

**Equality Impact Assessment (EIA) Recording Form**

Please refer to the notes and examples in the EIA Guidelines to help complete this record.

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| Title of Activity/Proposal/Policy/Practice | Trans and Non-Binary Inclusion Policy and Procedure | | EIA Team and Lead Member of Staff (names of all people involved in this EIA) | * EDI Lead * WAX-ED Members * HR and OD * Student Experience * Edinburgh College Students’ Association * Quality Assurance * Facilities * Student Accommodation | Date | From March to October 2023 |
| Type of Policy/Practice/ (tick box) | New | Yes |
| Existing |  |
| Revised |  |

**Step 1 – Plan your process**

Considering the aims of the policy/proposal and the people will be involved.

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| What are the aims and purposes of the activity/ decision/ new or revised policy or procedure?  See Note 1 | The Trans and Non-Binary Inclusion Policy has been developed to provide support and understanding for individuals who wish to, have taken or are intending to take steps to present themselves in a gender different to that registered at birth, whether in a binary or non-binary way and includes those people who are intersex and gender diverse. It also provides guidance and support to all employees providing support to others who are transitioning. |
| Who will be affected?  See Note 2 | This policy applies to all members of the College community including current and potential employees and students, visitors, board members and people contracted to work at or for the College. |
| Who will be consulted?  See Note 3 | * WAX-ED Members * HR and OD * Student Experience * Edinburgh College Students’ Association * Quality Assurance * Facilities * Student Accommodation * Students and Staff who are affected by this policy |

**Step 2 – Consider the Evidence**

What are the evidence we need and how we can gather them?

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| What evidence is available of how the policy/decision, etc. affects, or may affect, protected groups?  Evidence could be quantitative, qualitative or anecdotal.  Do we have enough evidence to judge what the impact may be?  See note 4 | Number of students who may be affected by the policy.  Lived experience of students and staff.  Previous consultations with students on gender-neutral facilities.  Procedural difficulties experienced by staff.  Resources from Government, education establishments and LGBT organisations.  Assessment of facilities being offered by other organisations. |

**Step 3 – Assessing the impact**

This involves:

* Considering relevant evidence relating to people who share a protected characteristic
* Assessing the impact of applying a decision of a new or revised policy or practice against the needs of the Public Sector Equality Duty (PSED) and each protected characteristic.

How will the policy / decision help the College to comply with the Public Sector Equality Duty?

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| **Eliminating discrimination, harassment, and victimisation** | **Advancing equality-**   * **Removing disadvantage** * **Meeting different needs** * **Encouraging participation** | **Fostering good relations**   * **Tackling prejudice** * **Promoting understanding** |
| The Equality Act 2010 lists Gender Reassignment as one of the nine protected characteristics. | The procedure set out the steps for:   * Applying and commencing employment or study * Preparing for transition * Changing personal details * Appropriate language * Bullying and harassment / transphobic incidents / discrimination * Sickness absence * Use of facilities * Uniforms / dress code * Sports * Gender recognition certificates * References | Edinburgh College recognises that transitioning whether medically or socially can be a difficult and complex time for an individual and wish to act in a sensitive and supportive way by having helpful policies and practices in place. |

See Note 5

Key Questions to ask:

1. What potential positive/neutral/negative impacts can be identified?
2. What does evidence demonstrate about positive/neutral/negative impacts for different protected characteristic groups? E.g. statistics on participation, progression or outcomes, feedback or complaints
3. Does the policy/procedure/practice/decision take account of the needs of people with different protected characteristics? How is this demonstrated?
4. Does it affect some groups differently? Is this proportionate?

See Note 6

| Protected characteristic | Potential  Positive Impact Y/N | Details of Expected Positive Impact | Potential Negative Impact Y/N | Details of Expected Negative Impact |
| --- | --- | --- | --- | --- |
| Age | Y | Students and staff will be supported to transition at any age during their time at the College. | Y | For students under the age of 16 who wish to change their name and/or gender formally will require a letter from their parent/guardian. |
| Disability | Y | A supportive process will be put in place to help the individual to understand the procedure for transitioning at the College. | Y | Some of the terminologies may be difficult to understand for those with learning difficulties. |
| Gender reassignment | Y | Students and staff, who are considering, undergoing or have undergone transition, will feel supported. They will have a clear understanding of the College’s procedures. | Y | Some students may find some procedures being over-complicated and bureaucratic. The processes are the requirements of awarding or government bodies |
| Marriage/civil partnership (relevant in employment law) |  |  | Y | Some students or staff may not wish their spouse/partner to know that they are considering transitioning, undergoing transitioning, or have transitioned. |
| Pregnancy and Maternity | Y | Students and staff will feel supported when seeking help / advice from the College. | Y | Students or staff may need to distinguish whether the access of support is based on their biological sex or gender identity. |
| Race | Y | Students and staff of all racial backgrounds will feel supported. | Y | Transitioning for black and minority ethnic (BME) or international students / staff may be more complex because of their cultural backgrounds or visa restrictions. |
| Religion or belief | Y | Students and staff of all faiths and none will feel supported. | Y | Transitioning for students or staff of faith groups may be more complex because their religion might not be inclusive of Trans or Non-Binary people. |
| Sex | Y | Students and staff of all genders will feel supported when seeking help / advice from the College.  The policy and procedure provide guidance on use of facilities, uniforms / dress code, and participation in sports. | Y | Some students or staff may feel that the College is not providing adequate changing/toilet facilities for their gender.  Some students or staff may also feel that retaining single-sex facilities, spaces and services are important. |
| Sexual orientation | Y | Students and staff of all sexual orientation will feel supported when seeking help / advice from the College. | Y | Assumptions about sexual orientation could be inadvertently made about some students or staff while they are considering, undergoing or have undergone transitioning. |

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| Other  characteristic  See Note 7 | Potential  Positive Impact Y/N | Details of Expected Positive Impact | Potential Negative Impact Y/N | Details of Expected Negative Impact |
| Social deprivation | N/A |  | N/A |  |
| Care Experienced people | N/A |  | N/A |  |
| People with caring responsibilities |  |  | Y | Individual’s family circumstances may create further difficulties for the individual while transitioning. |
| Any other groups that need to be taken in consideration? |  |  |  |  |

**Step 4 – Acting on the results of the assessment.**

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| What actions can be taken or amendments made to policy to reduce the negative impact?  See note 8 | 1. Create an easy to understand guidance for students and ensure the students is aware of the informal name change option. 2. Student Experience’s colleagues are provided with training and support for implementing the policy and procedure. 3. Students and Staff will be made aware that any correspondence to home will be addressed to the formal name registered on College’s records. The informal name-change, ‘preferred name’, may be more appropriate for some students and staff depending on their circumstances. 4. When accessing sensitive support or services, staff will be guided by the individual student/staff’s needs be it biological or emotional. 5. All students and staff must be consulted on any proposal to change the existing single-sex spaces or facilities. 6. The ‘Understanding Gender Identity’ workshop will continue to be delivered to students and staff. |
| Is there a need to address any gaps in evidence? | Number of students or staff who have changed their name and/or gender while studying or working in the College. |
| How will equality be advanced/ good relations be fostered? | The ‘Understanding Gender Identity’ workshop aims to help participants to understand different types of gender identities and how we can better support colleagues and students.  All forms of harassment and prejudice are unacceptable. Any hate or transphobic incidents can be reported anonymously or with contact details. The forms are available on the College’s website. |
| Who has been involved in carrying out this assessment? | EDI Lead  WAX-ED members |
| If you cannot fully review the impact now, what else must be done, by/with whom and why? | Further review will be conducted when we have more evidence of how the policy and procedures have been utilised. |

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| **Recommended decision:** (place an x against relevant outcome)  See note 9 | Outcome 1: Proceed – no potential identified for discrimination or adverse impact, and all opportunities to promote equality have been taken |  |
| Outcome 2: Proceed with adjustments to remove barriers identified or to better promote equality | **X** |
| Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to promote equality |  |
| Outcome 4: Stop and rethink as actual or potential unlawful discrimination has been identified |  |
| Any other recommendations? | | |
| Promotion of the policy to ensure all students and staff are their rights and responsibilities as stated in the policy. | | |

**Step 5: The monitoring and review stage**

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| **Plan actions to reduce negative impact, advance equality and monitor the impact of the policy, proposal or decision**   * Please indicate if there is any data which needs to be collected as part of action to be taken and how often it will be analysed. * Indicate how the person responsible will continue to involve relevant groups and communities in the implementation and monitoring of the policy, etc. * How will the impact of the policy/procedure/decision be monitored?   See Note 10 | | |
| **Action to be Taken:** | **Person Responsible:** | **Completion/Review Date:** |
| 1. Create an easy to understand guidance for students and ensure the students is aware of the informal name change option. | EDI Lead |  |
| 1. Student Experience’s colleagues are provided with training and support for implementing the policy and procedure. | EDI Lead |  |
| 1. Students and Staff will be made aware that any correspondence to home will be addressed to the formal name registered on College’s records. The informal name-change, ‘preferred name’, may be more appropriate for some students and staff depending on their circumstances. | Student Experience  HR |  |
| 1. When accessing sensitive support or services, staff will be guided by the individual student/staff’s needs be it biological or emotional. | Student Experience  Curriculum  HR |  |
| 1. All students and staff must be consulted on any proposal to change the existing single-sex spaces or facilities. | Facilities |  |
| 1. The ‘Understanding Gender Identity’ workshop will continue to be delivered to students and staff. | EDI Lead  OD |  |
| 1. Promotion of the policy to ensure all students and staff are their rights and responsibilities as stated in the policy. | Communications Team |  |
| **Signature of Lead: Nina Munday** **Date: 20/12/2023** | | |

**Step 6 – Review and Publication**

See Note 11

Please send the completed EIA record to [equality@edinburghcollege.ac.uk](mailto:equality@edinburghcollege.ac.uk) for

* review by Quality and Improvement;
* publication in whole or in part on the College website.

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| **Date of Review** | **21/12/2023** |
| **Date of Publication** |  |