



EQUALITY IMPACT ASSESSMENT

SUMMARY

Title of policy, project or function:

Research function

Is the policy, project or function new (proposed) or already exists?

Already exists

Has a screening exercise been carried out before this full assessment?

No

Key findings from the assessment:

A review of research methods in relation to people with equalities characteristics suggest that there are a range of practical steps that can be taken to help address potential for research to be excluding, missing or mis-representing people who share equalities characteristics.

Actions as a result of the assessment:

Guidance in the development of the research programme, project specification template and project checklist will be updated to reflect the practice identified in the review of research methodologies.

This includes adding to the project specification an assessment of the risk of harm to participants, reminders to search for literature mentioning protected characteristics or known differences in experience, likely need for translation / interpreting (include cost), allowing different methods for completion, considering how to incorporate hard to reach group(s) or allow for comparison between groups. As part of our standard project management methodology we will run research materials through reading age website software (the Hemingway link) to ensure they are as accessible as possible.

Wider work under SLAB's equality outcomes for 2017-2020 has highlighted that, in addition to what we already do, we should be collecting demographic information on solicitors where possible as part of our research work. This will be incorporated into research design as appropriate.

Date impact assessment published:

24/01/2020

Lead official(s) responsible for assessment:

John Osborne



Department:

Research

Name of sponsor/ Director who has signed off that the policy/ function has been sufficiently assessed against the needs of the equality duty:

Anne Dickson, Director of Strategic Development

Date of sign off:

20 January 2020

Step 1 - Examine the information available to assess likely impact of the function/ policy on different equality groups

1.1 Describe the policy, project or function. What does it aim to do? What and who will it affect? *You can update or use information from your screening assessment if one was completed.*

SLAB's operational and strategic objectives determine the priorities for the Research Programme. We continue to ensure that our programme is directed by SLAB's key priorities.

Typically, projects cover a range of work including stakeholder engagement, work to monitor the supply issues and to support policy and operations. All are designed to inform SLAB's strategic policy decision-making process and contribute to the Business Plan. The Executive Team is updated every two months on progress and is consulted on prioritisation and planning. Once these areas are identified we work with respective departments to develop proposals and take forward research.

Projects include primary research (quantitative and qualitative), secondary analysis, evaluations, and scoping papers of research needs. Work can be commissioned to external research organisations, managed collaboratively with partner agencies, or carried out in-house.

In addition the Research Unit responds to a range of ad hoc, short term requests.

1.2 What is known about each of the equality groups who might use or be affected by this policy? For evidence see [Scottish Government equality finder](#) (contains information on equality groups and the justice system), the [SLAB shared drive](#) - information on the different groups (contains other information on equality groups) and [SLAB's research webpage](#) for information on the demographics of applicants of legal aid and solicitors providing work under legal aid.

You need to look at the evidence you have for each group - Race, Sex (gender), Gender Reassignment, Disability, Sexual Orientation, Pregnancy & Maternity, Age, Religion and Belief, and Marriage & Civil Partnership. Think about the people likely to be affected by the policy. Does the policy relate to functions that have been identified as being important to particular protected groups? Does it relate to an area where there are already known inequalities? Good evidence is

required for you to show 'due regard'. An inadequate analysis in an assessment may mean failure to meet the general duty.

The Research Programme is driven explicitly and implicitly by equalities. Some projects are carried out specifically to address gaps in knowledge about equality groups or to develop our equality strategy e.g. Race, Gender and Disability research and Research with Asylum seekers.

However every research project carried out will take into account equalities. Often research aims to collect representative views so methods chosen for research must be suitable to reach as many different people as possible.

In our commissioning we ask contractors to design proposals to take into account best ways of approaching different equality groups e.g. in the design of questionnaires to ensure easy reading, in the use of Census or National Statistics standard for demographics and in the use of interpretation services.

A review of research methods in relation to people with equalities characteristics suggest that there are a range of practical steps that can be taken to help address potential for research to be excluding, missing or mis-representing people who share equalities characteristics.

1.3 Are there any gaps in understanding of your policy/ function in relation to equality groups? *You should think about opportunities to fill any gaps in evidence through your consultation plans for the policy/ function at Step3.*

The review of research methods and subsequent discussion has helped to sensitise the research team to the potential difficulties in relation to groups of people and the use of equalities characteristics as a key mode of explanation in research projects.

Step 2 - Impacts on priority characteristics and suggested steps to address these

Does the policy/ function have any impacts (whether intended or unintended, positive or negative) on any of the equality groups? Describe for each group the ways in which the policy, as it is planned or as it operates, might have negative and/ or positive impacts. You should answer these three questions for each group:

- 1) Is there potential for discrimination?
- 2) Is there potential for developing good relations?
- 3) Is there potential to advance equality of opportunity?

Race

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Sex (gender)

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.

- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Gender reassignment

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Disability

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Pregnancy and maternity

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.

- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Religion and belief

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Age

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

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- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Marriage and civil partnership

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Sexual orientation

Is there any potential impact on this group? Yes

Please explain your answer:

There is no direct impact on people, although there are possible ways in which research can impact on this equality group.

- 1) The potential for discrimination comes at various levels: agenda setting, project scope, research design and sample, types of questions asked, analysis and presentation of results.
- 2) Good relations could be developed through the publication of research findings.
- 3) Equality of opportunity can be enhanced through use of research in policy development and in design of research projects, where appropriate, to include people from different backgrounds and to facilitate their involvement.

Where there is potential for indirect/ direct discrimination, what can you do to reduce or eliminate this risk?

This is sometimes reflected in the nature of the work. We will sometimes want to focus in on particular groups. While we try to cover as many groups as we can we have limited resource and will prioritise services users/stakeholders or those that are most vulnerable or where we know very little and where evidence will help develop policy or operations.

Do you need to make changes to your policy or function on the basis of this assessment?

Guidance in the development of the research programme, project specification template and project checklist will be updated to reflect the practice identified in the review of research methodologies.

This includes adding to the project specification an assessment of the risk of harm to participants, reminders to search for literature mentioning protected characteristics or known differences in experience, likely need for translation / interpreting (include cost), allowing different methods for completion, considering how to incorporate hard to reach group(s) or allow for comparison between groups. As part of our standard project management methodology we will run research materials through reading age website software (the Hemingway link) to ensure they are as accessible as possible.

In relation to reflexivity and the impact of our own unconscious biases on our collection and interpretation of evidence, this risk is mitigated in large part by the way in which research materials and analysis are subject to discussion and interrogation by peers, as well as project boards. All team members have undergone unconscious bias training, but we recognise that it is the structures and processes which are most important to controlling this risk. A non-equalities issue that this raised, was that, rather than the backgrounds of researchers being important, the key risk that should be added to the register is that our position as representatives of SLAB may influence the extent to which research participants provide evidence that covers the whole spectrum of their experience. SLAB's position as a funder and quality assurer of service provision may inhibit some participants from responding fully on particular topics, despite assurances of anonymity and confidentiality.

Additionally, the literature had highlighted that intersectionality means we should be careful of ascribing prime weight to a particular aspect of someone's background as a factor in their experience of a particular situation. A more open question, similar to that already asked in our applicant surveys, should be asked to allow participants themselves to reflect on whether they feel any particular characteristic, or combination of characteristics, has impacted on their experience or treatment.

Lastly, we agreed that the review of literature had highlighted both positive and negative aspects to attempts to match the backgrounds of researchers and participants (for example, on gender or sexuality) and that our research methods can build on the positive aspects of each, whilst being cognisant of the issues that it may pose in the kinds of responses elicited.

Wider work under SLAB's equality outcomes for 2017-2020 has highlighted that, in addition to what we already do, we should be collecting demographic information on solicitors where possible as part of our research work. This will be incorporated into research design as appropriate.

What is the likely impact of these changes on the plans for the policy/ function? (resources, cost, timings etc.)

There should be an enhanced ability to tease out equalities related findings from general projects and to ensure good practice in any projects which are focussing on a particular group because of their equalities characteristics. There may be slightly enhanced costs as we look to better include hard to reach groups as a standard part of our practice (for example, by always including a phone completion option for paper or online surveys). A key concept to help us do this in practice will be to understand the intersectional nature of characteristics.



Step 3 - Consultation and stakeholder engagement

Do you/did you have any consultation/ involvement planned for the policy/ function?

No

What do you hope to achieve from your consultation/ involvement?

n/a

List the main stakeholder agencies that you intend to or have already discussed this policy with. Give details of any equality groups represented.

n/a



Step 4 - Discuss and review the assessment with decision makers and governance structures

You must discuss the results with senior decision makers before you finalise the assessment.

Give details of the governance structures you will report, or have already reported, to about this assessment. For example, but not limited to, the Project Board, Executive Team or Board members.

This EqIA will be presented in the first instance to Anne Dickson, Director of Strategic Development, before being considered and signed off by the Executive Team.

If you have presented the results of the assessment to the groups you have listed above please include the date you presented to each group listed.

Anne Dickson considered the EqIA on 20 January 2020. The Executive Team considered the EqIA on 23 January 2020.

Will there be any changes made to the plans for the policy/ function or actions as a result of this assessment?

Yes

If yes, give details of likely changes and actions arising from this assessment.

As above at Step 2



Step 5 - Publication and review of EQIA

All assessments must be published as early as possible after the decision is made to implement a new policy or function.

Date of publication:

24/01/2020

Review date:

01/07/2022