



Carrying out an Equality Impact Assessment: 9 Myth Busters

1. EIAs are not relevant to us.

EIAs are a tool to be used in evidence-based policy making and therefore should be an integral part to good decision making by an organisation. They can assist public authorities in fully understanding the relevance and effect of policies and in identifying the most proportionate and effective responses. Delivery of public services depends on an understanding of the diverse communities to be served, and taking account of diverse needs.

The process itself can be tailored to fully reflect the precise nature of the business. Different approaches can be found in the Commission's guidance.

2. EIAs will stop us doing what we need to do.

Not necessarily! The reality is that, in times of financial constraint, public authorities will have to make difficult and often unpopular decisions regarding funding and service provision. The Public Sector Equality Duties do not prevent authorities making these decisions, provided that decisions are taken in accordance with the duties.

Potential for adverse impact or missed opportunities may be identified but despite that you will still need to proceed. In this instance the Commission will be looking for steps you have taken or considered to mitigate any adverse impacts.

3. We don't have all the information to carry out an EIA.

The consultation process should be part of the evidence set. Gaps in evidence should be identified and filled where possible. Lack of data is never a reason for not assessing impact and does not provide an excuse for not completing an assessment. Different types of evidence, for example, can be used. Decisions will need to take into account information deficiencies and reach the best judgement possible using what is available.

4. We can carry out an EIA at the end of the decision making process.

A key point of an impact assessment is that you take account of equality as you develop your policy and plans. Just "doing it at the end" will not enable you to properly consult and involve and opportunities for picking up issues and making adjustments as part of the policy development will be missed. It won't save time and may in fact lead to delay or even fundamental repositioning – see 9 below.

Public authorities have a statutory duty to consult groups on the likely impact of a policy/proposal on race and we recommend that you also involve disabled people and consult men and women. Consultation and involvement can also address information issues mentioned in 5 below.

5. It is a disproportionate approach.

The duties actually encourage and expect public bodies to take a proportionate approach. Once you have established if a policy is relevant to equality, and so needs to be impact-assessed, this should be done on a basis proportionate to the relevance of the policy.

Possible questions to help determine relevance are provided in the Equality and Human Rights Commission's guidance on EIAs which is available on the Commission's website.

6. The EIA process is labour intensive.

If set up to be an integral part of the policy development and review, rather than a one-off exercise, there is no reason that an EIA cannot be completed quickly. The quality of an EIA is not measured by page count but by quality of the analysis and action taken etc. Much of the process can be systemised, and benefits can be had from up-front thinking, e.g. on use of templates, information collection, which will support all EIAs.

7. We can ignore the outcome of an EIA.

EIAs are not an end in themselves - they are a way of showing that due regard has been paid to the general duties. EIAs must demonstrably be used to inform the final decision on a policy. Internal dissemination can help consistency and also build knowledge. Arrangements for publication are required by the race equality duty, and gender and disability duties recommend publication.

8. It is just bureaucracy and red tape and we don't have to carry out an Equality Impact Assessment.

There is a legal obligation to undertake Equality Impact Assessments (EIAs) to assess the impact of your actions on people of different racial groups, disabled people, and men and women, including transsexual men and women.

A best practice approach, which will be law under the Equality Act 2010, is to consider impact on religion or belief, sexual orientation and age.

9. No one will notice if we don't carry out an EIA.

Untrue! There are many examples of service users who have successfully challenged decisions that have been taken by public authorities and the Commission is working with its partners to secure compliance of public authorities meeting their duties.