



EQUALITY IMPACT ASSESSMENT

(EqIA)

Summary results of the EqIA

Title of policy/practice/process/service:

Children's legal aid: prior and retrospective approval for use of counsel.

Is the policy new (proposed), a revision to an existing policy or a review of current policy?

Review of current policy.

Key findings from this assessment (or reason why an EqIA is not required):

We have analysed the available internal applications data regarding requests for the approval of counsel in children's legal aid. (We acknowledge that the full range of protected characteristics are not covered). For those areas where data was available, our assessment is that the data does not show any detrimental impacts likely to arise as a direct result of our policy position.

We note that protected characteristics may have a degree of indirect relevance to requests for counsel, insofar as they may be relevant to the factors of complexity, sensitivity, and novelty.

We note that this is a specific element of the legal aid regime, with few parallels externally and as such, we have been unable to find external evidence relevant to a direct assessment of this policy position.

Summary of actions taken because of this assessment:

No action required.

Ongoing actions beyond implementation include:

Continue gathering and analysing data for the purposes of monitoring of outcomes by protected characteristics; continue to seek external research or analysis that may assist in providing context for a future assessment.

Lead person(s) for this assessment (job title and department only):

Head of Civil and Children's Legal Assistance.

Senior responsible owner (SRO) agreement that the policy has been fully assessed against the needs of the general duty (job title only):

Director of Operations.

Publication date (for completion by Communications):

24/02/2026.

Step 1: Scoping the work being assessed

1.1. Briefly describe the aims, objectives and purpose of the policy/practice/process/service.

SLAB's policy on prior and retrospective approval for children's counsel sets out how SLAB operationalises the requirements of the relevant Regulations. The purpose of a policy statement is to identify a test to be undertaken by decision-makers. Section D of the relevant policy statement is set out below:

"Our policy is that it is appropriate that an assisted person shall be authorised the use of single junior counsel on satisfying SLAB as to:

- 1. the complexity, novelty and/or sensitivity of the case on either legal or evidentiary grounds; and/or*
- 2. the presence of emergency personal circumstances faced by the nominated solicitor which could otherwise prejudice the assisted person's case if counsel were not made available; and/or*
- 3. the case being dealt with in a forum in which there are reasonable expectations that counsel would appear; and/or*
- 4. any relevant considerations of parity of representation.*

"This is known as 'the appropriateness' test.

"Where use of a multiple junior counsel or senior counsel is sought (advocacy or non-advocacy work):

"Our policy is as above but that the use of multiple or senior counsel shall be authorised only where there are issues of exceptional complexity, novelty or sensitivity when considered against the generality of similar cases.

"An assisted person will also be authorised to make use of multiple or senior counsel provision where the forum is one in which there are reasonable expectations that multiple or senior counsel would appear in the type of case at hand.

"Where counsel is sought for non-advocacy work, for example seeking counsel's opinion for counsel to consult with an expert:

"Where a request is for limited use of counsel, the basic factors above will be considered: however, given that limited use of counsel is likely to be required at an earlier stage of the case, SLAB's policy here is that additional factors considered must also include:

- whether the request for counsel's input appears premature*
- whether the limited use of counsel at the point proposed is likely to save time or expense in the long run or otherwise assist in the efficient progression of the case.*

"Work covered by a grant/how often does approval need to be requested?"

"SLAB's policy is that where prior approval is granted for counsel to conduct a proof or appeal, then from that point on counsel can consult with the client, provide oral advice or in written Note form to the solicitor regarding work to be done etc. without the need for further specific prior approvals from SLAB. This continues up to the conclusion of the proof or appeal.

"Notwithstanding SLAB's approval being given for counsel's involvement, all work undertaken will nonetheless be subject to the usual Accounts assessments.

"How is the decision made?"

“We consider all factors put forward by the solicitor in their application for prior approval in deciding whether the involvement of counsel is appropriate in the particular facts and circumstances of the case.

“It would be unusual for the decision to grant approval for counsel to rest on one single factor. Usually, there is an accumulation of factors and issues that give rise to a grant of prior approval. The factors to take into account when considering a request for counsel may appear in any combination and to differing degrees: for example, a novel issue may well be complex, or vice versa.

“Retrospective approval: the ‘special reason’ test

“For retrospective requests for counsel, the first limb of the test (set out in the Regulations) is whether approval would have been granted had it been sought timeously. As stated in the parent policy statement, SLAB’s policy is to apply exactly the same test and factors to the request as if it had been received prospectively (i.e. those set out above).

“For the second limb, SLAB’s policy on ‘special reason’ is that where a solicitor can show that:

- they were prevented from making a prospective application for prior approval by circumstances which were beyond their control and these circumstances were ones which could not have been reasonably foreseen; or*
- the circumstances were within the solicitor’s control, and ought to have been foreseen, but the oversight was nonetheless justifiable given the particular or unusual circumstances in which the expense was incurred*

this will generally be accepted as a special reason for late submission of a request for counsel. SLAB’s policy is that the circumstances described should amount to more than simply plain oversight or ignorance of the Regulation to suffice as a ‘special reason’.”

1.2. Why is the policy/practice/process/service being examined?

Review of policy/process/service/practice.

1.3. Who is affected by this policy/practice/process/service?

Be clear who the ‘customer’ is.

The ‘customers’ for the purposes of this policy are assisted persons, for whom counsel is sought to assist with their case, some of whom may be children.

1.4. Policy/practice/process/service implementation date.

Currently live.

1.5. What other SLAB policies or projects may be linked or affected by changes to this policy/practice/process/service?

As set out in the policy statement, there is a relationship between what SLAB approves at this stage, and what may eventually be paid for.

Step 2: Consider the available evidence and data relevant to your policy/practice/process/service

2.1. What information is available about the experience of each equality group in relation to this policy/practice/process/service?

General information about the policy/practice/process/service

As set out in the section above where our policy position is described, the key factors we consider in this policy include:

- the complexity, novelty and/or sensitivity of the case on either legal or evidentiary grounds; and/or
- the presence of emergency personal circumstances faced by the nominated solicitor which could otherwise prejudice the assisted person's case if counsel were not made available; and/or
- the case being dealt with in a forum in which there are reasonable expectations that counsel would appear; and or
- any relevant considerations of parity of representation.

In 2024-25, there were 172 requests for the approval of counsel in the context of children's legal aid. The overall grant rate for requests for counsel is 62% (somewhat lower than for the other forms of prior approval).

A large majority of requests (c90%) were for single junior counsel, with fewer than 10% of requests involving senior counsel, and only a very small proportion (<5%) involving a request for multiple counsel. The grant rate for senior counsel – despite the higher bar – is somewhat higher than for other types of request.

There is very limited external evidence relating specifically to the use of counsel in children's proceedings generally, much less applicants' experiences in applying for use of counsel and how that might relate to their protected characteristics. This might include, for instance, evidence which indicated whether applicants from particular protected characteristic groups were more likely to be involved in complex or novel cases of a type likely to involve counsel: we have been unable to find evidence on this point.

As such, our evidence below focusses on internal applications data and operational insights.

By way of context, as with the other forms of prior approval, we note that it is important to bear in mind that it is the solicitor who is responsible for making an application for counsel.

This may mitigate some difficulties that applicants would otherwise face in engaging with application processes: whilst we are aware of such risks from the broader evidence on barriers that groups with protected characteristics can face in engaging with public bodies, it is important to be aware of the solicitor's role as the intermediary which may mitigate these somewhat.

Age

Statistics

- **SLAB's data**

Age bands	% of total requests for counsel	% of total legal aid applications	Scottish population (census 2022)
<=24	20-25%	20%	27%
25-34	30-35%	36%	13%
35-44	30-35%	31%	13%
45-54	10-15%	10%	13%
55-64	5-10%	3%	14%
65+	<5%	3%	20%
Grand Total	100%	100%	100%

The age profile of applicants seeking counsel is similar to the profile of applicants for children’s legal aid in the Sheriff Court: we note that higher age bands are slightly under-represented, whilst 25-34 appears somewhat over-represented. It differs significantly from the Scottish population, however, with those requesting approvals being much more likely to be in younger age bands, particularly 25-34 and 35-44.

Our view is this likely reflects the age profile of the parties who tend to be involved in children’s proceedings (children and persons of parenting age), rather than resulting from a particular impact of this policy suppressing the number of requests from older persons. It is important to note that the number of requests in the highest age band was negligible.

Age bands	Granted	Not granted
<=24	55-60%	40-45%
25-34	55-60%	40-45%
35-44	55-60%	40-45%
45-54	70-75%	25-30%
55-64	85-90%	12.50%
65+	<5%	>95%
Grand Total	61.63%	38.37%

There is a degree of variation in the grant rate by age bands. The numbers in some of the bands, however, are too low to enable statistical testing to be undertaken. Regardless, we are not aware of any other internal evidence or insights which indicate that this is likely to be a reflect a detrimental impact resulting from our policy position.

- **Data relevant to the policy**

Evidence on different age categories

We note that in the consideration of the ‘sensitivity’ factor, an applicant’s age may be relevant to our decision-making.

In particular, discussions with operational decision-makers indicate that our position is that in cases where a child is called to give evidence that may be of a sensitive nature (for instance, because of serious sexual allegations made in the case), this may assist in demonstrating that a case is sensitive in nature, such that the instruction of counsel would be merited – however, the fact that the applicant is a child giving evidence would not in and of itself satisfy the appropriateness test.

Disability

Statistics

- **SLAB's data**

Disability status (61% disclosure)	% of total requests for counsel
One or more disabilities	20%
No disability	80%
Grand Total	100%

Compared to the profile of the Scottish population as report in the results of the Scottish Core Surveys questions 2025, the proportion of requests for counsel from assisted persons who disclosed a disability or long-term condition was slightly low: 20% vs 28%. However, the high rate of non-disclosed data in relation to this characteristic (nearly 40%) obscures the actual picture significantly, and as such, this does not appear to merit a conclusion that there are barriers to disabled applicants submitting requests for counsel. Whilst we are aware of broader external data which shows that disabled people can face significant barriers in engaging with public services, including in the justice context, it is important to note that in practice, requests for counsel are submitted by solicitors, rather than applicants directly, which may mitigate such issues. Indeed, Operational insight suggests that solicitors may make such applications partly *because* of an applicant's disability.

The 'complexity' factor within our policy position could feasibly be relevant to this protected characteristic, if it were shown that the case was particularly complicated because of the applicant's (or possibly another party's, for example the subject child's) disability. However, we are not readily able to undertake analysis to this level of detail, and to our knowledge, the frequency to which this protected characteristic is in fact relevant in applications for counsel is very limited.

Applicant disability status	Granted	Not granted
One or more disabilities	67%	33%
No disability	58%	42%
Grand Total	60%	40%

There is a slight difference in the grant rate by this protected characteristics, with assisted persons who did disclose a disability having a somewhat higher grant rate: however, testing indicates that this is **not** a statistically significant difference. Nor are we aware of broader internal evidence suggesting there might be unjustified difference in impacts on groups within this protected characteristic because of our policy position.

- **Data relevant to the policy**

Evidence on different disabilities

- **Physical disabilities**

No specific evidence found.

- **Learning disabilities**

No specific evidence found.

- **Mental health**

No specific evidence found.

Sex

Statistics

- **SLAB's data**

Sex (92% disclosure)	% of total requests for counsel	% of applications for children's LA
Female	49%	67%
Male	47%	33%
Prefer not to say	4%	N/A
Grand Total	100%	100%

Men are over-represented amongst requests for counsel, comprising around half of such requests, compared to only a third of applications for children's legal aid in the Sheriff Court. It is unclear what might account for this: however, we do note that we have no evidence that it suggests that female applicants face additional barriers in applying for counsel. Discussions with Operational staff suggest that a possible explanation is that male applicants involved in the proceedings are more likely to have been accused of serious offences, which might incline them to seek higher representation than a solicitor alone, perhaps because of perceived sensitivity within the case.

Sex	Granted	Not granted
Female	62%	38%
Male	61%	39%
Prefer not to say	50%	50%
Grand Total	61%	39%

The table above shows that the grant rate for men and women is almost identical: this does not suggest any obvious concerns in relation to the policy's impact in relation to this protected characteristic. In part, this may arise because of the incorporation of the 'parity of representation' factor: for instance, where a male applicant is granted counsel in the context of being the alleged perpetrator of offences against the child, a female applicant also involved may then be granted counsel on the grounds of equality of arms.

- **Data relevant to the policy**

Evidence on women

No evidence found.

Evidence on men

No evidence found.

Race

Statistics

- **SLAB's data**

Applicant race (80% disclosure)	% of total requests for counsel
White majority	35-40%
White minority	<5%
Non-white ethnic minority	10-15%
Prefer not to say	45-50%

Applicant race (80% disclosure)	% of total requests for counsel
Grand Total	100%

Interestingly, compared to the Scottish population data in the Core Surveys Questions for 2025, the proportion of requests from non-white ethnic minority assisted persons appears high (14% vs 7%). In comparison, the rate of requests from white minority applicants is somewhat low (3% v 7%), as is the rate from persons from a white majority group (37% vs 86%). Our view is that this is in part explained by several repeat applications from individual applicants in certain groups, which may not reflect meaningful differences in the potential impacts of the policy.

Overall, fully explaining the profile of requests for counsel in relation to this protected characteristic is challenging: the high rates of PNTS and the 20% of non-disclosed data obscure the full picture to some extent. It is important to state that we are not (for instance) aware of any barriers to greater levels of requests from white minority assisted persons.

Applicant race	Granted	Not granted
White majority	55-60%	40-45%
White minority	25-30%	75-80%
Non-white ethnic minority	50-55%	45-50%
Prefer not to say	70-75%	25-30%
Grand Total	62.32%	37.68%

There is a degree of variation in the grant rate for groups within this protected characteristic. However, given the low numbers within some groups (particularly white minority), we are unable to statistically test whether the variation is significant. We are not aware of any other internal evidence that suggests the policy position has a discriminatory effect resulting in genuine inequitable outcomes.

- **Data relevant to the policy**

Evidence on different ethnicities

No evidence found.

Evidence on people whose first language is not English

No evidence found.

Gender reassignment

Statistics

- **SLAB's data**

No evidence available.

- **Data relevant to the policy**

No evidence found.

Evidence on trans people

No evidence found.

Sexual orientation

Statistics

- **SLAB's data**

No evidence available.

- **Data relevant to the policy**

Evidence on gay men

No evidence found.

Evidence on gay women/lesbians

No evidence found.

Evidence on bisexual people

No evidence found.

Religion or belief

Statistics

- **SLAB's data**

No evidence available.

- **Data relevant to the policy**

Evidence on different religions

No evidence found.

Pregnancy or maternity

Statistics

- **SLAB's data**

No evidence available.

- **Data relevant to the policy**

Evidence on pregnancy and maternity

No evidence found.

Marriage/civil partnership (only applies to policies related to employment)

Statistics

- **SLAB's data**

N/A.

- **Data relevant to the policy**

N/A.

Evidence on marriage and civil partnership

N/A.

Care Experienced

Statistics

- **SLAB's data**

As of 2023, approximately 12,206 children in Scotland were classified as “looked-after,” with an estimated total of 14,000 care-experienced children overall.¹

Data relevant to the policy

Evidence on care experienced people

Whilst we are aware there is a body of evidence which indicates care-experienced individuals are over-represented in the criminal justice system, we are not currently sighted on data as to whether this also occurs in the children's justice system, or if so, how exactly that translates into needs for representation by counsel. Discussions with Operational decision-makers indicate that a request which notes the applicant has experience of care (as with other protected characteristics) will not *in itself* be sufficient to determine that use of counsel is appropriate: a specific link to the policy factors would be required.

2.2. Using the information above and your knowledge of the policy/practice/process/service, summarise your overall assessment of how important and relevant it is likely to be for equality groups.

Having reviewed this policy with the internal applications data now available to us, we note that there is no clear evidence of significant variation in outcomes by protected characteristics under this policy. We note that the profile of those making requests does not always reflect the profile of the Scottish population – for instance in relation to age – but we believe that reflects the broader context of people involved in children's proceedings, rather than an impact of our policy.

More broadly, our assessment is that any variation in outcomes under this policy will be primarily because of interaction with the specific circumstances of the case (for instance, the legal complexity, or for example, emergency circumstances faced by the solicitor) and how those relate to the factors in our policy. With regards to some of the specific factors set out in the policy, we note that certain cases could generally be considered to be more ‘complex’ – and thus more likely to be granted counsel, and to the extent that protected characteristics are relevant here, in some circumstances, they could potentially weigh in the applicant's favour – for example, where an applicant's age makes the proceedings sensitive enough to merit counsel: however, this would be a case-by-case decision in the full context of the case, and not one made solely because an applicant has a particular protected characteristic. Given this, in combination with what we have seen from the applications data, we are confident that our decision-making here is unlikely to have any detrimental effects with regards to our equalities duties.

For the most part, SLAB's policy on approval for counsel does not necessarily appear to be more important for some equality groups rather than others; nor does it appear to impact unevenly on equality groups. However, with regards to sex, we note the high proportion of requests for male applicants, which could indicate that the availability of counsel is comparatively important for this

¹ [Children Looked After Statistics – Scottish Government, 2024](#)

group. As noted above, we suggest that this could reflect male applicants being more likely to face serious allegations in the proceedings and thus desiring counsel.

Overall, however, the factors used (in particular, complexity) are broad enough to enable consideration of any of the protected characteristics in the context of the case at hand where a link is made, though we are unable to specifically quantify how often this actually occurs. This is distinct from a protected characteristic being sufficient to justify a grant in and of itself, that is, in the absence of a link to the policy factors.

Moreover, the 'novelty' factor may also have direct relevance to equality groups, particularly in cases where the law being tested is likely to have a broader impact than on the individual applicant alone. This broader impact can be considered in decision-making as this appears to provide a positive potential impact within SLAB's policy.

Again, we are not sighted on the actual prevalence of this amongst applications, however.

Two further points must also be borne in mind when considering the importance of SLAB's policy on counsel to equality groups: the first is that counsel is automatically available in some circumstances (that is, one junior counsel in the Court of Session) meaning no active assessment is required by SLAB decision-makers against the terms of this policy, including as to how equality characteristics might be relevant.

Secondly, as a proportion of total grants of children's legal aid, the number of requests for counsel is low: a large majority of cases (c.90%) simply do not involve counsel at all.

2.3. Outcome of Step 2 and next steps. Select the outcome below to inform the next stage of the EqIA process.

Please select your decision: Proceed to Step 3 - complete full EqIA.

Please outline the reasoning behind your decision:

Moving from part-populated EqIA to full EqIA, plus some relevance to equality groups.

Step 3: Stakeholder involvement and consultation

3.1. Do you/did you have any consultation or involvement planned for this policy/practice/process/service?

No.

3.2. List all the stakeholder groups that you will talk to about this policy/practice/process/service.

None.

3.3. What did you learn from the consultation/involvement?

N/A.

Step 4: Impact on equality groups and steps to address these

4.1. Does the policy/practice/process/service have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?

Cross-cutting observations

As noted under 2.2, our view is that outcomes of this policy will tend to be driven by factors which are no more than indirectly related to the applicant's protected characteristics – for instance, complexity in the law given the circumstances of the case at hand. However, our assessment is that there are factors in the policy which *could* (at least potentially) make an applicant's protected characteristics relevant to our decision, and which could make those weigh towards a grant: that is, complexity, sensitivity and novelty. The framing of those factors is wide enough – in principle – to allow for *any* of the protected characteristics to be considered in this way, where relevance is shown to the factors set out in the policy. Our view is that this means that the policy position as described should be seen as having the potential to advance equality of opportunity across the range of protected characteristics.

However, on the other hand, we also wish to make clear that an applicant's protected characteristics in and of themselves are not relevant to our decision-making: a relevance of the characteristics to the factors set out in the policy must be demonstrated.

Age

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

We set out evidence above as to the age profile of applicants requesting use of counsel, as well as the grant rate for each age band. The age profile closely mirrors the pattern of applicants for children's legal aid, though it contrasts with the Scottish population generally. Our assessment is that the high proportion of persons from the 25-34 and 35-44 age brackets likely reflects the age profile of people who are most likely to be involved in children's proceedings: we are not aware of any evidence that suggests the policy has the potential for discrimination on the grounds of age. There is a degree of variation in the grant rate, though low numbers mean we are unable to statistically determine whether this is significant: based on our decision-making experience, our view is that this is unlikely to be the case. As noted above, an applicant's age may be relevant to the sensitivity factor. Discussions with Operational decision-makers also indicate that where difficult issues arise in a case because – for instance – the applicant is a very young parent, such issues relating to age would be relevant to and taken account of in our decision-making within the existing policy.

Disability

Please write down the impact(s) of the policy/practice/process/service for each of the PSED needs. Is it positive, negative, or no impact?

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

We set out evidence above relating to the prevalence of disability amongst applicants requesting counsel and the relevant grant rate; our view is that the applications data does not suggest any clear detriment caused by the policy that could be seen as having the potential for discrimination: the difference in grant rate is not statistically significant, nor are we aware of broader evidence that suggests disabled persons are less able to access counsel because of our policy position.

On the other hand, our view is that the factors of novelty and complexity are sufficient to allow for consideration of an applicant's disability (in the full circumstances of the case) in our decision-making, in a way which has the potential to advance equality of opportunity. Discussions with Operational leads confirm that complex or sensitive issues can arise directly in cases because the parent of the subject child has a disability, and that the policy enables these to be considered.

Sex

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

We set out evidence above on the sex profile of applicants requesting counsel and the relevant grant rate. Whilst men are over-represented amongst applicants making such requests, possibly due to an increased likelihood of facing serious allegations in the context of the proceedings, we are not aware of any evidence that suggests this is because of barriers to female applicants making such requests. The grant rate by sex is almost identical, which supports our view that there is no evidence the policy is discriminatory in nature.

As noted above under the 'cross-cutting' section, the policy is framed in such a way that the factors potentially allow protected characteristics including sex to be considered as part of our decision-making, where relevant. This allows an applicant's full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity. We note again that an applicant's sex *in itself* is not a relevant consideration which would, for example, tip the balance of our decision-making. It is only where the applicant's sex can be feasibly tied to the factors in our policy that it would become relevant to our decision-making.

Race

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

Whilst we are aware of general evidence that indicates people from minority ethnic backgrounds can face barriers in readily accessing public services, we are not aware of any specific evidence that suggests our policy on approval for counsel creates specific difficulties in this regard.

There are several limitations to the applications data we have available – in particular, the high rate of prefer not to say, and the rate of non-disclosure of ethnicity data – which mean that the conclusions we can draw robustly are limited. In combination with our broader operational decision-making experience, overall, our view is that there is no clear evidence that the policy is discriminatory with regards to race.

As noted above under the ‘cross-cutting’ section, the policy is framed in such a way that the factors potentially allow protected characteristics including race to be considered as part of our decision-making, where relevant. This allows an applicant’s full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity. We note that there may well be factors relating to an applicant’s race which could be relevant to complexity or sensitivity: for instance, where an applicant faces deportation if the Grounds are established: again, the policy is framed broadly enough to properly take these into account where raised.

Gender reassignment

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

As noted above under the ‘cross-cutting’ section, the policy is framed in such a way that the factors potentially allow protected characteristics including gender reassignment to be considered as part of our decision-making, where relevant. This allows an applicant’s full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity.

Sexual orientation

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

As noted above under the ‘cross-cutting’ section, the policy is framed in such a way that the factors potentially allow protected characteristics including sexual orientation to be considered as part of our decision-making, where relevant. This allows an applicant’s full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity.

Religion or Belief

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

As noted above under the 'cross-cutting' section, the policy is framed in such a way that the factors potentially allow protected characteristics including religion or belief to be considered as part of our decision-making, where relevant. This allows an applicant's full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity.

Pregnancy & Maternity

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

As noted above under the 'cross-cutting' section, the policy is framed in such a way that the factors potentially allow protected characteristics including pregnancy or maternity to be considered as part of our decision-making, where relevant. This allows an applicant's full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity.

Marriage & Civil Partnership (only applies to policies related to employment)

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: No impact.

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

N/A.

Care experience

Potential for discrimination: No impact.

Potential for developing good relations: No impact.

Potential to advance equality: Positive impact(s).

Describe the changes or actions you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.

Whilst we are aware of general evidence that indicates people who have experienced care can face barriers in readily accessing public services, we are not aware of any specific evidence that suggests our policy on approval for counsel creates specific difficulties in this regard.

As noted above under the ‘cross-cutting’ section, the policy is framed in such a way that the factors potentially allow protected characteristics including care experience to be considered as part of our decision-making, where relevant. This allows an applicant’s full circumstances to be considered, and as such, our view is that the policy advances equality of opportunity.

4.2. Which actions have you taken as part of this assessment?

Please select the outcome of the assessment:

Confirm that the policy/practice/process/service described in section 1.1 was robust.

Please explain the changes that have been made:

Given the evidence reviewed and the assessment above – and particularly the lack of evidence suggesting obvious discrepancies in outcomes by protected characteristics – we are confident that the policy is robust and not in need of change. However, we will continue to monitor and review the policy in future.

Step 5: Discuss and review the assessment with decision makers and governance structures

5.1. Record details of the groups you report to about this policy/practice/process/service and impact assessment. Include the date you presented progress to each group and an extract from the minutes to reflect the discussion.

This assessment has been discussed with operational leads and was reviewed and agreed by senior SLAB staff at the meeting of the GALA Review Group on 26/01/2026.

Step 6: Post-implementation actions and monitoring impact

6.1. Record any ongoing actions below

N/A.

6.2. Note here how you intend to monitor the impact of this policy/practice/process/service on equality groups

Measure	Lead department or individual	Reporting (where and frequency)
Requests for counsel and grant rate by protected characteristics (to include decision reasons if feasible)	Policy/AMI	Annually (or once per review cycle/three years)

6.3. EqIA review date

Should be reviewed as part of the post-implementation review of the policy/practice/process/service. The date should not exceed three years from the implementation date.

26/01/2029.

Step 7: Assessment sign off and approval

Director/SRO sign off: 26/01/2026.

Chief Executive approval: 26/01/2026.