



## EQUALITY IMPACT ASSESSMENT

### SUMMARY

**Title of policy:**

Applicant payment options

**Is the policy new (proposed) or a revision to an existing policy?**

Revision - addition of an online option for payment

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

The review has shown that this new service provides a further options for payment to all the different equality groups. For those who have difficulty using this service there are sufficient alternatives available.

**Summary of actions taken because of this assessment:**

**Policy lead(s) for this assessment (job title and department only):**

Manager, Civil Finance

**Senior responsible owner 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):**

24/07/2020



## Step 1 - Framing the planned change

Discussing steps one and two with the Corporate Policy Officer (Equalities) at an early stage will help identify appropriate evidence. This may include support from the wider Policy and Development team.

### 1.1 Briefly describe the aims, objectives and purpose of the policy.

Applicants or Opponents are often required to make payment towards the cost of the legal aid case. This can be derived from a number of different sources such as a contribution, clawback, expenses, or where legal aid has been withdrawn.

Once the debt has been established they need the facilities to allow them to make the payment to SLAB in the easiest format for them. We have a number of different options available for paying debt to try and suit different people's circumstances. They are as follows:-

- Paying online via our webpage at *slabpay*
- Pay over the telephone by credit or debit card
- Online banking
- Standing order
- Banks giro credit
- Cheque
- Cash
- Postal Order

We had previously considered direct debits as a payment option but we opted for standing order as there was much less administration in the set up and maintenance of this.

We have developed *slabpay* as another option for payment. This allows people to pay their money to us via an online portal using worldpay. They can use a laptop, their mobile phone or a pc. We believe that this would help people who could not telephone us during our office hours or where unable to get to a bank. We were also conscious that many of the high street banks were closing branches over Scotland which makes the bank giro payment option more difficult for them. The people paying this way do not need to use a telephone or even speak to anyone to use this service. It can be done in the comfort of their own home 24 hours a day. We are aware of the change in society whereby use of the internet facilities is on the rise.



In 2017, the proportion of households with home internet access was 85 per cent. This was an increase from 82 per cent of households surveyed in 2016, and the share has increased steadily from 42 per cent of households surveyed in 2003.

The ways in which people access the internet are becoming increasingly diverse. Since 2007, the Scottish Household Survey has asked adults who use the internet for personal use about the location where they access it and the methods they use. Almost all internet users (97 per cent) said that they use the internet at home. Those reporting that they access the internet on the move using a mobile phone or tablet has continued to rise, increasing by seven percentage points over the year to 58 per cent in 2017. Over a quarter of internet users (28 per cent) said that they make personal use of the internet at work.

There is a broadly positive relationship between household income and the share of internet users accessing the internet on the move via a smartphone or tablet. A positive relationship is also displayed between income and the share of internet users making personal use of the internet at work.

## **1.2 Why is the change required? *Legislative, routine review etc.***

This is a service improvement. It adds an online payment option, which is available to the public 24 hours a day, 7 days a week to improve our customer service. The introduction of this new payment method is to take all the above mentioned societal changes into consideration and to make it as easy as possible for people to pay.

## **1.3 Who is affected by this policy? *Be clear about who the policy is for/ who is the 'customer'.***

The main group of people using this function are members of the public who are applying for civil legal aid and have been assessed to pay a contribution towards the cost of their case. There will also be opponents using these facilities. The payment options available affect everyone who has a debt to pay to SLAB.

## **1.4 Policy implementation date. *E.g. project end date, date new legislation will take effect.***

[Click here to enter a date.](#)



**1.5** What other SLAB policies or projects may be linked to or affected by this policy change? The EQIA for related policies might help you understand potential impacts, and/ or your findings might be relevant to share. Refer to SLAB's business plan, our current equality outcomes, current project list etc.

None

## Step 2: Consider the available evidence and data relevant to your policy

The information you gather in this section will:

- help you to understand the importance of your policy for different equality groups,
- inform the depth of equality impact assessment you need to do (this should be proportional to the potential impact on equality groups), and
- provide justification and an audit trail behind your decisions, including where it is agreed an equality impact assessment is not required.

Discussing steps one and two with the Corporate Policy Officer (Equalities) at an early stage will help identify appropriate evidence. This may include support from the wider Policy and Development team.

2.1 **What information is available about the experiences of each equality group in relation to this policy or function? Stay focused on the topic and scope of your policy. Does the policy relate to an area where there are already known inequalities? Refer to the EQIA guidance for sources of evidence.**

Note: If you proceed to a full EQIA you should continue to add to this section as you develop the policy, come across new evidence and/ or **undertake a consultation.**

**We considered the evidence provided in the following reports**

- Equality Impact Assessment of online services Orkney council EqIA
- Scotland's People Annual Report 2017
- Our own experience of people making payments to SLAB.

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Age	<p>SLAB's own evidence about legal aid applicants</p> <p><a href="http://www.gov.scot/publications/scotlands-people-annual-report-results-2017-scottish-household-survey/">www.gov.scot/publications/scotlands-people-annual-report-results-2017-scottish-household-survey/</a></p> <p><a href="#">ONS information on internet users</a></p>	<p>We are aware that it may be the case that certain age bands of customers may prefer to communicate with us in different formats, hence why we are currently trying to open up more options for paying their debt such as online, by telephone or in some occasions face to face. Surveys show that older adults are less likely to use the internet although over time this is changing. This new facility will perhaps be more attractable to younger people who are generally more familiar with using internet, have pc's etc. This can be through their work or perhaps school, college etc. People who are unfamiliar with this can use one of the many different options for payment which are available.</p>
Disability	<p>SLAB</p> <p><a href="http://www.gov.scot/publications/scotlands-people-annual-report-results-2017-scottish-household-survey/">www.gov.scot/publications/scotlands-people-annual-report-results-2017-scottish-household-survey/</a></p> <p>ONS information on internet users</p>	<p>Our experience is that applicants and opponents communicate with us in a number of ways such as electronically, hand written or face to face in an interview. The online payment is another way for people to pay whilst at home via our website.</p> <p>Twenty-eight per cent of adults who have some form of longstanding physical or mental health condition or illness reported not using the internet, compared with eight per cent of those who do not have any such condition.</p>

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		In 2019, the proportion of recent internet users was lower for adults who were disabled (78%) compared with those who were not disabled (95%). We may need to consider the use of BSL and other options for assisting applicants who have sight/hearing difficulties.
Race	SLAB evidence	Our evidence shows that a small proportion of applicants are from ethnic minority groups. We are not aware of any evidence that this group has any other direct barriers using this service. We are currently undergoing a review of all our letters which explain payment options with a view to make them as plain English as possible to ensure that our communication is more accessible.
Sex	SLAB evidence	There is no evidence which indicates that this characteristic will be affected by this policy.
Gender Reassignment	SLAB evidence	There is no evidence which indicates that this characteristic will be affected by this policy.
Sexual orientation	SLAB evidence	There is no evidence which indicates that this characteristic will be affected by this policy.
Religion or Belief	SLAB evidence	There is no evidence which indicates that this characteristic will be affected by this policy.

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Pregnancy or maternity	SLAB evidence	We believe that this change in this payment option may assist this group as it would make payment of any debt easier if it was difficult for this group to get to a bank with a baby.
Marriage or civil partnership	SLAB evidence	There is no evidence which indicates that this characteristic will be affected by this policy.
Care Experienced ( <i>corporate parenting duty</i> )	<p><a href="https://www.communitycare.co.uk/2019/04/01/official-statistics-dont-tell-us-experiences-care-leavers/">https://www.communitycare.co.uk/2019/04/01/official-statistics-dont-tell-us-experiences-care-leavers/</a></p> <p><a href="#">Who Care? Scotland, Care Experienced Young People's Views</a></p>	<p>20% of care leavers do not have access to internet at home (compared to 9% of young people in the general population).</p> <p>Young people both in and after care can often be unreachable via telephone or internet for various reasons including affordability and also due to frequently losing phones as a result of their chaotic living situations. Corporate parents must be aware of this reality and in delivering their duties under the Act; they must take account of this and utilise a range of information methods to connect with care experienced young people.</p>

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



**2.3 Outcome of step 2 and next steps.** Complete the table below to inform the next stage of the EqIA process. *Consult with the project group and/ or Corporate Policy Officer (Equalities) on completing this section.*

Outcome of Step 2 following initial evidence gathering and relevance to equality characteristics	Yes/ No (Y or N)	Next steps
There is no relevance to equality or our corporate parenting duties	N	Proceed to Step 5: agree with decision makers that no EqIA is required based on current evidence
There is relevance to some or all of the equality groups and/ or our corporate parenting duties	Y	Proceed to Step 3: complete full EqIA
It is unclear if there is relevance to some or all of the equality groups and/ or our corporate parenting duties	N	Proceed to Step 3: complete full EqIA



### **Step 3 - stakeholder involvement and consultation**

This step will help you to address any gaps in evidence identified in Step 2. Speaking to people who will be affected by your policy can help clarify the impact it will have on different equality groups.

**Remember that sufficient evidence is required for you to show ‘due regard’ to the likely or actual impact of your policy on equality groups. An inadequate analysis in an assessment may mean failure to meet the general duty.**

The Policy and Development team can help to identify appropriate ways to engage with external groups or to undertake research to fill evidence gaps.

#### **3.1 Do you/did you have any consultation or involvement planned for this policy?**

Yes

#### **3.2 List all the stakeholder groups that you will talk to about this policy.**

Students Award Agency

#### **3.3 What did you learn from the consultation/ involvement? Remember to record relevant actions in the assessment action log.**

We learned about how they had implemented online payments and how many of their customers used the facility. We also wanted to see what worked and what did not work for them during their implementation phase.

## Step 4 - Impact on equality groups and steps to address these

You must consider the three aims of the general duty for each protected characteristic. The following questions will help:

- 1) Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- 2) Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- 3) Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

**4.1 Does the policy have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?** In the tables below, record the impact of the policy, as it is planned or as it operates, might have on each equality characteristic and describe what changes in policy or actions will be required to mitigate that impact. Copy any actions across to the project action log.

Age	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact or maximise the positive impact.
	Positive impact	Negative impact	No impact	
potential for discrimination			X	
potential for developing good relations	X			
potential to advance equality of opportunity	X			

Sex	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Disability	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			The technology is compatible for assistive technologies. We also need to ensure we test as many accessibility features as we can and ensure ours is Readable, scalable and browser independent and align to the accessibility guidelines from mygov.scot.
potential for developing good relations	X			
potential to advance equality of opportunity	X			The screen is very simple and intuitive. It will enhance options for those who would find phone payments difficult

Gender Reassignment	Place 'X' in the relevant box(es)	

	Positive impacts	Negative impacts	No impact	Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Race	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Religion or Belief	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	

potential for developing good relations			X	
potential to advance equality of opportunity			X	

Sexual Orientation	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Pregnancy & Maternity	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations	X			
potential to advance equality of opportunity	X			

Marriage & Civil Partnership	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Care experienced young people	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			X	



**4.2 Describe how the assessment so far might affect other areas of this policy and/ or project timeline?**

Examples of the items you should consider here include, but are not limited to:

- **Procurement criteria:** does your assessment indicate you should include equality as part of the technical specification for any current, or future, procurement process?
- **Communication plan/ products:** do you need to communicate with people affected by this policy in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach people (e.g. representative organisations, the Law Society of Scotland)? This might apply to public information, leaflets, or targeted promotion of a change in policy to particular customer groups.

We are creating some videos which will be available on our website which will take applicants, opponents, their solicitors or third parties through some of the key areas of our business including how to make payment to us. We also offer support via our help line number. We did involve our Communications team when creating and developing the pages on our website for *slabpay*.

- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consultant or to complete any actions identified in this assessment?

**4.3 Having considered the potential or actual impacts of your policy on equality groups, you should now record the outcome of this assessment below. Choose from one of the following (mark with an X or delete as appropriate):**

Please select (X)	Implications for the policy
X	<b>No major change</b>



	Your assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
	<b>Adjust the policy</b> You need to take steps to remove any barriers, to better advance equality of to foster good relations. You have set actions to address this and have clear ways of monitoring the impact of the policy when implemented.
	<b>Continue the policy with adverse impact</b> The policy will continue despite the potential for adverse impact. You have justified this with this assessment and shown how this decision is compatible with our obligations under the public sector equality duty. When you believe any discrimination can be objectively justified you must record in this assessment what this is and how the decision was reached.
	<b>Stop and remove the policy</b> The policy will not be implemented due to adverse effects that are not justified and cannot be mitigated.

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

You **must** discuss the findings of this assessment with senior decision makers during the lifetime of the project and before you finalise the assessment. Relevant groups include, but are not limited to, a Project Board, Executive Team or Board members. EqIA should be on every project board agenda therefore only note dates where key decisions have been made (e.g. draft EqIA sign off, discussion about consultation response).

### 5.1 Record details of the groups you report to that are relevant to this policy and assessment. Include the date you presented progress to each group and an extract from the minutes to reflect the discussion.

Management of Applications Project Board approved finalised EQIA on 10 March 2020.

## Step 6 - Post-implementation actions and monitoring impact

There may be further actions or changes planned after the policy is implemented and this assessment is signed off. It is important to continue to monitor the impact of your policy on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

**6.1 Record any ongoing actions below.** This can be copied from the project action log or elsewhere in this assessment and should include timescales and person/ team responsible. If there are no outstanding items please make this clear.

Action: We will promote the new facility through staff in the Collections Team speaking to customers on each phonecall and explaining the benefits. We have added information about the new facility to the letters issued by the Collections Team.

**6.2 Note here how you intend to monitor the impact of this policy on equality groups.** In the table below you should:

- list the relevant measures,
- Identify who or which team is responsible for implementing or monitoring any changes
- Where the measure will be reported to ensure any issues can be acted on as appropriate.

Measure	Lead department/ individual	Reporting (where/ frequency)
We will report on the volume of payments made through each of the payment options, including the new slabpay function; and the change between options used. This will help us identify whether people are able to use it.	Civil Finance	Executive Team - quarterly
Customer satisfaction survey for those who use slabpay, focussing on identifying the impact on those in equality groups.	Civil Finance	Executive Team

Ad hoc customer feedback from customers using the service.	Civil Finance	Executive Team - as and when required
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**6.3 EqIA review date.** This EqIA should be reviewed as part of the wider post-implementation review of the policy. The date should not exceed 3 years from the policy implementation date.

10/09/2021

### **Step 7 - Assessment sign off**

**All equality impact assessments must be signed off by the Executive Team, even where an EqIA is not required. Note the relevant meeting date here:**

07/05/2020

Approved: the Chief Executive's Office will pass the assessment to Communications for publication on our website. All assessments must be published on SLAB's website as early as possible after the decision is made to implement the policy.

Not approved: you must review this assessment in line with the Executive Team's comments.