

**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 | Protecting Vulnerable Groups Policy & Procedure | | EIA Team and Lead Member of Staff (names of all people involved in this EIA) | Sue Clyne (Director of HR&OD)  Fumie Nakamura (Projects & Systems Assistant)  HR Recruitment Coordinators | Date | November 2024 |
| Type of Policy/Practice/ (tick box) | New |  |
| Existing | X |
| 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 | This existing Protecting Vulnerable Group Policy and Procedure details what process the College will follow with respect to ensuring that College employees and prospective employees have appropriate and up to date pre-employment checks. The College has an obligation to recruit/continue to employ individuals only where it is safe and appropriate to do so.  This Policy & Procedure have been developed based on official PVG scheme guidance. The College will comply with all PVG guidance & legislation governing how the PVG scheme should be administered. |
| Who will be affected?  See Note 2 | All employees and prospective employees will benefit from a consistent and clear approach being taken across the College checking their backgrounds. |
| Who will be consulted?  See Note 3 | Both EIS-FELA & Unison were consulted on in relation to this Policy & Procedure. |

**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 | HR conducts the check by following the official PVG scheme guidance and the Lead and Counter Signatories are responsible for the consistent application of this Policy and Procedure. If there are any issues, HR Partners liaise with their managers to discuss how to proceed, based on a risk assessment approach.  Ongoing review and discussion with both EIS-FELA and Unison on the implementation of the updated policy and procedure may provide evidence, where feedback has been received, or support has been given through this process.  New employees will be informed what type of membership of PVG is required for the role they have been conditionally offered. |

**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** |
| Provides a consistent and transparent framework for performing PVG. The existing and prospective employees will be treated fairly and equally by the College delivering PVG.  Ensure employee(s) who conducts PVG checking gets proper training and follow Government guidance appropriately.  Any employees require support in completing the form, they can seek support from HR Recruitment team. | This Policy ensures that every PVG is reviewed according to the Government guidance and processes.  Depending on the offences, individuals will be advised whether they are suitable for the roles they applied for, based on a risk assessment approach. | This Policy and Procedure will be well publicised to all employees and prospective employees, and outlines the process available for clear understanding to them.  As an education establishment, every prospective and existing employee are expected to complete the PVG process. |

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 | Yes | Explanations for conducting PVG are explained to prospective and existing employees. | Yes | Younger people may not understand the process due to lack of work experience. More experienced employee may question the reasoning of PVG process. |
| Disability | Yes | Assistance will be provided to individuals to help them to understand the process and to complete the necessary forms. | Yes | People with a range of disabilities may have barriers in accessing or completing the form. |
| Gender reassignment | Yes | Employees will not be discriminated against on the basis of gender re-assignment. | Yes | The name they use on daily basis may not correlate with the official documents. |
| Marriage/civil partnership (relevant in employment law) | Yes | Government guidance explains the additional documents required for people with different names. | Yes | Similar to the above, the name they prefer to use at work may not correlate with the official documents. |
| Pregnancy and Maternity | Yes | Employees will be advised of outstanding requirements on their return to work. | Yes | For existing employees, the expiry date of PVG may occur during their maternity leave. |
| Race | Yes | Government guidance explains the full processes and any additional documents required for special circumstances. | Yes | PVG processes for people who lived in other countries may be longer or complicated.  Refugees may not have all the necessary legal documents. |
| Religion or belief | Yes | The policy explains fully the reasons for the College to conduct PVGs. | Yes | Due to their belief, they may feel offended to go through PVG process. |
| Sex | Yes | By following Government guidance, all prospective and existing employees are treated fairly and equally. | Yes | Robust safeguarding review will be conducted for prospective or existing employees with sexual offences. |
| Sexual orientation | Yes | Each case will discuss with their manager and HR to assess if the result will impact to perform the role based on a risk assessment approach. | Yes | People from other countries may be wrongly charged because their country of origin still regard gay relationships as criminal activities. |

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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 | Yes | By following Government guidance, all prospective and existing employees are treated fairly and equally for PVG checking and treatments after receiving the results. | Yes | Statistically, people of social deprivation are more likely to be charged with minor offences. |
| Care Experienced people | Yes | HR Recruitment will assist to complete the form based on Government guidance. | Yes | Due to the potential disruptive upbringing, they may not have a full list of residential addresses. |
| People with caring responsibilities | Yes | By following Government guidance, all prospective and existing employees are treated fairly and equally for PVG checking and following actions. | Yes | Some offences may relate to protection of the people they care for. |
| Any other groups that need to be taken in consideration?  People with low literacy skills | Yes | HR recruitment will assist them to complete the form. | Yes | People with low literacy skills may not fully understand the written process. |

**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 | Clear communications explaining for conducting PVG check and following actions, such as destroying the information in line with Data Protection Act or terminating employment /withdrawing offer in line with statutory procedures to all employees and prospective employees.  Ensure employees who deal PVG procedures are trained for following the up to date legislation. |
| Is there a need to address any gaps in evidence? | Regular requests for general feedback on the implementation of this policy/procedure from the Unions at local LNC meetings.  It may be useful if HR Recruitment team will collect the feedback how the PVG check process has been managed and if any additional support were required from prospective and existing employees after conducting PVG check. |
| How will equality be advanced/ good relations be fostered? | This policy and procedure aim all employees and prospective employees to be treated fairly and equally for pursuing PVG in line with legislation. The College ensure that those protected characteristics people should not be received any negative impact due to this Policy and Procedure. |
| Who has been involved in carrying out this assessment? | HR team. |
| If you cannot fully review the impact now, what else must be done, by/with whom and why? |  |

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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? | | |
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**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:** |
| Ensure all employees and prospected employees are made aware of the existence and purpose of this policy and procedure. Sensitive approach may be required for different groups. | Sue Clyne | Ongoing |
| Ensure HR team and counter signatory employees will receive an appropriate training and up to date legislative information to conduct PVG checks. Where necessary, advise employees of the possible delays in the process due to lack of consecutive addresses, change of name or having lived abroad. | Sue Clyne | Ongoing |
| Provide additional assistance to individuals who require support in completing the form. | HR Recruitment team | Ongoing |
| Provide opportunities for individuals to explain their circumstances and make fair judgements based on a risk assessment approach. | HR and managers | Ongoing |
| Provide sensitive support for individuals who may have offences noted in their PVG by undertaking a risk assessment of the circumstances | Managers | Ongoing |
| Undertake a 3-yearly review of the policy and procedure, or sooner if legislative changes require it, to ensure it remains in line with current legislation, terminology etc. | Sue Clyne | 3 yearly (or more frequently if required) |
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| **Signature of Lead:**   **Date: 7 November 2024** | | |

**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** | **12 December 2024** |
| **Date of Publication** | **11 March 2025** |