies to England, Scotland and Wales; until this time, HEIs in England, Scotland and Wales should continue to conduct impact assessments in line with the requirements of the existing equality duties. Institutions may also wish to consider their preparedness for the introduction of the PSED. Very limited provisions of the Equality Act 2010 apply to Northern Ireland, and HEIs in Northern Ireland should continue to observe their obligations under section 75 of the Northern Ireland Act 1998.

The PSED covers eight of the nine protected characteristics within the Equality Act 2010:

- = **age**
- = **disability**
- = **gender reassignment**

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- = **pregnancy and maternity**
 - = **race**
 - = **religion or belief**
 - = **sex**
 - = **sexual orientation**

The ninth protected characteristic, **marriage and civil partnership**, is not covered by the PSED.

Under this duty, HEIs will be required to have due regard to:

- = eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- = advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
- = foster good relations between people who share a relevant protected characteristic and people who do not share it

At the time of writing, legislation outlining the specific duties of the PSED had not been published. However, the former government did propose that the specific duties in England include a requirement for HEIs to demonstrate how they have considered evidence of the impact that key policy and service delivery initiatives have on equality. They will also be required to demonstrate the difference this consideration has made. If these proposals are passed by the new parliament, this means that HEIs will still need to conduct EIAs but will no longer need to describe the process that they have in place for doing so. Instead they will need to place greater emphasis on demonstrating the outcomes of EIAs. Secondary legislation will also be introduced by the Welsh Assembly government and the Scottish parliament. At the time of writing the Welsh Assembly government and the Scottish parliament had not published their proposals for specific duties in Wales and Scotland. www.ecu.ac.uk/subjects/equality-act-2010

Case law

Two high court rulings have reinforced the need for and importance of EIAs, including:

- = R (Chavda and others) v London Borough of Harrow
- = R (Kaur and Shah) v London Borough of Ealing



The latter case emphasised the importance of carrying out an impact assessment before policy formulation. For further information, visit www.ecu.ac.uk/inclusive-practice/equality-impact-assessment.

Further information on the anti-discrimination legal framework, and the statutory and non-statutory guidance, can be found at www.equalityhumanrights.com and www.equalityni.org. The ECU website also contains further information on anti-discrimination law, www.ecu.ac.uk/law.

Improve effectiveness of policies, practices and procedures

Perhaps most pertinently, as noted by HEFCE (see above), EIAs 'lead to better value for money, increased productivity and maximisation of resources leading to a more efficient and effective working and learning environment'. They will, for example, ensure that new or revised policies are appropriate from the point of implementation, thereby reducing the need to respond to issues later on.

EIAs will inevitably require an initial investment of staff time to carry out data analysis, consultation exercises and so forth. However, they will reduce the long-term and more significant costs incurred in responding to difficulties, complaints of discrimination or legal challenges that may otherwise arise if equality issues are not properly considered in admissions processes.

EIAs: a brief guide

The EHRC has emphasised that 'individual public bodies need to develop their own EIA methodology to fully reflect the precise nature of their business and ensure consistency'.

www.equalityhumanrights.com/uploaded_files/eiaguidance.pdf

The statutory codes of practice that accompany equality legislation make a number of recommendations about the process for conducting EIAs to ensure legislative compliance. Joint ECU and HEFCE guidance, *Conducting equality impact assessments in higher education*, includes a step-by-step process that HEIs can adapt to meet their own needs and incorporate into their existing mechanisms for quality control.

www.ecu.ac.uk/publications/equality-impact-assessment-in-he



Step 1: screening

Conduct an initial assessment of an existing policy's likely impact on equality and prioritise it for EIA. This process is also known as screening. The following can help with prioritisation:

- = Is the policy known to be problematic or have any complaints been received about it?
- = Is the policy key to promoting equality such as funding reasonable adjustments for disabled applicants at open days?
- = Have your institution's race, gender, disability or single equality schemes identified a need for an EIA on the policy?
- = Is the policy of strategic importance? All strategic policies should be analysed in terms of their impact on equality issues.

If a policy is thought to be of no relevance to equality, this should be documented and the decision not to conduct an EIA should be periodically reviewed. If a policy is not prioritised for immediate EIA, a timeframe will need to be agreed.

Given the potentially high impact of admissions policies on an HEI's ability to meet the general requirements of the race, disability and gender equality duties, HEIs may want to start at step 2.

Step 2: collection and analysis of data

Where a policy has, or is likely to have, a positive or negative impact on a particular group, or you are unsure of its impact, you will need to collect and analyse quantitative and qualitative data to understand more about the impact of the policy. For example, does data suggest that a policy poses a particular barrier to female applicant admission? In focus groups with prospective black and minority ethnic participants, were they asked about their experience at open days or summer schools?

The data analysed should include information gathered during consultation and involvement exercises. Sometimes HEIs will not have sufficient data to identify the likely impact of a policy, in which case research and external data can be used. Where no information is available, HEIs should closely monitor the implementation of the policy. Further information on sources of external data is provided in the frequently asked questions section of this briefing.



Step 3: revision or justification

Where a policy is found to have either a positive or negative impact on a particular group it will need to be revised or justified within the permits of the law.

For example, if an HEI uses admissions tests for particular subject areas and they are found to impact negatively on the admission rate of black and minority ethnic applicants, can the continued use of the tests be justified and, if not, what alternative data is available to improve an HEI's selection of applicants? Where such tests are found to have a positive impact on equality, can they be used in other subject areas?

Step 4: further consultation and involvement

Where policy revisions are proposed to enhance or mitigate impact, relevant groups will need to be consulted or involved to ensure that the revised policy is fit for purpose.

For example, if an HEI decides to stop using admissions tests in favour of interviewing candidates, it will need to ensure that the methods it proposes for interviewing candidates are fit for purpose and will not inadvertently discriminate against a particular group of applicants.

Step 5: publication of the EIA and action plan

The results of the impact assessment and an action plan will need to be made publicly available. This ensures transparency and enables public authorities to share their findings, which can reduce workload through shared learning.

The action plan should outline the actions that will be taken to mitigate adverse impact and state the staff members responsible for the implementation of actions.

Step 6: monitoring

Once the revised or new policy has been implemented, it should be monitored and periodically reviewed to ensure that it has the intended impact and is still appropriate.



Other organisations have also produced guidance and materials on impact assessment processes:

- = EHRC (2009) *Equality impact assessment guidance: a step-by-step guide to integrating equality impact assessment into policy making and review* www.equalityhumanrights.com/uploaded_files/eiaguidance.pdf
- = EHRC (2009) *Equality impact assessment quick-start guide: a step-by-step guide to integrating equality impact assessment into policy making and review* www.equalityhumanrights.com/uploaded_files/PSD/equality_impact_assessment_guidance_quick-start_guide.pdf
- = Scottish government *Equality and diversity impact assessment toolkit* www.scotland.gov.uk/Publications/2005/02/20687/52425
- = Welsh Assembly government (2010) *Inclusive policy making guidance* <http://wales.gov.uk/topics/equality/publications/ipmguide2/?lang=en>
- = Equality Commission for Northern Ireland (2005) *Section 75 of the Northern Ireland Act 1998: practical guidance on equality impact assessment* www.equalityni.org/archive/pdf/PracticalGuidanceEQIA0205.pdf

The scope of an EIA

In England, Scotland and Wales to ensure compliance with the equality duties, EIAs must cover:

- = **disability** including disabled people and their carers
- = **gender** (including trans men and women) and related issues of pregnancy and maternity and childcare, bearing in mind that women are more likely to study part-time than men
- = **race** including colour, nationality, national origin and ethnic origin

Many HEIs have also chosen to assess the impact of their policies, practices and procedures on **sexual orientation, religion and belief** and **age** to help them better meet the needs of their staff and students and to help them prepare for the introduction of the PSED.

In Northern Ireland, to ensure compliance with section 75 of the Northern Ireland Act 1998, EIAs must cover **age, disability, gender, marital status, people with dependents, political opinion, race, religious belief** and **sexual orientation**.



Involvement and consultation

Equality legislation in England, Scotland and Wales and its accompanying statutory codes of practice contain requirements or recommendations to consult and involve stakeholders in policy development and impact assessment. The requirements and recommendations for consultation and involvement vary as follows:

- = Race equality legislation contains a specific requirement to consult people on the impact of policies on race equality. This requirement is reinforced by the statutory race equality duty code of practice for England and Wales and for Scotland, which, like all statutory codes of practice, is admissible evidence in legal proceedings.
- = While a requirement to consult men and women, including trans men and women, in policy-making is not listed as a specific requirement under the gender equality duty, the gender equality duty statutory code of practice for England and Wales recommends that people are consulted on the gender impact of a policy, practice or procedure. The Scottish statutory code of practice recommends a two-step process of screening and full EIA and states that stakeholders should be consulted on whether a full EIA is required on a particular policy and during any full EIAs.
- = The disability equality duty emphasises the need to involve rather than simply consult disabled people. The statutory codes of practice for England and Wales and for Scotland on the disability equality duty states: **‘involvement of disabled people will be of great assistance in drawing up criteria for deciding whether or not to conduct a full impact assessment and in actually conducting a full impact assessment’** (section 3.38).

As well as consulting or involving staff and students, institutions should also consider if it would be appropriate to involve or consult community organisations, applicants, alumni and visitors in policy development.

The scale of consultation and level of involvement required to inform EIAs will vary according to the importance of the policy, the scale of the policy concerned and the relevance of the policy to equality. Given the potential impact on an HEI's ability to meet its obligations under the race, disability and gender equality duties, HEIs are likely to need to involve and consult people during the development of admissions policies, practices and procedures. However, if an EIA has already been carried out on a similar



policy, or if there is sufficient data to inform an accurate assessment of impact, it may not be necessary to consult or involve people at every stage of the policy development process.

The level of consultation and involvement should be proportionate to the scale of the policy concerned and its relevance to equality. For example, greater consultation and involvement will be required on proposals to change applicant selection methods than on proposals to publish the prospectus in electronic format only.

Subsequently, HEIs may find it helpful to develop institution-wide criteria and approaches for involving and consulting equality groups during policy development. The EHRC has published guidance on involving people in decision- and policy-making. www.equalityhumanrights.com/uploaded_files/PSD/involvement_guidance_final_new.pdf

Under section 75 of the Northern Ireland Act 1998 and its accompanying statutory guidance, HEIs are required to formally consult relevant interest groups as well as the Equality Commission for Northern Ireland, other public bodies, voluntary, community, trade union and other groups with a legitimate interest in the matter. Consultation should also include those directly affected by the policy concerned. Consultations must comply with the guiding principles outlined at 4.2(c) of the *Guide to the statutory duties*. www.equalityni.org/archive/pdf/GuidetoStatutoryDuties0205.pdf

Positive and negative impacts

An EIA should help to identify positive and negative outcomes of admissions policies, practices and procedures for particular groups of applicants. Most importantly, it can help to ascertain where outcomes can be prevented or justified within the permits of the law or, where the impact is positive, extended to other applicants. For example, if a particular widening inclusion practice for white males from disadvantaged socioeconomic backgrounds is found to be particularly effective, can it be extended to other groups of potential applicants?

Where a particular policy or procedure is found to have a negative impact on race, disability or gender equality, HEIs are required to explore alternative procedures and ensure that there are no other steps that can be taken to mitigate the impact. For example, where competency standards



set by the institution are found to have a negative impact on disabled applicants, can they be justified within the permits of the law and, if not, what other competencies could applicants be required to demonstrate?

HEIs need to record any steps that have been taken to change the policy or mitigate the impact to ensure that any negative impact does not constitute unlawful discrimination and can be justified to a third party. The justification for decisions, as well as any actions that will be taken to mitigate impact, would need to be recorded in the EIA report, which can assist HEIs in ensuring that actions are implemented. This evidence will be needed if a legal challenge is made.

The statutory codes of practice for England and Wales for the race, gender and disability equality duties contain information on what constitutes unlawful discrimination.

www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/guidance-and-codes-of-practice/codes-of-practice

Reporting EIA findings

Most EIA guidance includes example templates that HEIs can adapt to local circumstances to report the findings of EIAs. In relation to admissions policies, an EIA report would normally be expected to include:

- = an analysis of the potential impact of the proposals from the perspectives of **disability, gender** (including **gender reassignment**) and **race** – and if in Northern Ireland, also from the perspectives of **marital status, people with dependents, political opinion, religious belief** and **sexual orientation** – from information gathered during involvement and consultation exercises as well as available applicant and student monitoring data
- = the steps that will be taken to change potentially discriminatory proposals, mitigate their impact or justify them where the law permits and enhance positive impacts
- = an action plan, setting out the actions that will be taken to minimise the risk of negative impact or enhance positive impact on particular groups of people including clear lead responsibilities for implementation, agreed timescales and arrangements for ongoing monitoring and review of the action plan



Case studies

These case studies illustrate the diverse ways in which HEIs are approaching EIAs of their admissions policies, procedures and practices.

The **University of Wales, Newport** has conducted an EIA on its admissions form for some full-time and all part-time applications. Student services, admissions, marketing and equality and diversity staff were involved in the EIA and it was conducted using existing internal resources.

Institutional data on applicants was analysed in relation to **disability**, **gender** and **race**. The data was analysed in the institutional and regional context to determine whether the diversity of applicants was representative of the region. In comparison to Wales as a whole, Newport has a larger percentage of female part-time applicants. However, many of these applicants had been recruited through Newport's widening participation programme, which is successful at attracting students to study on a part-time basis. As women are more likely than men to study on a part-time basis it was felt that the form itself did not pose a barrier to male applicants. However, in relation to the proportion of disabled people in the local area, Newport found that the number of part-time applications from disabled people was low. As a result and with the assistance of its community involvement group, Newport worked with local groups that represented and supported disabled people including Mencap Pathway, Jobcentre Plus and Scope to find out if the application form posed a potential barrier to disabled applicants and, if so, how it could be improved. The consultation with local groups formed part of a wider consultation event surrounding Newport's disability equality scheme. Newport also issued a questionnaire to first year disabled students to find out how they thought the application process could be improved.

Newport found that its application form may have discouraged disabled applicants and changes were subsequently made to its design to improve accessibility. A point of contact for alternative formats is now listed on the form and Newport has endeavoured to ensure that staff are briefed to ensure that they are able to effectively respond to requests for alternative formats.

Changes were also made to the questions that related to disability to encourage disability disclosure and improve the quality of information



gathered. For example, to improve declaration of autism and dyslexia the Higher Education Statistics Agency (HESA) categories for disability were expanded so that autism and dyslexia were listed separately. The codes remained the same for HESA return purposes.

Newport will review diversity data on people completing its application form over the coming years. In light of feedback received from first year disabled students, it is also seeking feedback from disabled people on the accessibility of its website.

The main costs incurred were staff time and the design and production of the new application form.

Advice to other institutions:

- = Consider the range of information and data that you already have.
- = Involvement from the groups affected by the policy, practice or procedure is vital.

The EIAs undertaken by Newport can be found at

<http://hr2.newport.ac.uk/diversity/Impact%20assessments.htm>.

The **University of Northampton** has screened its overall admissions policy and specific admissions procedures, including its procedures for disabled students, its widening participation strategy and its policy for special admissions.

Initial screenings of admissions processes found disproportionate and adverse offer rates applying in particular to applicants of black African ethnicity. This was consistent over a two-year period and it was felt that further detailed explanation and investigation was required. There were particular notable differences to courses in the schools of health and education. Subsequently the full impact assessment focussed on admissions to all selecting courses.

The equality and diversity unit secured funding from Northampton's widening participation project fund to conduct the EIA which was conducted by Northampton's centre for children and youth with input from the admissions officer, admissions tutors from the schools of arts, health and education and the equality and diversity adviser. The EIA took nine



months to complete and while it was not linked to other departmental or institutional reviews it did inform the development of good practice in admissions across the institution.

At Northampton, each course is expected to meet the principles outlined in the central admissions policy and, where necessary, professional body requirements.

Three methods were used to collect data on the admissions process used by courses:

- = analysis of individual student application forms
- = interviews with admissions tutors
- = interviews with students (including students' union officers)

On the basis of the data, the researchers could not definitively indicate why, on selecting course, there was a lower offer rate to black African applicants. However, the researchers felt that it was conceivable that, as some admissions tutors had stated, the lower offer rate stems from the poorer overall performance of black African candidates on selection days: in spoken English, contribution to group discussion and performance in interview. In addition, while it was acknowledged that performance judgments should be made on the basis of explicit criteria, the most popular reason for rejecting applicants was 'better candidate'.

For further information see the *Full equality impact assessment of admissions policy at the University of Northampton* (2008) by Pilkington et al, www2.northampton.ac.uk/portal/page/portal/AEP/oepll-home/equality-diversity/eia.

The research report led to extensive discussion at Northampton's equality and diversity action committee as some areas of the university felt that the report did not fully reflect the care they had taken with regard to their admissions policies and actions. However, the committee fully endorsed the report's recommendations and, in light of these, Northampton has been working with its admissions tutors to stress the importance of consistency in applying agreed admissions criteria and to ensure that the reasons for rejecting applicants are transparent, consistent with admissions criteria and justifiable.



Advice to other institutions:

= Ensure that you have a strong defence for the research methodology to help ensure support for the EIA findings.

The EIAs undertaken by Northampton can be found at www2.northampton.ac.uk/portal/page/portal/AEP/oepll-home/equality-diversity/eia.

The **University of Ulster** has conducted an EIA on its student recruitment and admissions policy. The EIA was overseen by a subgroup of the equality and diversity advisory group which was chaired by the pro vice-chancellor (communication and institutional development) and included staff from relevant departments and a students' union representative.

The EIA was linked to the academic planning cycle, the widening participation strategy and the access agreement. The working group met over an 18 month period and received training from an external consultant. In total, the EIA took just over two years from the initial training to the publication and dissemination of the final EIA report. The process involved consultation with the public and students. However, there was low response to the public consultation despite the university placing adverts in local and regional newspapers and holding two public consultations. Ulster found that the most effective way of engaging stakeholders was through targeted mailings.

The EIA was also informed by university's student equality monitoring data, UCAS data, census data, research reports and relevant legislation.

The student recruitment and admissions policy was not found to have an adverse impact on any particular group. However, it was found to have a differential impact in relation to **gender, religion** and **race** and as a result of the EIA a number of actions were taken. For example, links were made with the Chinese Welfare Association and meetings are taking place with head teachers of Protestant schools, which were identified as providing low numbers of applicants, to arrange outreach work and marketing activities.



Advice to other institutions:

- = If an HEI establishes a group to take forward EIAs it is important to have a senior officer chairing the group.
- = Using a range of consultation methods including targeted focus groups and meetings encourages feedback.

The EIAs undertaken by Ulster can be found at www.equality.ulster.ac.uk/completedeqias.html.

The **University of Hertfordshire** ran an EIA project from 2008 until early 2010 which aimed to:

- = develop a framework for assessing equality impact
- = complete a programme of impact assessments in Hertfordshire's 14 policy clusters such as admissions, the built environment and research
- = embed EIA processes into Hertfordshire's policy clusters

The EIA programme at Hertfordshire had a project board which included representatives from trade and students' unions. Hertfordshire also employed an EIA coordinator with project management experience.

Throughout its EIA project, Hertfordshire developed an in-house toolkit of checklists, desk aids and templates based on good practice guidance from a range of organisations including ECU. The EIA coordinator ran workshops and provided bespoke support and guidance for staff responsible for conducting EIAs and for leading policy clusters. In addition, an EIA case study has been included in mandatory equality and diversity training.

The approach to consultation depends on the policy and the current arrangements for feedback from staff and students. Most often staff and students are consulted through existing feedback channels, for example evaluation sheets at open days. Where appropriate, consideration is given to the results of other HEIs' or public bodies' consultations and to external experts.

Before the EIAs commenced, internal experts relevant to the particular EIA (from the equality unit, human resources, chaplaincy and disability services) were sent a standard email asking them to raise equality issues of relevance to the area being assessed. The head of disability services has been



consulted on most of the EIAs and through them the disability consultative group. When conducting the EIA on disability services, individual disabled students and staff were involved at different stages of the process to raise issues, propose solutions and comment on proposals by email or through the disability adviser. This approach worked well and has been applied to other EIAs.

Hertfordshire's admissions EIA considered the scope of admissions in its broadest sense. Functions including recruitment, handling enquiries and the actual admissions process were listed and grouped into manageable categories for EIA purposes:

- = UK outreach and access activity
- = admissions-related advertising and marketing
- = providing information and handling enquiries
- = processing of and decision making on applications
- = defining and agreeing entry requirements

The fourth and fifth areas were integrated into a university-wide review of admissions processes. Each area was allocated a project lead and on average the EIAs took two to three months to complete – the amount of consultation required and the availability of evidence made a significant difference.

Advice to other institutions:

- = A project approach can achieve a significant difference in assessing equality impact.
- = Focus on the outcome not the process.
- = Be flexible in your approach to EIAs.
- = Do not try to squeeze different types of policies, procedures and functions into the same process.

The EIAs undertaken by Hertfordshire can be found at www.herts.ac.uk/about-us/equality-and-diversity-policies/equality-impact-assessments/completed-eias.cfm

The **University of Plymouth** has conducted an EIA on its undergraduate admissions policy. The EIA focused on applications, offers and acceptances



in relation to **disability, gender** and **race**. The EIA has been carried out by the admissions manager with support from the equality and diversity unit, which includes a data officer, and faculty registrars.

EIA training run by the equality and diversity unit is available to all staff responsible for conducting EIAs and short briefing sessions have been developed for management teams and new staff. Plymouth has developed its own online step-by-step impact assessment toolkit for which admissions was a pilot area.

Plymouth's admissions EIA has involved in-depth analysis of quantitative data from which issues for further investigation at the faculty level have been identified. The EIA has taken two to three years and is ongoing – it has taken more staff time than other EIAs undertaken by the university as the data sets are very large and initial data on race was inconclusive.

Plymouth was initially concerned about differences in applicant success in relation to gender. However, further investigations revealed that while women were less likely to be offered a place they were more likely to apply for courses that were harder to get on to. The EIA revealed a positive correlation between the number of female applicants and students on the courses concerned but Plymouth continues to analyse the success of applicants by gender for courses where a gender imbalance exists.

Further data on UK black and minority ethnic (BME) applicants is being analysed and work is taking place with faculties that have a higher proportion of BME applicants. The admissions policy was not found to have differential impact on disabled applicants.

Plymouth is seeing the benefits of the admissions EIA. The head of equality and diversity has noted that:

'EIAs are particularly important in ensuring that we are meeting students' requirements and they enable us to check that we are reaching and getting the best possible students through demonstrably fair procedures. The admissions EIA has also been helpful in supporting Plymouth's partnership work and in assessing specific marketing and widening participation initiatives.'

To ensure that EIAs are embedded into policy and practice, Plymouth is currently reviewing its senior committee protocols to ensure that they



contain reference to the requirement for impact assessments in relation to new or revised policies before they are placed before committees.

Advice to other institutions:

- = Work with the governing body and senior teams to raise awareness of the value and importance of EIAs.
- = Embed EIAs into committee processes.
- = Have someone in your institution who can offer guidance on the interpretation of data in relation to equality as this is invaluable.

Plymouth's EIAs are published on its intranet.

Frequently asked questions

When should EIAs be conducted?

EIAs should be conducted at the start of policy development or policy review. However, they are an ongoing process and require HEIs to review and monitor the impact of a policy following its implementation or revision.

Which policies need to be impact assessed?

All admissions policies, practices and procedures need to be impact assessed at some point, as there is significant scope within admissions for inadvertent discrimination. However, it may not be appropriate or practical for your institution to impact assess all of its admissions policies and procedures simultaneously. For example it may be appropriate for your institution to focus on particular policies and procedures such as student recruitment, the selection of candidates and student induction.

For advice on how to prioritise policies, practice and procedures for assessment, see step 1 on page 6.

Who should be responsible for conducting EIAs?

While it may be useful to have an individual overseeing the EIA process, it is not recommended that responsibility for conducting an EIA rests solely



with an individual. A range of skills is needed to conduct EIAs and so a team with the following qualities is best placed to fulfil this function:

- = knowledge and understanding of the policy to be impact assessed
- = knowledge and understanding of equality
- = an ability to be objective about the policy
- = an ability to analyse both qualitative and quantitative data

Some HEIs may use consultants or external agencies to conduct EIAs. However, the EHRC has advised that, although external support and expertise can be helpful in building capacity, EIAs should not routinely be conducted by external consultants.

What resources are needed to conduct EIAs

HEIs will need to consider the resources required to conduct EIAs which will in most cases require data analysis as well as staff time. Where consultation and involvement activities cannot be linked to existing initiatives or where an HEI identifies actions to mitigate a negative impact, extra resources will be needed.

If possible, EIAs should be conducted in coordination with existing quality assurance mechanisms such as processes to ensure compliance with legislative developments or guidance from professional bodies such as the Training and Development Agency for Schools, and higher education agencies, such as the higher education funding councils and the Quality Assurance Agency. If possible, consultation and involvement initiatives with the local community, applicants or students should also be held in conjunction with other initiatives.

HEIs can find out if other public authorities are conducting or have conducted impact assessments on similar issues and if there is any possibility of collaboration.

How detailed does an EIA need to be?

An EIA is not a simple five-minute 'tick box' exercise, or an exercise of going through the motions to claim that a particular policy or practice is nondiscriminatory without proper consideration of the issues involved.



An effective EIA should involve a meaningful assessment of the impact a policy or practice may have from an equality perspective. If an EIA does not involve proper consideration of the relevant evidence and data available and if it does not involve genuine reflection on possible ways to mitigate negative impacts the policy or practice in question may have on equality, then it is unlikely to stand up under scrutiny.

The more robust the process of conducting an EIA, the greater the legal cover afforded to the institution if the EIA is subsequently challenged or if the HEI seeks to rely on the EIA in a legal case.

Not all EIAs will require the same level of staff time and resources, and the scale of an EIA should be proportionate to the scale of the policy and its relevance to equality. For example, an impact assessment of the enrolment process for new entrants is likely to warrant a shorter and simpler EIA than an HEI's method of selecting or recruiting applicants.

Is training required for staff?

ECU recommends that staff responsible for conducting EIAs receive training on the purpose of EIAs as well as the HEI's processes for conducting, reviewing and monitoring EIAs. In addition, HEIs may want to ensure that staff responsible for implementing admissions policies and procedures receive training to ensure that they are aware of the HEI's responsibilities under the race, disability and gender equality duties.

What national data is available for informing equality impact assessments?

In addition to qualitative and quantitative data held by HEIs, there is a range of other data sources to inform EIAs:

- = ECU publishes a range of resources and research reports about equality issues within higher education. www.ecu.ac.uk/publications
- = The Higher Education Statistics Agency has recently launched **heidi equality**, which enables subscribing HEIs to access and analyse equality data covering staff and students. www.hesa.ac.uk
- = An ECU briefing provides institutions with an introduction to **heidi equality**. www.ecu.ac.uk/publications/introducing-heidi-equality



- = UCAS holds national data on student applications and admissions.
www.ucas.ac.uk

Data from external sources not specific to higher education can also be useful:

- = census data, held by the Office for National Statistics
www.statistics.gov.uk
- = statistical and research reports published by equality organisations:
 - EHRC, www.equalityhumanrights.com
 - Opportunity Now, www.opportunitynow.org.uk
 - Stonewall, www.stonewall.org.uk
 - Office for Disability Issues, www.officefordisability.gov.uk
- = local authorities may also have conducted impact assessments on similar policy areas or issues which are likely to be available on their website

Should EIAs be published?

The disability and race equality duties require HEIs to publish EIA reports and publication is recommended in the gender equality duty code of practice for England and Wales. The ongoing nature of EIAs should not prevent HEIs from making their findings and the actions that they are taking publicly available. Publication of the reports makes the EIA process more transparent and generates a greater understanding of the reasons for conducting EIAs. It also enables HEIs to easily share the outcome of their EIAs with other public sector organisations.

Publication is consistent with the fact that most EIA reports could be disclosed under the Freedom of Information Act 2000. However, some EIA reports may contain information which can identify individuals and therefore some parts of the report may need to remain confidential, to ensure compliance with the Data Protection Act 1998. For further information on freedom of information and data protection issues visit the Information Commissioner's Office. www.ico.gov.uk

Where is help available?

Your HEI's equality and diversity team will be able to guide you through the process of impact assessment and will be able to let you know about



any training or materials that your HEI has available. Your institution may also have an officer specifically responsible for quality processes or impact assessment.

For further advice on conducting EIAs and other equality issues contact ECU's advice service. www.ecu.ac.uk/your-questions/advice-service

For further advice on admissions process related issues contact Supporting Professionalism in Admissions. www.spa.ac.uk



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