

OGB 44

Equality & diversity

(Impact assessments)

A guide for FC staff

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- We revise our booklets regularly. Please make sure you have the latest version.

Contents

1.	Foreword	5
1.1	Moving around in this booklet	5
2.	Terms explained and some definitions	6
3.	What's mandatory and recommended in OGB 44?.....	9
3.1	What's mandatory for equality and diversity?	9
4.	Introduction	12
4.1	Equality and Diversity – what are they?.....	12
4.2	What does it mean for us in the FC?	12
4.3	How do equality and diversity help the FC?	12
5.	Duties and responsibilities of the Forestry Commission.....	13
5.1	Race equality – responsibility	13
5.2	Disability equality – responsibility	13
5.3	Gender equality – responsibility	13
5.4	Sexual orientation – responsibility	14
5.5	Religion or belief – responsibility	14
5.6	Age equality – responsibility	14
6.	Equality Impact Assessments	15
6.1	What are they?	15
6.2	What is a policy, function or service?	15
6.2.1	Policies.....	15
6.2.2	Functions.....	15
6.2.3	Services.....	15
6.2.4	Examples of policies, functions and services.....	16
6.3	Why carry out an EqIA?	16
6.4	How does carrying out an EqIA help the Forestry Commission?	16
6.5	When do I need to complete an EqIA?	17
6.6	Who needs to complete an EqIA?	18
6.7	Working in partnership and with contractors and suppliers....	18
6.8	How do I complete an EqIA?	19
7.	The EqIA process	20
7.1	When will I need to go to a Full Equality Impact Assessment?20	
7.2	Summary to completing EqIAs.....	21
7.3	Which forms do I need?	22
8.	Equality Impact Assessment Form with guidance.....	24
8.1	Stage 1 – Screening.....	24
8.1.1	Overview.....	24
8.2	Stage 2 – Partial Impact Assessment.....	25

8.2.1	Step 1 – Identify the purpose and aims of your policy, function or service	25
8.2.2	Step 2 – Gather existing information and data: the evidence	26
8.2.3	Step 3 – What else do you need to understand the diverse needs or experiences of your audience?	28
8.2.4	Step 4 – What does your information tell you about how this policy might impact positively or negatively on the different groups within the target audience?	29
8.3	Stage 3 – Full Impact Assessment	32
8.3.1	Step 5 - Consult on the policy, function or service	32
8.3.2	Step 6 – Will you be making any changes as a result of the consultation?	34
8.3.3	Step 7 – Does this policy, function or service now improve equality?	36
8.3.4	Step 8 - Make a decision, do you need more information?	38
8.3.5	Step 9 – The monitoring and evaluation process	40
8.3.6	Step 10 – Feedback after consultation, Senior Manager sign-off and publishing the EqIA Summary	41
8.4	Further help and support	42
8.5	Existing Policies, functions and services that have not been subject to EqIA.	42
9.	EqIA Form without guidance	43
9.1	Stage 1 – Screening	43
9.2	Stage 2 – Partial Impact Assessment	44
9.2.1	Step 1 – Identify the purpose and aims of your policy, function or service	44
9.2.2	Step 2 – Gather existing information and data: the evidence	45
9.2.3	Step 3 – What else do you need to understand the diverse needs or experiences of your audience?	45
9.2.4	Step 4 – What does your information tell you about how this policy might impact positively or negatively on the different groups within the target audience?	46
9.3	Stage 3 – Full Impact Assessment	48
9.3.1	Step 5 - Consult on the policy, function or service	48
9.3.2	Step 6 – Will you be making any changes as a result of the consultation?	49
9.3.3	Step 7 – Does this policy, function or service now improve equality?	50
9.3.4	Step 8 - Make a decision, do you need more information?	51
9.3.5	Step 9 – Monitoring and evaluation process	51
9.3.6	Step 10 – Senior Manager sign-off and publishing the EqIA Summary	52
10.	EqIA Publishing Template	53

Figures

Figure 1	Equality Impact Assessment Decision Chart	23
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1. Foreword

This Guidance Booklet is one of a series covering various subjects in the Forestry Commission (FC). We, in the Diversity Team, have written this one entitled, 'Equality and Diversity' to help you make sure that all policy and guidance that any of us produce meets not only the legislation on equality and diversity, but meets our enhanced policy.

In this booklet we will look at:

- the policy;
- responsibilities;
- screening your documents;
- impact assessments;
- monitoring;
- record keeping; and
- publishing your findings.

We have designed the booklet to be:

- a reference work;
- a supporting and instructional document; and
- the basis for follow up support visits and audits.

We hope you find it useful. You may also find:



Mandatory elements. These are auditable actions necessary to meet legal requirements or to deliver or report on corporate policy.



Timebound mandatory elements. As above, but to a deadline.



Recommendations. These are auditable actions that you should practise for efficiency and effectiveness. Any variation must be defined and authorised by Unit Managers.



Cautions against certain actions, or things to avoid.

Examples, Best Practice and Important Reader Information are shown in Light Blue Boxes like this.

If you have any comments on this booklet, its procedures, or any new ways of presenting this subject please contact [Kate Fielding](#) our Diversity Manager in Silvan House.

We will post updates on the Operational Support Intranet site in the Operational Guidance folder and tell you in the Connect Bulletin.

1.1 Moving around in this booklet

We have designed this document for you to read 'on screen' using Adobe Acrobat Reader. If you need help with the various versions of Adobe Reader, please click on [this link](#).

2. Terms explained and some definitions

Term	What does it mean? Or abbreviation in full.
Affects people	<p>Most of our policies affect people in one way or another, but only those that will have an impact on people will need any more than the EqlA Screening required at Stage 1.</p> <p>There are different ways of describing when an effect on people will require Partial Impact Assessment (Stage 2) and possibly Full Impact Assessment (Stage 3). You should contact the Diversity Team in Silvan House if you have any queries. However, you may like to consider the following:</p> <ul style="list-style-type: none"> • Does the policy, function and, or, service have a direct impact on people's actions? <p>This could be a change of working practice or new opportunities within the Forestry Commission. It could be new or changed opportunities for our customers, for example, opening a new facility or closing an existing facility. Where there is an impact on people, a Partial Impact Assessment (Stage 2), will be the minimum action you need to take.</p>
DDA	The Disability Discrimination Act .
Differential impact	<p>When we write a policy or develop a function or service the planning process or service delivery may affect some people more than others. This is called a 'differential impact' and may affect people because of their race, disability, gender, age, sexual orientation and religion or belief.</p> <p>The differential impact may be due to different needs, experiences, access to opportunities or outcomes between different groups; it may appropriate. The legislation asks that we reduce any negative impact to a minimum.</p>
Discriminatory practice	<p>There are various types of unlawful discrimination (found in legislation covering the following equality areas often referred to as the Six Strands: race, disability, gender, age, sexual orientation and religion or belief). The main types are:</p> <ul style="list-style-type: none"> • Direct Discrimination <p>Where a person is treated less favourably than someone else in the same or similar circumstances, on grounds which are unlawful. Direct Discrimination can never be justified (except in rare circumstances under the age equality legislation).</p> <p>For example, failure to make a reasonable adjustment for a disabled person would be unlawful direct discrimination.</p> <ul style="list-style-type: none"> • Indirect Discrimination <p>Where an apparently neutral criterion, practice or provision is applied which disadvantages people from one group compared to others and which cannot be shown to be in proportion (that is, appropriate and necessary) to achieve a legitimate aim.</p>
EqlA	Equality Impact Assessment – a systematic, assessed and recorded way of determining whether new or existing policies, functions and services are likely to disadvantage individuals or groups who have already been identified as being at a

Term	What does it mean? Or abbreviation in full.
	disadvantage due to their race, disability, gender, age, sexual orientation and religion or belief – the Six Strands .
Harassment	When someone’s actions or words are unwelcome and violate another person’s dignity or create an environment that is intimidating, hostile, degrading, humiliating or offensive.
Internal Staff Forum	Drawn from a range of FC staff, the Forum will act as an internal consultative body, reviewing the major policies that will impact on the whole Commission, or on significant parts of it. They will view proposed Policies with regard to the six strands of diversity, informing the EqIA process. The Trade Union side is represented on the Forum.
Positive Action and Positive Discrimination	<p>Positive Action is represented by methods designed to counteract the effects of past discrimination and to help abolish stereotyping. It is lawful. Examples are:</p> <ul style="list-style-type: none"> • providing facilities or services (in training, education or welfare) to meet the particular needs of people from different groups, for example, English language classes, computer classes for older people; • targeting job training at those racial groups that are under-represented in a particular area of work; and • placing advertisements where they are most likely to be seen by people from minority groups. <p>Supporting disadvantaged groups through positive action, taking steps to furnish them with information and the skills they need is legal. Going beyond that and awarding a job or promotion to a person simply because they come from a minority background is not legal.</p> <p>Positive discrimination is almost always illegal. It represents treating one person more favourably than another, even though they are not better or as well qualified, but simply on the grounds of their sex, age, race, marital status or sexual orientation.</p> <p>Some exceptions are allowed under the Disability Discrimination Act, which allows for BOTH positive action and positive discrimination in favour of disabled people. For example, guaranteed access to an interview, if the disabled candidate fulfils the minimum criteria for a specific post, even though other candidates may be better qualified or experienced</p> <p>The other main area of exception is where there is a Genuine Occupational Requirement (GOR) to employ a person from a particular group or with particular physical abilities. There are very strict conditions to this form of positive discrimination and the discriminatory characteristic must be a genuine and determining factor of the job.</p>
Quantitative data	Numerical statistical information normally derived from a population in general or samples of that population. This information is often analysed by using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferred statistics, which are used to determine significance within relationships or differences in the data.
Qualitative data	Information collated about the experiences of individuals from their own perspectives, usually with less emphasis on statistical data.

Term	What does it mean? Or abbreviation in full.												
RRA	Race Relations Act												
Responsible Officers	<p>Each of the three countries, Forest Research, the Business Units and Silvan House have appointed a person (or group of people) who will be responsible for supporting the delivery of equality and diversity through business practices, using this Equality Impact Assessment (EqIA) framework and guidance.</p> <p>The remit of the Responsible Officers is to:</p> <ul style="list-style-type: none"> • ensure effective communication and facilitate implementation of the EqIA framework and guidance to the policy/business leads in the relevant part of the FC; • devise a system or procedure to monitor, and report back to the Diversity Manager, on the progress being made with the EqIA programme to review and assess all new policies and the rolling, prioritised programme to assess existing policies; and • ensure that the Diversity Manager is made aware at an early stage of any problems or issues, that might affect the delivery of the EqIA process and programme. <p>You can find the names of the Responsible Officers on the Equality and Diversity Intranet site</p>												
SDA	The Sex Discrimination Act												
Six Strands of Diversity	<table border="0"> <tr> <td data-bbox="446 1120 821 1198">Race</td> <td data-bbox="821 1120 1490 1198">Particularly Black, Minority and Ethnic (BME) Groups.</td> </tr> <tr> <td data-bbox="446 1198 821 1254">Age</td> <td data-bbox="821 1198 1490 1254">Particularly 0-24 and over 65.</td> </tr> <tr> <td data-bbox="446 1254 821 1377">Disability</td> <td data-bbox="821 1254 1490 1377">Includes sensory impairment physical disability, mental health illness, and learning difficulties as well as cancer and epilepsy.</td> </tr> <tr> <td data-bbox="446 1377 821 1433">Sexual Orientation</td> <td data-bbox="821 1377 1490 1433">Lesbian, Gay, Bi-sexual and Trans-sexual.</td> </tr> <tr> <td data-bbox="446 1433 821 1489">Gender</td> <td data-bbox="821 1433 1490 1489">Women, Men and Trans-gender.</td> </tr> <tr> <td data-bbox="446 1489 821 1568">Religion or Faith and Belief</td> <td data-bbox="821 1489 1490 1568">Examples include Buddhism, Christianity, Hinduism and Sikhism.</td> </tr> </table>	Race	Particularly Black, Minority and Ethnic (BME) Groups.	Age	Particularly 0-24 and over 65.	Disability	Includes sensory impairment physical disability, mental health illness, and learning difficulties as well as cancer and epilepsy.	Sexual Orientation	Lesbian, Gay, Bi-sexual and Trans-sexual.	Gender	Women, Men and Trans-gender.	Religion or Faith and Belief	Examples include Buddhism, Christianity, Hinduism and Sikhism.
Race	Particularly Black, Minority and Ethnic (BME) Groups.												
Age	Particularly 0-24 and over 65.												
Disability	Includes sensory impairment physical disability, mental health illness, and learning difficulties as well as cancer and epilepsy.												
Sexual Orientation	Lesbian, Gay, Bi-sexual and Trans-sexual.												
Gender	Women, Men and Trans-gender.												
Religion or Faith and Belief	Examples include Buddhism, Christianity, Hinduism and Sikhism.												
Victimisation	When someone is treated differently because they have made a complaint of discrimination, or are thought to have done so, or because they have supported someone else who has made such a complaint.												


3. What's mandatory and recommended in OGB 44?

Here we summarise for you all the mandatory elements that are in this booklet, with the relevant section for you to refer to.

3.1 What's mandatory for equality and diversity?

No.	🔑 Requirement	Reference
Staff responsibilities		
1.	<p>Who needs to complete and EqIA?</p> <p>Policy Holders and Policy Creators are responsible for carrying out and making sure the Equality Impact Assessment (EqIA) process is fully completed.</p> <p>Anyone who has a responsibility for a service or function that is likely to affect people. Examples include public facilities and events, consultation, working with stakeholders and partners. Unit Managers are responsible for carrying out, or delegating responsibility to others to carry out EqIAs.</p> <p>Members of the Senior Staff Group are responsible for making sure that EqIAs are conducted in their areas, and they must make sure that their managers and staff are given the right training and time to do this.</p>	Section 6.6
Race equality – responsibilities		
2.	<p>The Forestry Commission must:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination; • promote equality of opportunity; and • promote good relations between people of different racial groups. 	Section 5.1
Disability equality – responsibility		
3.	<p>The Forestry Commission must:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination; • eliminate harassment of disabled people that is related to their disabilities; • promote equality of opportunity between disabled people and others; • take steps to meet disabled people's needs, even if this requires more favourable treatment; • promote positive attitudes towards disabled people; and • encourage participation by disabled people in public life. 	Section 5.2

No.	🔑 Requirement	Reference
Gender equality – responsibility		
4.	The Forestry Commission must: <ul style="list-style-type: none"> • eliminate unlawful discrimination and harassment on the grounds of sex; and • promote equality of opportunity between men and women. 	Section 5.3
Sexual orientation – responsibility		
5.	The Forestry Commission must: <ul style="list-style-type: none"> • eliminate unlawful discrimination and harassment on the grounds of sexual orientation. 	Section 5.4
Religion or belief – responsibility		
6.	The Forestry Commission must: <ul style="list-style-type: none"> • eliminate unlawful discrimination and harassment on the grounds of religion or belief, or lack of religion or belief. 	Section 5.5
Age equality – responsibility		
7.	The Forestry Commission must: <ul style="list-style-type: none"> • eliminate unlawful discrimination and harassment on the grounds of age. 	Section 5.6
Equality Impact Assessments		
8.	All existing or proposed policies, functions and services will at least be subject to the EqIA Screening process, whether or not they affect people, and whether or not those people are FC employees or the general public, or a combination.	Section 6.1
Consideration of Equality and Diversity		
9.	All policies, services and functions must be considered for their impact on people and screened under the Equality Impact Assessment process. Those that are found likely to have an impact on people must be assessed under the Equality Impact Assessment process, Partial or Full Equality Impact Assessment.	Section 6.5
The EqIA process		
10.	Stage 1 – Screening. This involves screening your proposed policy, function or service by answering questions A, B and C on the Form in Section 8.1 for relevance to race, disability, gender equality, age, sexual orientation and religion or belief. You must consider all policies, functions and services at this Screening Stage including any relevant documents that you have created.	Section 7

No.	 Requirement	Reference
Make a decision – do you need more information? – Step 8		
11.	It is essential to keep a record of conclusions at each stage of the EqIA decision making process, and bring those conclusions together in the impact assessment report.	Section 8.3.4
Senior Manager Sign-off – Step 10		
12.	You are required to publish the results of your EqIA assessment and your consultation.	Section 8.3.6

4. Introduction

4.1 Equality and Diversity – what are they?

Equality is about creating a fairer society, where everyone can participate and everyone has the opportunity to fulfil their potential. It is mostly backed by legislation designed to address unfair discrimination based on membership of a particular group of people.

Equal opportunity practices include measures taken by organisations like ours to ensure fairness in employment, dealings with customers and others. Equality practices should impact on every aspect of all our working and personal lives.

Diversity is about recognising and valuing difference in its broadest sense. It is about creating a culture and practices that recognise, respect, value and harness difference. It is the sense that no matter where you come from, who you are, or what your background is, there is a place for you. Equality and Diversity are not interchangeable, they need to be processed together. There is no equality of opportunity if difference (diversity) is not recognised and valued.

4.2 What does it mean for us in the FC?

Equality and Diversity must become a natural part of all we do, in the same way as we manage health and safety. It must become embedded in our actions in the same way as Health and Safety. It applies to all aspects of our work and operations, not just to high-level HR policies.

In an organisation like ours, equality and diversity have many benefits; they encourage and use talent, regardless of any defining characteristic.

This improves our access to the widest pool of ideas, experience and knowledge and will enhance our business. It makes sure that all customers and employees are given fair and unbiased treatment and allows us to better serve our customers by being more representative of them. It also makes sure that we practice what we say we will do!

All staff are responsible for acting in ways that respect and encourage equality and diversity within the FC.

In the FC, we have agreed to go beyond the minimum legal requirements and seek to create an environment that includes all groups, maximises the potential of all employees, and values the variety of perspectives all employees bring to the workplace.

4.3 How do equality and diversity help the FC?

Diversity and equality help us in many ways.

- They embrace the talents of a wide range of individuals.
- They respect and accommodate the different needs of our customers and staff.
- They help us counteract prejudices.
- They enhance our reputation.
- They enhance our business efficiency.

All organisations consist of a diverse blend of people, which include visible and invisible differences.

Diversity recognises that one service does not fit all. We must adopt a flexible approach that respects everyone and their needs.

5. Duties and responsibilities of the Forestry Commission

“It is unlawful for a public authority exercising a function of a public nature to perform any act that constitutes discrimination.” This applies to all the legal grounds for discrimination.

Organisations in the public sector are expected to lead the way in carrying out their functions clearly showing respect for equality and human rights. In delivering services, and devising policies and procedures, public authorities have a crucial role to play in promoting the values and practices of a fair and democratic society.

The Forestry Commission, as with all public organisations in England, Scotland and Wales, has legal responsibilities to tackle discrimination and promote equality on the grounds of race, disability and gender.

We know that within the foreseeable future there will be new legal duties for age, sexual orientation and religion or belief. Therefore, the Forestry Commission, as with many other public organisations, has decided that we will extend our present legal responsibilities to include these additional elements of equality and diversity. Together, these are known as the Six Strands of Diversity.

5.1 Race equality – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination;
- promote equality of opportunity; and
- promote good relations between people of different racial groups.

5.2 Disability equality – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination;
- eliminate harassment of disabled people that is related to their disabilities;
- promote equality of opportunity between disabled people and others;
- take steps to take account of disabled people’s disabilities, even where that involves treating them more favourably than others;
- promote positive attitudes towards disabled people; and
- encourage participation by disabled people in public life.

5.3 Gender equality – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination and harassment on the grounds of sex; and
- promote equality of opportunity between men and women.

It is important to note that for the ‘gender responsibility’ the requirements to eliminate unlawful sex discrimination and harassment also include discrimination and harassment on gender reassignment.

5.4 Sexual orientation – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination and harassment on the grounds of sexual orientation.

5.5 Religion or belief – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination and harassment on the grounds of religion or belief, or lack of religion or belief.

5.6 Age equality – responsibility

Key The Forestry Commission must:

- eliminate unlawful discrimination and harassment on the grounds of age.

6. Equality Impact Assessments

6.1 What are they?

- ➔ All existing or proposed policies, functions and services will at least be subject to the EqIA Screening process, whether or not they affect people, and whether or not those people are FC employees or the general public, or a combination.

You will not always have to complete all the steps of the full EqIA process – see Figure 1 and The EqIA process in Section 7.

There are three main stages to an EqIA, including the initial Screening Stage. All policies, functions and services will need to be screened (Stage 1), but not all will need to go to Stage 2 (Partial Impact Assessment) and not all of those will need to go to Stage 3 (Full Impact Assessment).

An Equality Impact Assessment (EqIA) is a systematic way of thoroughly assessing and monitoring whether **existing or proposed policies, functions and services** are likely to disadvantage individuals and, or, groups of people who have already been identified as being at a disadvantage due to their:

- race;
- disability;
- gender;
- age;
- sexual orientation; and
- religion/belief.

These are known as the **Six Strands of Diversity**.

The EqIA process will identify actual or potential negative impact and require action to remove that negative impact and enhance positive impact for people in the Six Strands.

6.2 What is a policy, function or service?

6.2.1 Policies

The term **Policies** has a wide meaning and includes the full range of formal and informal decisions the Forestry Commission makes in carrying out its duties and powers. You need to remember that many policies are built into everyday procedures and customs, and you will need to include these in your assessments, as well as written policies.

6.2.2 Functions

Functions are the full range of statutory and non-statutory, internal and external duties and powers of the Forestry Commission.

6.2.3 Services

Services covers all service delivery areas whether internal or contracted out.

6.2.4 Examples of policies, functions and services

- Woodlands for Wales – The Welsh Woodland Strategy.
- The People Strategy.
- The Recruitment Strategy.
- Operational Guidance Booklets (OGBs).
- UK Forest Standards and Guidelines.

Where there is no national or GB policy, instruction or other written guidance includes process that has already been EqlA'd.

- Creating a new or renovating an existing forest trail.
- Implementing or changing a grant scheme.
- Closing a forest for operations.
- Contract for downhill bike uplift service.
- Recreation initiatives.
- Health initiatives.
- Internal services such as IT support.

6.3 Why carry out an EqlA?

The Forestry Commission is funded by all the taxpayers of Great Britain, and as a Government Department exists to serve every citizen. It follows that the services we provide and the way we exercise our regulatory powers must reflect the needs of **all** these citizens.

EqlAs are required **by law** for race, disability and gender as determined by the Public Sector Duties of the [Equality Act 2006](#) (you should read Chapters 31 and 32 if you want more detail). These duties are mandatory and we must comply with them (see Chapter 5).

Additionally, and in anticipation of new legislation, we will also consider impact on faith, sexual orientation and age while completing the EqlAs.

EqlAs are not a tick box, or all we must do regarding equality and diversity. In addition to EqlAs, we must comply with the Equality Act. This requires us as an organisation to make sure that we foster and maintain a culture that eliminates unlawful discrimination and harassment, and that we all promote equality of opportunity irrespective of race, disability, gender, age, sexual orientation and religion or belief.

So that the Equality and Human Rights Commission can monitor our progress, we must carry out EqlAs, produce an annual progress report and publish both.

6.4 How does carrying out an EqlA help the Forestry Commission?

Public bodies like the FC cannot know how their policies and services affect different groups unless we assess, consult and monitor. Equality Impact Assessments will help us make sure of the following.

- We deliver a high quality service that meets the needs of our customers by anticipating issues and making informed decisions, using the evidence collected for impact assessments. In particular,

EqlAs will help us to make sure that people are equally satisfied with our policies, the way we implement them, and the quality of our service.

- That we meet the needs of our customers by properly targeting our policies, by talking to all community groups, using the right methods, improving our consultation, and listening to, and acting on, the views of those we consult.
- Our staff are more representative of the customers we serve.
- We are aware of, and understand, the communities we serve.
- That we attract and retain good quality staff by creating and implementing internal policies which are fair and transparent and provide equal opportunities for all. This will help us to keep essential knowledge and expertise within the organisation.
- The FC is recognised for both its commitment to, and success in, promoting equality and diversity, and it sets high standards for those organisations we work with.
- We identify, develop and use good practice to meet both the needs of our customers and staff, to meet our objectives, and satisfy current equality laws.

6.5 When do I need to complete an EqlA?

Key All policies, services and functions must be considered for their impact on people and screened under the Equality Impact Assessment process. Those that are found likely to have an impact on people must be assessed under the Equality Impact Assessment process, Partial or Full Equality Impact Assessment.

The process must start as the development of the policy starts, this will make sure that Equality and Diversity issues are taken into consideration.

However, we recognise that there are questions of scale that we need to consider. A sensible way to resolve those is where possible to create 'overarching' policy, guidance or strategy, and to EqlA that, rather than EqlA every small function.

All GB or national policies, functions and services will be subject to EqlA at GB or national level. Where these describe processes, and where the processes are followed locally, you don't need to complete another local EqlA. But, if there is no process that has been described and EqlAd at national or GB level, or where there is a need to deviate from the described process, you will need local EqlAs. Where this happens, and for regular operations, we advise you to create local guidance and EqlA that Guidance, this will avoid the need to do an EqlA every time that operation occurs. If in doubt, contact the Diversity Team at diversity@forestry.gsi.gov.uk.

An example: Your district may wish to create a policy outlining what happens when woods or paths are closed. The policy could identify the most sensitive areas where the impact on people could be negative. This 'overarching' policy should be subject to EqlA, but subsequent closures will not need to be, as long as they conform to the policy and as long as they are not in those areas listed as most sensitive in the policy. The most sensitive areas should be subject to EqlA. However, if the closure is only for a few days and subsequent access will be unchanged, you could avoid EqlA if your policy includes a maximum closure period and a way of giving users adequate notice and information on the closure, with reasonable alternatives.

It is sensible for all managers to consider the possibilities of grouping functions together in this way, in order to avoid the need to EqlA every small operation within their area of management.




However, do not use this as a means to avoid EqlA and the proper, documented, consideration of equality and diversity matters. Changes that are likely to have a large impact, or the introduction of new

facilities or services, should be subject to their own EqlA. They will probably require a degree of consultation in any event and EqlA complements this process.

The Impact Assessment is Not a one-off exercise. You will need to carry out the process alongside the development of your policy, from the first stage to implementation. You will also be required to plan reviews, to evaluate the success, continuing relevance and impact of your policy, function or service.

Before you start completing an EqlA, you should give details to the Responsible Officer for your part of the Forestry Commission. England, Wales, Scotland, Silvan House Divisions, Business Units and Forest Research each have a Responsible Officer and they maintain a list of all policies, functions and services that have been, or will be, subject to the EqlA process. You can find the names of the [Responsible Officers](#) on the Equality and Diversity Intranet site.

6.6 Who needs to complete an EqlA?

-  **Policy Holders and Policy Creators are responsible for carrying out and making sure the EqlA process is fully completed.**
-  **Anyone who has a responsibility for a service or function that may affect people. Examples include public facilities and events, consultation, working with stakeholders and partners. Unit Managers are responsible for carrying out, or delegating responsibility to others to carry out EqlAs.**
-  **Members of the Senior Staff Group are responsible for making sure that EqlAs are conducted in their areas, and they must make sure that their managers and staff are given the right training and time to do this.**

6.7 Working in partnership and with contractors and suppliers

Where the FC is the lead partner we take responsibility for EqlAs. Where the FC is the subsidiary partner, we will formally ask the lead partner to fulfil the EqlA requirements.

When working in partnership and with contractors and suppliers you will need to decide who is the lead partner and it will be their responsibility to carry out the EqlA process. If the partner organisation is a local authority, the local authority will take the lead.

When the lead partner is not the FC, you must make sure they have a diversity strategy that complies with the law or have signed up to our strategy.

In many instances, the work being done in partnership and with contractors and suppliers will not have any direct impact on people (for example, standing sales, timber, construction and deer leases). It will not be necessary to EqlA the work being completed, but it will always be necessary to make sure, as far as possible, that those we work with exercise equality and diversity within the law.

Your procedures when working with contractors or suppliers must be correct. If you need more advice please contact [Procurement Services](#).

6.8 How do I complete an EqIA?

The first step is to read this OGB and the EqIA Guidance and Forms in the following Chapters. You can also find the guidance and download the forms from the intranet – [click here](#).

If you have not attended Diversity Training at Level 4, you should try to do so. You can also get support from the Diversity Team at Silvan House by phone, appointment, or e-mail diversity@forestry.gsi.gov.uk.

7. The EqIA process

There are three stages to the EqIA process. Stages two and three depend on the results of Stage 1 and you may not need them. The three stages are:

- **Stage 1 – Screening.** This involves screening your proposed policy, function or service by answering questions A, B and C on the Form in Section 8.1 for relevance to race, disability, gender equality, age, sexual orientation and religion or belief. You must consider all policies, functions and services at this Screening Stage and any relevant documents that you have created.
- **Stage 2 – Partial Impact Assessment.** This is required wherever the policy, function and service you have Screened (Stage 1) is likely to have an affect on people. It outlines questions and practical issues that tell you whether a **Partial Impact Assessment** is enough **or** whether you will need to carry out a **Full Impact Assessment**.
- **Stage 3 – Full Impact Assessment.** Taken when Stages 1 (Screening) and 2 (Partial Impact Assessment) show that there could be an adverse or differential affect on people. Also when you do not feel confident that the information you have is enough to decide whether an affect could be adverse or differential.

7.1 When will I need to go to a Full Equality Impact Assessment?

- Where the affect is likely to be a negative impact on any group of people covered by the Six Strands of Diversity.
- Where you do not have enough knowledge to judge the impact, it will be necessary to proceed to Stage 3, Full Impact Assessment – Section 8.3.

However, if there are constraints on your policy or service that mean you do not have another option, you will not have to carry out a Full Impact Assessment, as long as you explain the constraints at Step 4.

To test assumptions about the effect that your policy, function or service may have on people, consult those representing the Six Strands and ask them for their opinions. This should also help you find a way to remove or reduce the impact, or to improve your proposals to achieve a better positive outcome than you originally planned. There is more information about consultation in Section 8.3.1.

Where the policy, function or service is designed specifically to benefit one of the groups covered by the Six Strands, you must check that it will not have a negative impact on any of the others. It is acceptable to provide events and, or, assistance specifically to one group of people, as long as no other group is adversely affected as a result.

Equality does not mean treating everybody in the same way. If you think that there is no equality impact because your policy applies to 'everyone' then you should reconsider. It may apply to everyone but will everyone be able to benefit? For instance, can a blind person easily use the new facility? This is precisely why we need to assess our work for its impact on equality. People have different needs and requirements; this process is designed to help understand them.

7.2 Summary to completing EqlAs

No affect on People:

- Screening (Stage 1) A, B and C;
- Step 1 (under Partial Impact Assessment);
- Steps 9 and 10; and
- Publish a completed Template (Section 10).

Positive or No Impact affect on people, no further information needed:

- Screening (Stage 1) A, B and C;
- Partial Impact Assessment (Stage 2) Steps 1 – 4;
- Steps 9 and 10; and
- Publish the completed Template (Section 10).

Unknown affect on people, and you need more information:

- Screening (Stage 1) A, B and C;
- Partial Impact Assessment (Stage 2) Steps 1 – 3;
- *Full Impact Assessment (Stage 3) Steps 5 – 8;
- Steps 9 and 10; and
- Publish the completed Template (Section 10).

Negative affect on some people:

- Screening (Stage 1) A, B and C;
- Partial Impact Assessment (Stage 2) Steps 1 – 4;
- *Full Impact Assessment (Stage 3) Steps 5 – 8;
- Steps 9 and 10; and
- Publish the completed Template (Section 10)

*Full Impact Assessments do not need to be completed where:

- there are constraints (for example, budget, safety, national policy or terrain) that cannot be overcome and that make it impossible to minimise negative impact; or
- the process of gathering the necessary data is expensive in time or money and not in proportion to the issue (for example, there is no data, but commissioning a survey to obtain some would be costly in time and money, unreasonably delay implementation and it could cost more than the project itself. Consultation is not possible because you have been unable to find groups representing any of the six strands with whom to consult. In either case an explanation in the EqlA will be required) .

In either of the above cases you must give a full explanation to justify the omission of a Full Impact Assessment before the EqlA can be approved by a senior officer.

Full Impact Assessment is designed to make sure that you gather all evidence by consulting the right groups and fully consider the adverse or differential affect (or potentially adverse or differential affect). Consider the means of removing that adverse or differential affect and, or, increasing the positive benefits that you could gain during implementation. Where there are constraints that you cannot overcome, and you cannot remove the negative impact, you must record the reasons.

7.3 Which forms do I need?

In Section 8 you will see the **EqIA Form with notes** to help you complete it.

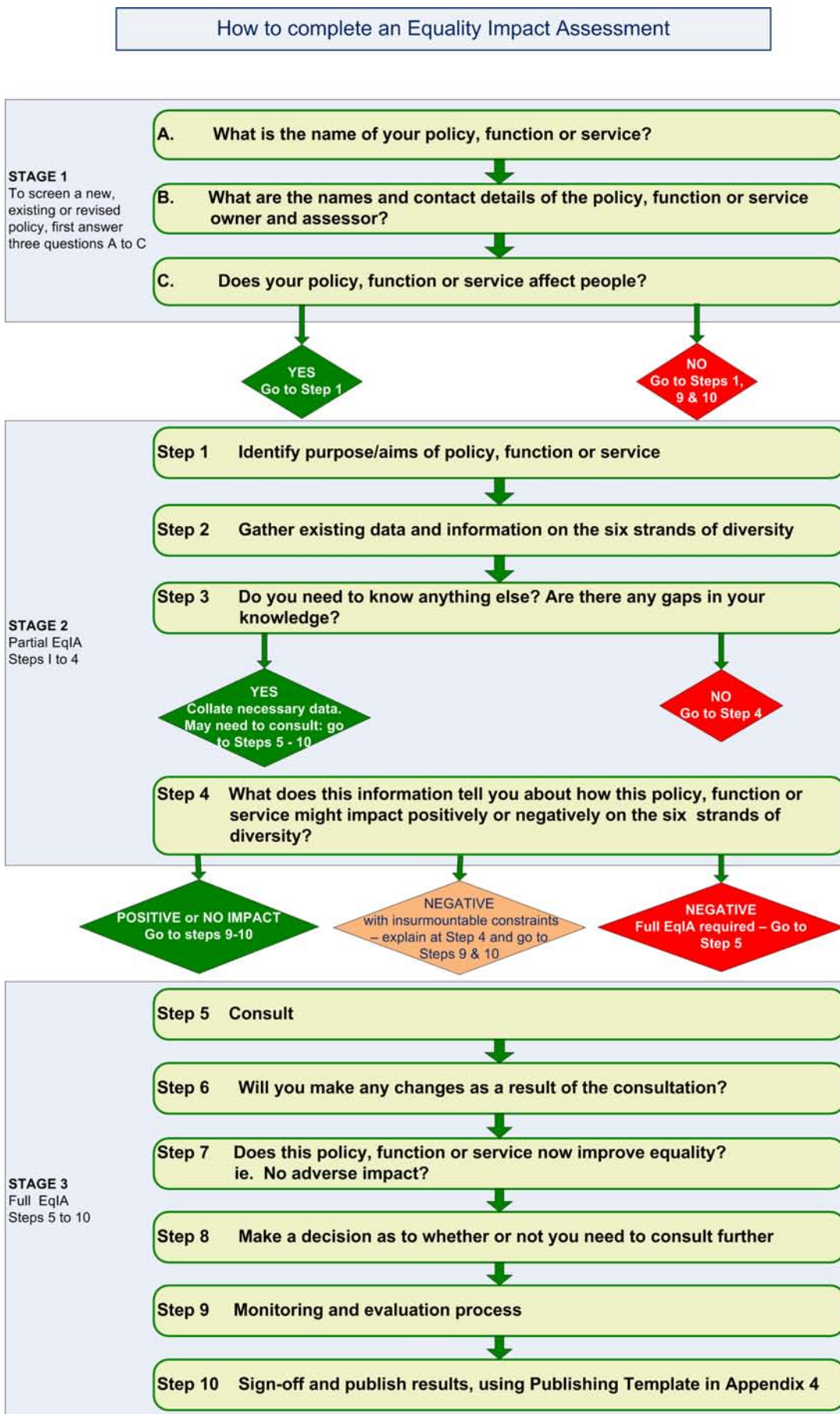
In Section 9 you will see the **EqIA Form without notes**. Use this when you are familiar with the process and do not rely too much on the notes.

We have made both versions available on the intranet for you as Word Documents. [Click here](#) to go to the intranet page to see all the Forms and Charts which you can download and use.

The Publishing Template is in Section 10 and is also available as a separate document on our [Intranet](#).

The [decision chart](#) in Figure 1 has been designed to guide you through the process.

Figure 1 Equality Impact Assessment Decision Chart



8. Equality Impact Assessment Form with guidance

8.1 Stage 1 – Screening

8.1.1 Overview

Remember that **all policies, functions or services are relevant to equality** until you have screened them. The screening process will tell you whether you need to carry out a partial or full EqIA.

A. What is the name of your policy, function or service?	
B. What are the names and contact details of the policy, function or service's owner and assessor? (When working in partnership, identify the lead partner.)	
C. Does your new, revised, or existing policy, function or service affect people?	
If Yes	Continue with Steps 1, 2, and 3.
If No	Complete Steps 1, 9 and 10.
Your comments	

You must not assume that the policy, service or function you are reviewing has no impact on people. Some may have an impact on people, even though that may not be the main intention of the policy, function or service. Take time, at this stage, to really ask yourself the question. If you are unsure, ask the Diversity Team at diversity@forestry.gsi.gov.uk or move on to completing a Partial Impact Assessment and gather information that will better inform you.

8.2 Stage 2 – Partial Impact Assessment

8.2.1 Step 1 – Identify the purpose and aims of your policy, function or service

To begin the assessment process, it is essential that you clearly outline your policy, function or service. Consider the following.

- What is the purpose of the proposed policy, function or service?
- How does the policy, function or service fit into any wider aims?
- What are the proposed outcomes of the policy, function or service?
- How will the outcomes be measured?
- Who are the key stakeholders?
- What impact will the policy, function or service have on any services currently provided?
- What impact will the policy, function or service have on staff or customers?
- How will the policy, function or service be put into practice?
- Who will benefit from this?

With these considerations in mind please complete this table as fully as you can.

Stage 2 – Step 1 - Identify the purpose and aims of the policy function or service
1. Provide a brief outline of the purpose of the policy, function or service.
2. Provide details of the main aims and objectives.
3. List who will benefit and how from this policy, function or service.
4. What impact will this policy, function or service have?
5. How will this policy, function or service be put into practice?

8.2.2 Step 2 – Gather existing information and data: the evidence

You may already have information from previous consultations or customer feedback and monitoring exercises. You can also draw on additional information like research, evidence and information from ‘experts’ and interested parties. Both qualitative and quantitative information will be helpful as these will tell you about the numbers and proportions of people affected, and about their experience.

Local demographic data may be useful and we suggest you contact your GIS Officer, MGIU in Silvan House and, or, your local authority (or community) planning partnership and discuss your information needs with them. You may also contact the Diversity Team in Silvan House, who may be able to help. The [Diversity pages](#) on the Intranet will have some links to data that may also help you.

Find the most relevant information, for example for local initiatives use information relevant to that area, rather than information that shows a national perspective. Consult with the relevant local rather than national groups, use local visitor number surveys and local demographic information.

Even for local initiatives, national data may be useful as a background, or to provide context for implementing your policy, function or service. Some ‘national’ information will be useful to both local and national initiatives, for example, information on faith, cultures and access.

Where there is no data and it would take too long, or cost too much to acquire, use what data is available with qualification, and try to make sure that people representing the strand for which there is no data are given every opportunity to comment at consultation.

The type and quantity of data that is required will be different for each initiative and we cannot give you prescriptive guidance. **However, you need to be confident that the data you have can lead you and the person signing-off the EqlA to a confident conclusion about the impact that the initiative is likely to have on people, specifically people in the Six Strands of Diversity.** If you do not find enough information to be that confident, you will identify the fact at Step 3 and you may have to go to a Full Impact Assessment.

If the people who will benefit from your policy are not a homogenous group, they will have different needs and experiences that you will need to consider when you formulate or evaluate your policies. Equality and Diversity legislation directs organisations to think particularly about the six equality strands.

As a reminder, the six Equality Strands are.

<p>Race</p> <p>Particularly Black, Minority and Ethnic (BME) Groups.</p>	<p>Age</p> <p>Particularly 0-24 and over 65.</p>
<p>Disability</p> <p>Includes sensory impairment physical disability, mental health illness, and learning difficulties as well as cancer and epilepsy.</p>	<p>Sexual Orientation</p> <p>Lesbian, Gay, Bi-sexual and Trans-sexual.</p>
<p>Gender</p> <p>Women, men and trans-gender.</p>	<p>Religion and Belief</p> <p>Examples include Buddhism, Christianity, Hinduism and Sikhism.</p>

To understand the different needs and experiences of the people you are making policy for, you will need to gather the facts and figures about the target audience for your policy. It is important to know **who** will be affected by your proposed changes and **how**.

The evidence or information you require may come from a variety of sources – it may be statistical information, research projects which have collected evidence through discussions, focus groups and interviews with different people, or from recognised equality group organisations.

Evidence may include:

- data (facts, figures and research findings) from our own information management systems or research;
- surveys;
- previous consultation exercises; and
- engagement with various representative groups.

In the absence of research there may be anecdotal evidence, feedback from service users and affected groups or continuing experience, which may show you potential positive or negative impacts.

Some good sources of data within the FC are:

- Economic & Statistics <http://www.forestry.gov.uk/statistics>
- Forest Research Social and Economic Research Group <http://www.forestresearch.gov.uk/fr/infd-5stbz2>
- Mapping and Geographic Information Unit http://alpacorn.forestry.gov.uk:7777/portal/page?_pageid=33,285709&_dad=portal&_schema=PORTAL

That an issue may only impact on small numbers of people from the different equality groups **Does Not** mean that there is **Not** an issue or a problem. Diversity and equality issues centre on disadvantaged groups and an impact on a small number of people could be significant. For example, it may be necessary to consider the needs of minority ethnic communities in rural areas.

Stage 2 – Step 2 – Gathering existing information and data: the evidence
1. What existing information and, or data (evidence) has been obtained to impact assess this policy, function or service?
2. What does this evidence tell you about the actual or likely impact on different groups?

8.2.3 Step 3 – What else do you need to understand the diverse needs or experiences of your audience?

You will now have highlighted what information is available about the different groups likely to be affected by your policy, function or service. The answers to the questions about the main aims of the policy, function or service will have provided a better idea of what work you still have to do, for example by way of research or consultation.

When deciding how and what further information or data you need to collect and use, consider:

- What data and information is available within the FC?
- After having agreed what data and information is needed, check internal databases, for example management information statistics and qualitative reports, research reports and survey results, see if any are relevant.
- What data and information is available outside the FC?
- Proactively identify research and data that is available from external sources. This may involve speaking to the Diversity team (diversity@forestry.gsi.gov.uk) for advice on where to find data.

Note: it is important to check the validity of both internal and external data to make sure that it is assessed correctly and that you can draw reliable conclusions from it.

- Is the available information detailed enough to allow you to analyse the impact?
- Is new data and research needed, or is it possible to use standard data to compare it to? (Often referred to as 'comparator' data.)
- If yes, where will it come from? For example, specially commissioned surveys or consultation exercises designed to fill gaps in the information about certain groups.
- Are there any data protection and human rights implications in data collection and analysis?
- If there are data protection and implications for human rights, please seek legal advice at the start of the exercise to identify these.

Speak to experts, employees and community groups to get valuable new information or data. The Diversity team (diversity@forestry.gsi.gov.uk) may help you and can offer support. Refer to the available guidance on inclusive consultation principles, methods and practice which you can get from the [Department for Business Innovation and Skills](#).

Stage 2 – Step 3 – What gaps are there in the available information?	
If no gaps	Go to Step 4.
If there are gaps	Collect necessary data and you may need to go to Steps 5 to 10.

8.2.4 Step 4 – What does your information tell you about how this policy might impact positively or negatively on the different groups within the target audience?

You should now look at the information you have collected to assess what it is telling you about the needs of different groups of people.

Consider the following questions based on the information and data collected then complete the table below:

- Could the proposed policy lead to unlawful [direct discrimination](#)? If yes, you must abandon it straightaway and find different ways of achieving the policy, process or service. Direct discrimination can only be justified under certain legislation, for example under a Genuine Occupational Requirement.
- Could the proposed policy lead to unlawful [indirect discrimination](#)? If yes, can you explain and justify it? Do you need more research or consultation? Would this research be in proportion to the importance of the proposed policy? (Genuine Occupational Requirement (GOR) see Section 2).
- Are there any groups of people who are excluded from services?
- Will the proposed changes be beneficial to some or all groups of the six strands?
- Is the policy intended to increase equality of opportunity by permitting positive action to redress disadvantages? If so is it lawful?
- Are there aspects to the policy, process or service that could be changed to reduce or remove adverse impact on a particular group, without affecting the policy's overall aims?

Note: If a decision is to be justified it is necessary to make sure that:

- you have a strong case; and
- you were unable to find other ways of achieving your policy aims.

Describe these in the Comments box in Table A.

If the results of your analysis lead to potential adverse impact and, or unlawful discrimination, investigate these. You must consider alternative ways to achieve the policy, function or service objectives.

Stage 2 – Step 4 – Table A – Consider the actual or likely effect for each group			
Please identify the likely impacts on:	Beneficial impacts	Adverse impacts Please state whether or not these could be unlawful discrimination	Comments Include comments necessary to justify inability to remove or reduce any adverse impact on any particular group
Race			
Gender			
Disability			
Sexual Orientation			
Religion or Belief			
Age			

In Table A you identified whether the impact was likely to be beneficial or otherwise for all the equality groups. It is now important to recognise the level of impact on the equality groups. Something that is beneficial may, nevertheless, only have a low impact on an equality group. This stage encourages you to consider further what the affect on each of the equality groups will be – not just beneficial or adverse, but how beneficial or adverse. By understanding the proportions of the impact, you are in a better position to judge what (if any) action you need to take to amend the policy or gather further information.

A high impact is not necessarily negative. A high impact might refer to a positive or negative impact on an equality group, or even a mixture of both. For some policies a high impact is entirely appropriate as that is the intended effect of the policy.

It should be remembered that if a policy impacts only on a small number of people from a particular equality group, this does not equate automatically to a low impact. It might be that a policy has a highly disproportionate negative impact on people from a particular equality group, who are numerically small in number compared to the wider population. This does not mean that the impact is 'low'.

Stage 2 – Step 4 – Table B – Based on the work you have done rate the level of relevance of your policy?						
Mark an 'X' in one box for each strand.	Race	Gender	Disability	Sexual Orientation	Religion or Belief	Age
<p>High – for example:</p> <ul style="list-style-type: none"> There is substantial evidence that people from different groups or communities are (or could be) differently affected by the policy (positively or negatively). There is substantial public concern about the policy, or concerns have been raised about the policy's potential impact by relevant bodies. The policy is relevant to all or part of the duties and responsibilities (Section 5.1). 						
<p>Medium – for example:</p> <ul style="list-style-type: none"> There is some evidence that people from different groups or communities are (or could be) differently affected (positively or negatively). There is some public concern about the policy. The policy is relevant to parts of the respective general duty, in the case of race, disability and gender. 						
<p>Low – for example:</p> <ul style="list-style-type: none"> There is little or no evidence that some people from different groups or communities are (or could be) differently affected (positively or negatively). 						

Stage 2 – Step 4 – Table B – Based on the work you have done rate the level of relevance of your policy?						
Mark an 'X' in one box for each strand.	Race	Gender	Disability	Sexual Orientation	Religion or Belief	Age
<ul style="list-style-type: none"> There is little or no evidence of public concern about the policy. The policy has little or no relevance to the respective general duty, in the case of race, disability and gender. 						
Unknown – for example: No evidence or data has been collected therefore we cannot make an assessment.						
Positive or No Impact.	Go to steps 9-10. (Delete Steps 5 to 8 of this Form if a separate document.)					
Negative or Unknown.	Full EqIA required – Go to Step 5.					
Negative or Unknown, but where constraints do not allow for any other course of action.	Describe those constraints in the Comments Box at Table A and go to Steps 9-10. (Delete Steps 5 to 8 of this Form if a separate document.)					

8.3 Stage 3 – Full Impact Assessment

8.3.1 Step 5 - Consult on the policy, function or service

If you decide a Full Impact Assessment is necessary for your policy, function or service you must consult. This is an opportunity to give views on your proposed policy, function or service. Your findings should influence your final decisions.

Consultations must be in proportion to your project and appropriate. You must allow enough time to consult and feed the results into your final decision. You can find details on how to carry out consultations on [this link](#).

Consult locally where the impact will be local. Your local council may already have a list of local contacts that you can use. If the impact will only be local, but you cannot find contacts for some of the six strands, consult with those you have and don't spend time trying to find a local contact for a minority group that may not be represented in your area. However, you should explain the reason for any lack of consultation in the EqIA.

A list of organisations representing minority groups is available on the Diversity pages. This may help you when considering who to consult and is intended to be a 'live list'. If you know of organisations that can usefully be added, please contact the Diversity team on diversity@forestry.gsi.gov.uk.

Consultation, engagement and involvement are key parts of the process. The public sector equality duties require us to involve, consult and engage with our communities as widely as possible.

It is important that you understand the difference between consultation, engagement and involvement.

- **Consultation** – is when we go out to communities with our proposals and we seek their views on them.
- **Engagement** – is when we work together with groups of the community who are affected by the policy or function before we start planning or writing the document.
- **Involvement** – is when we continue engaging the groups until the final document is completed.

The best results come when we plan and deliver policies, functions or services after full engagement and involvement. Through engagement and involvement, you will also be able to obtain the different views and perspectives from individuals, specific equality groups or interested bodies about your proposals. It is important, however, to develop a co-ordinated and strategic approach to involvement and consultation to make sure different public authorities are engaging with groups on broadly similar questions together.

There is already a strong body of expertise and many sources of information on potential impacts in the different communities.

There are a variety of ways you can consult people. In deciding who to consult, and what methods to adopt, consider the following.

- Who are the groups, organisations and individuals most likely to be affected by your proposed policy, function or service, directly and indirectly?
- What methods of consultation will you use and at which stages of the impact assessment?
- Make sure that all those likely to be affected by the policy, function or service are consulted, making sure not to forget any marginalised groups.
- How will information be made available to those you consult? Consider using written questionnaires or interview surveys to reach a wider audience, or a particular cross-section of the local community.
- Will the information be accessible to all groups, and how will you know this?

- Translate consultation material, and publicity material for the consultation exercise, as required, and arrange for interpreters at meetings. Make sure that material is accessible to disabled people.
- Do not restrict consultations to official associations and community groups. However, they are important in giving information and helping to reach their communities.
- Consult internally with all our employees, including trade unions and employees' associations, and any network groups.
- Consider using focus groups to explore issues in greater detail with a few individuals.

The process should be properly planned with:

- clear objectives;
- named responsibilities;
- clear explanations of purpose and process for consultees, including translating the consultation materials, providing it in alternative formats where necessary;
- a timescale that should provide the consultees with enough time to digest the information they are being given and adequate time to reply, setting out the arrangements for replying;
- an analysis of the responses of any previously held a consultation exercise on your policy area, for any potential equality issues? and
- you aiming to monitor and assess the consultation methods and outcomes.

Please remember that people do not fit neatly into 'boxes' and interests will overlap. Do not just consult disabled people on disability issues, or lesbian, gay or bisexual people on sexual orientation. A disabled person may also have a faith, will have a sexual orientation, may be a woman and may be from a minority ethnic community.

Stage 3 – Step 5 – Table A - What, if any, internal and external consultation has already taken place, and what was the outcome?			
Name of consultee	Time of consultation (dates)	Consultation methodology	Outcome

Stage 3 – Step 5 – Table B - What additional internal and external consultation is planned? (Formal consultation should last 12 weeks; informal 6 weeks. Neither should take place during peak holiday periods).			
Name of consultee	Dates of consultation	Consultation methodology	Outcome (You can not complete this until you have analysed the results)
General Comments			

8.3.2 Step 6 – Will you be making any changes as a result of the consultation?

If your assessment shows that your policy, function or service does (or is likely to) have an adverse impact on some groups of people, you need to think of ways to deal with this. In particular, you must take steps to eliminate [unlawful discrimination](#) and reduce any adverse effects.

Therefore, you should consider the reasons for the adverse impact. In any case, you should think how you can change it to increase or promote equality.

You should check that by making changes you are not creating an adverse impact on another group of people. You will also need to state what you will do to minimise any new adverse effects.

Remember that if your policy is likely to have an adverse impact on a group of people, you should change or amend it to lessen or remove this adverse impact. However, when considering changes to your policies, your actions must be in proportion. It may not be practical or cost-effective to make significant changes that will have minor effects on outcomes for certain groups of people. **However, you will need to be able to justify not taking action if potentially unfair outcomes have been identified through the EqIA process.**

It may be possible to make a change that may remove a barrier or have a lasting effect on one or all of the equality groups. It will also be essential to avoid illegal discrimination. The equality impact assessment process is a policy making tool which allows us to identify ways in which we can improve our policies and make them better suited for their purpose.

You should also consider whether any changes will have any resource implications:

- will it cost more; or
- should your resources be focussed on making sure that your policy delivers effectively across different groups?

For example, delivering successfully to both men and to women on the same issue, may require different approaches, different strategies and may require you to consider how to allocate resources effectively so that your policy does not disproportionately benefit one group to the detriment of another.

If you are going to make changes, you should also consider **when and who** needs to make those changes. Immovable timescales and budgets might mean that you cannot take immediate action, but you will need to set out why you have not been able to act immediately, and you should plan to revisit it as soon as you can and set out a timetable for any action that you believe you will need to take to address the equality concerns.

If you do not intend to make changes to your policy in spite of the issues raised by the impact assessment process, you will need to record your reasons for that decision.

Stage 3 – Step 6 – If you have identified any adverse impacts have you considered how you can change the policy, function or service to reduce or eliminate these and increase or promote equality? (You must be careful to ensure that your proposed changes will not create any new adverse impacts)			
Six Strands	Actions required to reduce or eliminate discrimination	Actions required to increase or promote equality	Have any new adverse impacts been created as a result of the changes. If yes, can they be justified? If no, what do you intend to do about them?
Race			
Gender			
Disability			
Sexual Orientation			
Religion/ Belief			
Age			
Comments on all groups			

8.3.3 Step 7 – Does this policy, function or service now improve equality?

You must remember that while the main purpose of your EqIA is to identify and mitigate any potential adverse impact (though where we impact positively we should also be setting this out clearly), it also offers the opportunity to consider how your work can better promote equality of opportunity and good relations. **Good relations are unlikely when there is inequality between different groups.**

The promotion of equality of opportunity entails more than eliminating discrimination - it requires you to take proactive measures. Equalities legislation should help us reduce disadvantage among particular sections of society – indeed policies that specifically target disadvantaged groups may be the right response to making sure they have equal opportunities and, or, outcomes – **remember, equality is not about treating everybody the same.**

The public sector equality duties require that the FC, in carrying out its functions, recognises the need to promote equality of opportunity between:

- people of a different race;
- men and women;
- people with and without a disability;
- people of a different religion or belief;
- people of different ages; and
- people of different sexual orientations.

The public sector equality duties also require the Commission to:

- promote good relations between people of different racial groups;
- promote positive attitudes towards disabled people; and
- encourage disabled people to take part in public life.

In some cases, equality of opportunity may be central to your policy, or may be of particular importance. The opportunity to encourage participation in public life, promote positive attitudes towards groups of individuals or promote good relations between different groups of individuals may be clear and obvious. Other policies however, may appear superficially to be devoid of equal opportunities implications. Do not assume that areas which have been immune to challenge or question in the past, do not have implications for equality of opportunity. Have a fresh look at all areas of existing policy.

We appreciate that this step of the EqIA process may be challenging. If you would like to discuss this further, please contact the team (diversity@forestry.gsi.gov.uk) and we will do our best to help you work through the key issues that will enable you to set out (if relevant) how your policy promotes equality of opportunity and promotes good relations.

Stage 3 – Step 7 – Does your policy, function or service now provide the opportunity to promote equality of opportunity or good relations?		
Six Strands	Yes	No
Race		
Gender		
Disability		
Sexual Orientation		
Religion/ Belief		
Age		
If you answered No, please give the details.		
Race		
Gender		
Disability		
Sexual Orientation		
Religion/Belief		
Age		

8.3.4 Step 8 - Make a decision, do you need more information?

It should now be possible to decide whether to adopt your policy and if so, in what format. Your decisions should be based on four important factors.

1. The aims of the policy, process or service.
2. The evidence gathered.
3. The results of the consultations.
4. The relative merits of any alternatives put forward.

In making your final decision, address the following questions:

- a) Does the full assessment show that your proposed policy, function or service will have an adverse impact on a particular group (or groups)?
- b) Is your proposal likely to make it difficult to promote equal opportunities or good relations between different groups?

If the answer to **either** (a) or (b) is 'Yes':

- can you revise the policy or take additional measures, so that it achieves its aims, but without risking any adverse impact?
- can you use any of the findings of your consultation process?

Given the final picture, consider whether your policy, process or service should be abandoned or introduced.

If you are going forward with a policy, function or service, but it is likely to have adverse impact on some groups, (for example, it is indirectly discriminatory) you must be satisfied that:

- it is essential to carry out those functions;
- there was no other way, that was less discriminatory, of achieving the aims;
- the means used to achieve the aims of the policy are proportionate, necessary and appropriate; and
- the benefits far outweigh any discriminatory effect.

Key It is essential to keep a record of conclusions at each stage of the EqIA decision making process, and bring those conclusions together in the impact assessment report.

Your report should clearly show the relative weight you have decided to give to each type of evidence:

- monitoring data;
- research findings;
- other statistics; and
- the results of your consultations.

You can then explain the reasons for your decision, and recommend how to put the policy into practice, including suggestions for training and monitoring.

Below are some important points that you should consider when deciding on whether to introduce a policy, especially if you have identified an adverse impact. If your impact assessment shows that the policy could be:

- **Directly discriminatory** in any of the areas covered by the [Race Relations Act](#) (RRA), [Disability Discrimination Act](#) (DDA) or [Sex Discrimination Act](#) (SDA), the policy would be unlawful and you must **reject it**. You cannot justify a discriminatory policy, and you must find other ways of achieving your goals.
- **Indirectly discriminatory** you should also reject it, unless you are satisfied that you can justify the policy under the RRA, DDA or SDA. This means you would probably have to show successfully in court that:
 - the policy, function or service was necessary to the FC effectively carrying out its functions;
 - the FC was unable to find another way of achieving the aims and objectives that had a less discriminatory effect; and
 - the FC considers that the means it used to achieve its aims and objectives were proportionate, necessary and appropriate.

See Section 2 for an explanation of the terms we have used.

Stage 3 – Step 8 – Do you need any more information?		
Six Strands	Yes	No
Race		
Gender		
Disability		
Sexual Orientation		
Religion/ Belief		
Age		
If you answered Yes, please give the details.		
Race		
Gender		
Disability		
Sexual Orientation		
Religion/Belief		
Age		

8.3.5 Step 9 – The monitoring and evaluation process

You should consider what monitoring arrangements are already in place and how well these have met your needs for showing how your policy or function achieves its objectives, and how it affects different groups.

Now you need to set out your proposed recommendations for arrangements to monitor the actual impact of the policy or function. You should also set out how this is to be followed up to make sure that monitoring is carried out. Monitoring information will be useful in any future review and any future impact assessment of this policy, function or service.

Good monitoring and evaluation should form part of any policy process, so it is important to make sure that equality is effectively built into any monitoring and evaluation plans that you have. You will need to consider how you will evaluate whether the positive impact identified has, in fact, occurred, and how you will evaluate whether the action you have taken (or will take) to mitigate adverse impact on equality groups, has been effective.

To make sure that your policy remains focused, and is not affected by changing circumstances, it is important to keep it under review against the aims and objectives of the policy or function. You should establish monitoring and evaluation processes to regularly assess if and how it is affecting the diverse needs of the target audience – in case there is any unexpected adverse affect or unintentional discrimination. Any evaluation should also consider whether or not the policy provides value for money.

The key to evaluating policy is good management information. This can be by data collection and, or, research, but should include engaging with the right people from different groups or communities. This will give you indicators that will enable you to assess how far your policy is achieving the desired outcomes. You can collect this information as part of your continual monitoring, or as a separate exercise. Policy makers should clearly distinguish between evaluating the process and evaluating the policy itself.

Stage 3 – Step 9 – Monitoring and Evaluation	
1.	What arrangements are in place for monitoring the implementation and impact of the policy, function or service?
2.	What is the review date for the policy, function or service?

8.3.6 Step 10 – Feedback after consultation, Senior Manager sign-off and publishing the EqIA Summary

Feedback after consultation

You need to consider how to provide feedback to the people who were involved in your consultation.

You should consider how to make sure that your feedback is accessible to different groups. Reaching people means taking into account different needs such as literacy, learning disabilities, community languages as well as considering different ways of publishing, for example:

- in annual reports;
- full documents;
- as part of articles;
- newsletters;
- leaflets; and
- audio-visual methods.

The published report should be readily available to anyone who asks for a copy; the Diversity Team will be able to arrange for different formats to be available if they are requested, contact them at diversity@forestry.gsi.gov.uk. The Team can arrange translations in languages other than English, including Braille, and specially formatted versions and audio tape. If you are asked, you should also make the full report of the assessment and consultation available.

By publishing the results of activities we will ensure that we are carrying out the specific duties of assessing, consulting and monitoring.

Senior manager sign-off

Once you have completed your EqIA, you must ask your senior manager to approve it and sign it off. Senior manager will be at least Unit or Cost Centre Manager and a person with knowledge of the policy, function or service subject to the EqIA. Their job is to be satisfied that all equality and diversity considerations have been made, that there is no unlawful discrimination and that the considerations have been fully detailed in the EqIA.

Stage 3 – Step 10 – Senior Manager Sign-off	
Senior Manager's Signature (Head of Unit or Cost Centre)	
Date	

Publishing the results

Key You are required to publish the results of your EqIA assessment and your consultation.

Once the EqIA form has been signed off, you must complete the Equality Impact Assessment Publishing Template in Section 10. You can complete some using 'cut and paste' from your EqIA, but you will need to summarise:

- what you did;
- what evidence you used;
- what you found;
- what consultation you undertook;
- what changes you made;
- what will happen next; and
- the date when you will review the policy.

Note – Even if your policy, function or service has been screened and does not require a Partial or Full Impact Assessment, you should complete the following details of the form in Section 10:

- name of policy, function or service;
- purpose and aims of the policy, function or service;
- monitoring and evaluation; and
- further information.

For any other questions please state, 'xxx policy, function or service has been screened and is not subject to a full or partial EqIA'.

Forward the completed EqIA, including Section 10, electronically to the Diversity Team diversity@forestry.gsi.gov.uk. The signed copy should be retained by the author of the EqIA. The Diversity Team will publish Section 10 of the EqIA on the Internet, the full EqIA will be published on the Intranet and may serve as an aide-memoire or reference to other EqIA authors.

8.4 Further help and support

The Diversity Team is able to give you advice about whether your policy, function or service requires an EqIA and can guide you through the completion of the EqIA Forms. You will find useful information on their Intranet site and a copy of all EqIAs that have been published to date by the Forestry Commission.

8.5 Existing Policies, functions and services that have not been subject to EqIA.

England, Wales, Scotland, Silvan House Divisions, Business Units and Forest Research are prioritising existing policies, functions and services and will complete EqIAs on those according to their agreed programme.

9. EqIA Form without guidance

9.1 Stage 1 – Screening

Remember that **all policies, functions or services are relevant to equality** until you have screened them. The screening process will tell you whether you need to carry out a partial or full EqIA.

A. What is the name of your policy, function or service?	
B. What are the names and contact details of the policy, function or service's owner and assessor? (When working in partnership, identify the lead partner.)	
C. Does your new, revised, or existing policy, function or service affect people?	
If Yes	Continue with Steps 1, 2, and 3.
If No	Complete Steps 1, 9 and 10.
Your comments	

9.2 Stage 2 – Partial Impact Assessment

9.2.1 Step 1 – Identify the purpose and aims of your policy, function or service

Partial Impact Assessment – Step 1 - Identify the purpose and aims of the policy function or service
6. Provide a brief outline of the purpose of the policy, function or service.
7. Provide details of the main aims and objectives.
8. List who will benefit and how from this policy, function or service.
9. What impact will this policy, function or service have?
10. How will this policy, function or service be put into practice?

9.2.2 Step 2 – Gather existing information and data: the evidence

Race Particularly Black, Minority and Ethnic (BME) Groups.	Age Particularly 0-24 and over 65.
Disability Includes sensory impairment physical disability, mental health illness, and learning difficulties as well as cancer and epilepsy.	Sexual Orientation Lesbian, Gay, Bi-sexual and Trans-sexual.
Gender Women, men and trans-gender.	Religion and Belief Examples include Buddhism, Christianity, Hinduism and Sikhism.

Stage 2 – Step 2 – Gathering existing information and data: the evidence	
3. What existing information and, or data (evidence) has been obtained to impact assess this policy, function or service?	
4. What does this evidence tell you about the actual or likely impact on different groups?	

9.2.3 Step 3 – What else do you need to understand the diverse needs or experiences of your audience?

Stage 2 – Step 3 – What gaps are there in the available information?	
If no gaps	Go to Step 4.
If there are gaps	Collect necessary data and you may need to go to Steps 5 to 10.

9.2.4 Step 4 – What does your information tell you about how this policy might impact positively or negatively on the different groups within the target audience?

Stage 2 – Step 4 – Table A – Consider the actual or likely affect for each group			
Please identify the likely impacts on:	Beneficial impacts Positive, negative or no impact	Adverse impacts Please state whether or not these could be unlawful discrimination	Comments Include comments necessary to justify inability to remove or reduce any adverse impact on any particular group
Race			
Gender			
Disability			
Sexual Orientation			
Religion or Belief			
Age			

Stage 2 – Step 4 – Table B – Based on the work you have done rate the level of relevance of your policy?						
Mark an 'X' in one box for each strand.	Race	Gender	Disability	Sexual Orientation	Religion or Belief	Age
<p>High – for example:</p> <ul style="list-style-type: none"> There is substantial evidence that people from different groups or communities are (or could be) differently affected by the policy (positively or negatively). There is substantial public concern about the policy, or concerns have been raised about the policy's potential impact by relevant bodies. The policy is relevant to all or part of the respective general duty, in the case of race, disability and gender. 						
<p>Medium – for example:</p> <ul style="list-style-type: none"> There is some evidence that people from different groups or communities are (or could be) differently affected (positively or negatively). There is some public concern about the policy. The policy is relevant to parts of the respective general duty, in the case of race, disability and gender. 						

Stage 2 – Step 4 – Table B – Based on the work you have done rate the level of relevance of your policy?						
Mark an 'X' in one box for each strand.	Race	Gender	Disability	Sexual Orientation	Religion or Belief	Age
<p>Low – for example:</p> <ul style="list-style-type: none"> • There is little or no evidence that some people from different groups or communities are (or could be) differently affected (positively or negatively). • There is little or no evidence of public concern about the policy. • The policy has little or no relevance to the respective general duty, in the case of race, disability and gender. 						
<p>Unknown – for example:</p> <p>No evidence or data has been collected therefore we cannot make an assessment.</p>						
Positive or No Impact.	Go to steps 9-10. (Delete Steps 5 to 8 of this Form if a separate document.)					
Negative or Unknown.	Full EqIA required – Go to Step 5.					
Negative or Unknown, but where constraints do not allow for any other course of action.	Describe those constraints in the Comments Box at Table A and go to Steps 9-10. (Delete Steps 5 to 8 of this Form if a separate document.)					

9.3 Stage 3 – Full Impact Assessment

9.3.1 Step 5 - Consult on the policy, function or service

Stage 3 – Step 5 – Table A - What, if any, internal and external consultation has already taken place, and what was the outcome?			
Name of consultee	Time of consultation (dates)	Consultation methodology	Outcome

Stage 3 – Step 5 – Table B - What additional internal and external consultation is planned? (Formal consultation should last 12 weeks; informal 6 weeks. Neither should take place during peak holiday periods).			
Name of consultee	Dates of consultation	Consultation methodology	Outcome (You can not complete this until you have analysed the results)
General Comments			

9.3.2 Step 6 – Will you be making any changes as a result of the consultation?

Stage 3 – Step 6 – If you have identified any adverse impacts have you considered how you can change the policy, function or service to reduce or eliminate these and increase or promote equality? (You must be careful to ensure that your proposed changes will not create any new adverse impacts)			
Six Strands	Actions required to reduce or eliminate discrimination	Actions required to increase or promote equality	Have any new adverse impacts been created as a result of the changes. If yes, can they be justified? If no, what do you intend to do about them?
Race			
Gender			
Disability			
Sexual Orientation			
Religion/ Belief			
Age			
Comments on all groups			

9.3.3 Step 7 – Does this policy, function or service now improve equality?

Stage 3 – Step 7 – Does your policy, function or service now provide the opportunity to promote equality of opportunity or good relations?		
Six Strands	Yes	No
Race		
Gender		
Disability		
Sexual Orientation		
Religion/ Belief		
Age		
If you answered No, please give the details.		
Race		
Gender		
Disability		
Sexual Orientation		
Religion/Belief		
Age		

9.3.4 Step 8 - Make a decision, do you need more information?

Stage 3 – Step 8 – Do you need any more information?		
Six Strands	Yes	No
Race		
Gender		
Disability		
Sexual Orientation		
Religion/ Belief		
Age		
If you answered Yes, please give the details.		
Race		
Gender		
Disability		
Sexual Orientation		
Religion/Belief		
Age		

9.3.5 Step 9 – Monitoring and evaluation process

Stage 3 – Step 9 – Monitoring and Evaluation
3. What arrangements are in place for monitoring the implementation and impact of the policy, function or service?
4. What is the review date for the policy, function or service?

9.3.6 Step 10 – Senior Manager sign-off and publishing the EqIA Summary

Stage 3 – Step 10 – Senior Manager Sign-off	
Senior Manager's Signature (Head of Unit or Cost Centre)	
Date	

Publishing the Results

Once the EqIA form has been signed off, you must now complete the Equality Impact Assessment Publishing Template at Section 10 and forward it to the diversity team diversity@forestry.gsi.gov.uk who will publish the summary on the FC Website.

10. EqIA Publishing Template

Impact Assessment Summary
<p>1. Name of policy, function or service.</p> <p>Insert the name of the policy, process or service. Include information about whether this is a Partial or a Full Impact Assessment.</p>
<p>2. Purpose and aims of the policy, function or service.</p> <p>3. Insert a brief outline of the purpose of the policy, process or service and provide outline details of main aim(s).</p>
<p>4. Who will benefit mainly from this policy, function or service?</p> <p>Outline briefly who the policy, process or service is aimed at, for example, customers, and staff and identify any specific groups where appropriate.</p>
<p>5. Information and Data (evidence) used.</p> <p>Include information of evidence collected to undertake the impact assessment. This can be a summary of information or a comprehensive list. Include information on any consultations undertaken and the associated findings.</p>
<p>6. Summary of Impact.</p> <p>Provide a summary of the impact both negative and positive and outline of any remedial action or justifications for impact.</p> <p>Provide information about any modifications made to the policy, process or service as a result of the assessment and/or consultation, or alternative or additional measures.</p>
<p>7. Monitoring or Evaluation.</p> <p>Provide a brief summary of how the policy, function or service will be monitored and evaluated in terms of equality.</p>
<p>8. Further Information.</p> <p>Insert contact details of the individual who can supply additional information and a copy of the completed Equality Impact Assessment.</p>