



EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/ practice/ process/ service:

SLAB's policy for gathering and using equalities information is to ensure that timely, useful and accurate data supports our service delivery, decision-making and strategic development.

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

New

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

Feedback/solicitor survey showed that little data on the applicants' equalities information gets collected.

The project board agreed there are three main uses of equalities data gathered. These are:

- a. For **service delivery** reasons, for example making reasonable adjustments
- b. For the purposes of **operational decision-making**
- c. Policy development or **strategic planning**.

The new policy statement will support and clarify the reasoning for SLAB gathering applicant data and support SLAB in fulfilling its equalities duties.

Equality Duty:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

The new policy statement is "SLAB's policy for gathering and using equalities information is to ensure that timely, useful and accurate data supports our service delivery, decision-making and strategic development.

- a. Staff, solicitors and applicants are fully aware of why we gather information and how it will be used, as part of our transparent, impartial processes.
- b. The information gathered is proportionate, can be conveniently disclosed by applicants or system users.
- c. The information is kept securely and processed in line with our data protection policies.



- d. Information can be accessed and used by staff as appropriate to their roles.”

Summary of actions taken because of this assessment:

A policy statement has been developed that provides a rationale for the collection of equalities data, in which ways and for what purpose. It will also assist in identifying which information is needed and useful for SLAB to collect to better fulfil our equalities duties. Guidance for solicitors should provide clarity and assistance on data gathering.

Ongoing actions beyond implementation include:

Data for strategic planning

Make disability and ethnic origin questions in Legal Aid Online mandatory, whilst retaining a ‘prefer not to say’ option. Reword questions to be in line with current good practice. Review why SLAB seeks to collect only some data.

Data for service delivery

- An agreed, written policy is necessary to better facilitate predictability and consistency for the profession and applicants in their interactions with SLAB around reasonable adjustments, whilst providing SLAB staff with greater clarity
- A customer service project will clarify when SLAB and its directly employed solicitor services will pay for adaptations and communication support needs.
- Systems should be updated to allow for information directly relevant to service delivery to address and make adjustments to address communication support needs.

Data for operational decision-making

- Equality impact assessment as part of the Guidance on Administration of Legal Aid project (GALA) will aid consideration of how guidance should be updated to clarify in which ways information related to protected characteristics is used in our decision making.

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

Policy Projects Manager, Policy and Development

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

Director of Strategic Development

Publication date (for completion by Communications):

26/11/2021



Step 1 - Framing the planned change

Discussing step 1 and step 2 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/ practice/ process/ service. *You can use the information in your project specification, business case etc.*

The purpose of this project is to set a framework for SLAB to deliver equality outcome 3: ‘system users and legal aid applicant are aware of why we collect equalities information and can conveniently disclose this information’.

Improving equalities data collection will contribute to SLAB’s strategic objectives: ‘to advise Scottish Ministers on the strategic development of high quality legal assistance’ and ‘to be responsive to our customers, the justice system and developments in legal aid services’.

The project has developed a high level policy for gathering and using equalities information.

“SLAB’s policy for gathering and using equalities information is to ensure that timely, useful and accurate data supports our service delivery, decision-making and strategic development.

- a. Staff, solicitors and applicants are fully aware of why we gather information and how it will be used, as part of our transparent, impartial processes.
- b. The information gathered is proportionate, can be conveniently disclosed by applicants or system users.
- c. The information is kept securely and processed in line with our data protection policies.
- d. Information can be accessed and used by staff as appropriate to their roles.”

1.2 Why is the change required?



SLAB is committed to equality of opportunity and a culture that respects individuality. The publication of this report supports this commitment and forms a significant part of our duties as a public authority in Scotland under the Equality Act 2010 (Specific Duties) Regulations 2012.

As part of our [Equality Strategy](#), we committed to making sure that solicitors and applicants are aware of why we collect equalities information and can conveniently disclose this information.

In our April 2017 equalities report, we noted our strong history of data collection through research. In contrast, our data collection through LAOL and as part of our own direct service delivery is poor. Further, equalities data from applicants as part of the administration of legal aid is also limited.

The project therefore aims to develop options for improved capture and use of equalities data on both applicants and other system users.

1.3 Who is affected by this policy/ practice/ process/ service? *Be clear about who the ‘customer’ is.*

Legal aid applicants and other system users

1.4 Policy/ practice/ process/ service implementation date

Policy published internally in early 2019 with implementation of specific strands following.
28/01/2019

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

Linked projects in relation to this policy include the IS system development, the GALA project and customer services policy.



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? Stay focused on the topic and scope of your policy/ practice/ process/ service. Does the policy/ practice/ process/ service relate to an area where there are already known inequalities? Refer to the EqlA guidance for sources of evidence.

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

| 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/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3). |
|--------------------------|---|---|
| All characteristics | <ol style="list-style-type: none"> 1. Equality outcomes and mainstreaming report 2. Technical guidance on the Public Sector Equality Duty: Scotland | <p>The outcomes of SLAB's equality strategy 2017-20 are:</p> <ol style="list-style-type: none"> 1. Our diverse workforce is aware and understands equality and diversity and the impact of this in helping us manage and deliver our business. 2. Minority ethnic people and disabled people experience equal access to quality accessible services and information about legal aid. 3. System users and legal aid applicants are aware of why we collect equalities information and can conveniently disclose this information. (1) <p>Gathering applicants' data on equality information is important for SLAB to comply with these outcomes and to also fulfil their duties as a public authority in Scotland under the Equality Act 2010 Regulation. (2)</p> |

| | | |
|-------------------|---|---|
| | <p>3. Principle (c): Data minimisation</p> <p>4. Internal research on data collection and use</p> | <p>However, it's important to identify the type of data that is useful for SLAB to ensure its duties are fulfilled. Only that information should be gathered. (2) (3)</p> <p>In relation to direct disclosure of information about protected characteristics, as part of the application process SLAB only asks solicitors to request limited equalities information from applicants. The information gathered is not consistent across our online systems. (4)</p> <p>We found that the uses to which collected applicant equalities information are put to are unclear. Staff interviewed were not always sure what SLAB does with this sensitive information or why it needs to be gathered. (4)</p> |
| Age | <p>1. Internal review of equalities questions completion</p> <p>2. Internal research on data collection and use</p> | <p>Solicitors currently routinely submit data on the age and sex of the applicants. (1) (2)</p> |
| Disability | <p>1. Equality outcomes and mainstreaming report</p> <p>2. Internal review of equalities questions completion</p> | <p>Adjustments may need to be made for people with mental or physical disabilities to engage with SLAB's services or with solicitors legally aided services. (1) (3)</p> <p>A survey of applicants for civil legal aid during 2016/17 showed that 7% of the respondents stated that they had experienced difficulties in accessing legally aided services. The difficulties had been experienced due to a disability or a language barrier. (1)</p> |

| | | |
|------|---|--|
| | <p>3. Internal research on data collection and use</p> | <p>Response rates for direct disclosure of disability in the applications system is low. (2) (3) Information about an applicant's disability can be disclosed in support of their application for legal aid. (3)</p> |
| Race | <p>1. Equality outcomes and mainstreaming report</p> <p>2. Internal review of equalities questions completion</p> <p>3. Internal research on data collection and use</p> | <p>Language barriers for those whose first language is not English might present a challenge when applying for legal aid or otherwise interacting with SLAB or a person's solicitor. A translator or interpreter might be needed. (3)</p> <p>A survey of applicants for civil legal aid in 2016/17 showed that accessibility issues with respect to legally aided services had been experienced. Either due to a disability or language barriers. (1)</p> <p>Response rates for direct disclosure against ethnicity questions in SLAB's application system is low. (3)</p> |
| Sex | <p>1. Internal review of equalities questions completion</p> <p>2. Internal research on data collection and use</p> | <p>Solicitors currently routinely submit data about the sex of applicants. (1) (2)</p> <p>Information about the sex of applicants is gathered also in relation to civil finance assessments. (2)</p> |



| | | |
|---|---|---|
| Gender Reassignment | 1. Internal research on data collection and use | SLAB does not routinely seek to collect this information. Collecting this information could be of relevance if for example the change of name and gender affected a grant of legal aid. (1) |
| Sexual orientation | 1. Internal research on data collection and use | SLAB does not seek to routinely gather this information through its systems. (1) |
| Religion or Belief | 1. Internal research on data collection and use | SLAB does not seek to routinely gather this information through its systems. (1) |
| Pregnancy or maternity | 1. Internal research on data collection and use | SLAB seeks to gather this information only in relation to financial assessment for civil legal aid cases. (1) |
| Marriage or civil partnership | 1. Internal research on data collection and use | SLAB seeks to gather this information only in relation to financial assessment for civil legal aid cases. (1) |
| Care Experienced (<i>corporate parenting duty</i>) | 1. Internal research on data collection and use | SLAB seeks to gather this information directly in relation to children's legal aid cases. (1) |

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

We found out that equalities data directly requested from applicants and provided by solicitors on their behalf is very limited. The low response rate and little data gathering negatively impacts SLAB's evidence base, which supports equality impact assessments on policy change.



It is important for SLAB to gather equalities data/ information on its applicants and other system to be able to perform its service and engage in informed decision-making at both the operational and strategic level. Solicitors are the key conduit for SLAB gathering this information in most cases.

Therefore, it is crucial for SLAB to make applicants, solicitors and other system users aware of why data is collected and what it is used for. Improving equalities data gathering will also support SLAB's duty in advising Scottish Ministers on the strategic development of high quality legal assistance and be responsive to its customers, the justice system and developments in legal aid service.

2.3 Outcome of step 2 and next steps. Complete the table below to inform the next stage of the EqIA process.

| 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/ practice/ process/ service 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/ practice/ process/ service 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/ practice/ process/ service?

Yes

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

We consulted internal staff from across operational areas.

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

We have learnt that SLAB’s directly employed solicitors attempt to collect equalities data during the client contact process. We also found out that staff are not always sure what SLAB does with the collected information or why it’s gathered.



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:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- 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/ practice/ process/ service 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/ practice/ process/ service, as it is planned or as it operates, might have on each equality characteristic and describe what changes in policy/ practice/ process/ service or actions will be required to mitigate that impact. Copy any actions across to the project action log.

| All characteristics | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|------------------------------|-----------------------------------|-----------------|-----------|--|
| | Positive impact | Negative impact | No impact | |
| potential for discrimination | X | | | Gathering equalities information is relevant for SLAB's service delivery and decision-making process and directly disclosed information to support Equality Impact Assessments can assist with improving SLAB's services and legal aid at a strategic level. |

| | | | | |
|--|---|--|---|--|
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | X | | | <p>There may be a positive impact for solicitors and applicants.</p> <p>For strategic development, if system users and applicants better understand the importance of gathering data on equality groups and the positive impact it has on SLAB's policies and legal aid process they might be more willing to disclose any equalities related data. By gathering that data we can better address the needs of equality groups to improve the system and accessibility of the system.</p> <p>For service delivery, a clear policy on making adjustments will assist applicants and other service users to have their needs met, which should make it an easier and potentially less stressful process.</p> <p>For operational decision making, clear policy and guidance on how equalities information is taken into account should assist applicants and other system users to access the legal services and communication support needs they require.</p> |

| Age | Positive impact | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|------------------------------|-----------------|-----------------|-----------|---|
| | Positive impact | Negative impact | No impact | |
| potential for discrimination | X | | | Solicitors currently ask routinely for the age of the applicants, which means we have 100% of this data. Should maintain that |

| | | | | |
|--|---|--|---|--|
| | | | | if required following development of work on three strands (strategic development, service delivery, operational decisions). |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | X | | | Solicitors currently ask routinely for the age of the applicants, which means we have 100% of this data. Should maintain that if required following development of work on three strands (strategic development, service delivery, operational decisions). |

| Sex | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|--|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | X | | | Solicitors currently ask routinely for the sex of the applicants, which means we have 100% of this data. Should maintain that if required following development of work on three strands (strategic development, service delivery, operational decisions). |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | X | | | Solicitors currently ask routinely for the sex of the applicants, which means we have 100% of this data. Should maintain that if required following development of work on three strands (strategic development, service delivery, operational decisions). |

| Disability | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|--|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | X | | | Further work on data gathering against three strands (strategic development, service delivery, operational decisions) will identify where improvements can be made. |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | X | | | The response rate for disability is low, but applicant surveys suggest that individuals with protected characteristics experience issues with accessing legally aided services. By gathering data on individual's disability these accessibility issues could be targeted. |

| Gender Reassignment | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|------------------------------|-----------------------------------|------------------|-----------|--|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | X | | | Gathering data on gender reassignment or facilitating changes to recorded sex and name data could be of relevance when an individual already has legal aid granted to their previous name/identity. Further work on data gathering against three strands (strategic development, service delivery, operational decisions) will identify where changes could be made. |

| | | | | |
|--|--|--|---|--|
| potential for developing good relations | | | X | Evidence suggest no impact on this protected characteristic. |
| potential to advance equality of opportunity | | | X | Evidence suggest no impact on this protected characteristic. |

| Race | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|--|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | X | | | Evidence suggests SLAB aims to collect this data from applicants but response rates are low. Further work on data gathering against three strands (strategic development, service delivery, operational decisions) will identify where improvements can be made. |
| potential for developing good relations | | | X | Evidence suggest no negative impact on this protected characteristic |
| potential to advance equality of opportunity | X | | | <p>For those whose first language is not English, it might be more difficult to access and/or understand the service SLAB or solicitors provide. By gathering data on race, SLAB can see what the most common nationalities and languages spoken by applicants are.</p> <p>SLAB can then address this in a structured way. Further work on data gathering against three strands (strategic development, service delivery, operational decisions) will identify where improvements can be made.</p> |

| Religion or Belief | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|---|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | | | | Evidence suggests no impact on this protected characteristic |
| potential for developing good relations | | | | Evidence suggests no impact on this protected characteristic |
| potential to advance equality of opportunity | | | | Evidence suggests no impact on this protected characteristic |

| Sexual Orientation | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|---|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | | | X | Evidence suggests no impact on this protected characteristic |
| potential for developing good relations | | | X | Evidence suggests no impact on this protected characteristic |
| potential to advance equality of opportunity | | | X | Evidence suggests no impact on this protected characteristic |

| Pregnancy & Maternity | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|---|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | | | X | Evidence suggests no impact on this protected characteristic |
| potential for developing good relations | | | X | Evidence suggests no impact on this protected characteristic |
| potential to advance equality of opportunity | X | | | Evidence suggests SLAB aims to collect this data from applicants in relation to civil financial assessment. Further work on data gathering for operational decisions will identify where improvements can be made. |

| Marriage & Civil Partnership | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|---|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | | | X | Evidence suggests no impact on this protected characteristic |
| potential for developing good relations | | | X | Evidence suggests no impact on this protected characteristic |
| potential to advance equality of opportunity | | | X | Evidence suggests no impact on this protected characteristic |

| Care experienced young people | Place 'X' in the relevant box(es) | | | Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact. |
|--|-----------------------------------|------------------|-----------|--|
| | Positive impacts | Negative impacts | No impact | |
| potential for discrimination | | | X | Evidence suggests no impact on this protected characteristic |
| potential for developing good relations | | | X | Evidence suggests no impact on this protected characteristic |
| potential to advance equality of opportunity | X | | | Evidence suggests SLAB aims to collect this data from applicants in relation to children's legal aid cases only. Further work on data gathering against three strands (strategic development, service delivery, operational decisions) will identify where improvements can be made. |

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

The assessment indicates that SLAB should review why and how we gather information about applicants across the three strands (strategic development, service delivery, operational decisions) in order to better direct our efforts.

4.3 Having considered the potential or actual impacts of your policy/ practice/ process/ service 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/ practice/ process/ service |
| | No major change |

| | |
|---|--|
| | Your assessment demonstrates that the policy/ practice/ process/ service 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. |
| X | Adjust the policy/ practice/ process/ service 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/ practice/ process/ service when implemented. |
| | Continue the policy/ practice/ process/ service with adverse impact The policy/ practice/ process/ service 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. |
| | Stop and remove the policy/ practice/ process/ service The policy/ practice/ process/ service 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/ review and before you finalise the assessment. Relevant groups include, but are not limited to, a Project Board, Executive Team or Board members. EqlA should be on every project board agenda therefore only note dates where key decisions have been made (e.g. draft EqlA sign off, discussion about consultation response).

- 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.

February 2018 Project Board meeting: The project board agreed that there are three distinct areas where equalities information would be useful:



- Policy development
- Reasonable adjustments - ensuring we can deliver our service effectively
- Decision making - ensuring decisions are properly informed.

It was agreed that it's important not to increase but to improve our equalities data collection. The specification should clearly state what is meant by equalities data. The specification should also include a topic guide for solicitors.

It should be identified which kind of equalities data should be collected and how and where it can be securely stored.

March 2018 Project Board meeting: The next steps for equality outcome 3 work on data gathering were grouped into activities relating to service delivery, operational decision-making and policy development or strategic planning. The project board for the customer service delivery work has met and interviews with key staff will take place over the coming weeks. The aim of the interviews is to understand current requests for adjustments from applicants and how SLAB currently responds to these. A redevelopment of the applicant questions is getting underway with consideration of the kinds of purposes to which we might put the data collected. A paper on applicant questions will be provided to the ET within the next few weeks. It was agreed to look at the Equality Card and see if that fits with current good practice. It was also agreed to look at the data that was gathered in relation to the completion rates of the card and look into where the information is recorded, what use is it to SLAB and is it appropriate to ask.

April 2018 Equality Outcome 3 specification: The project will aim to clarify how and why SLAB collects equalities data, and to develop the options for delivery of improved capture of equalities data on applicants and system users to assist SLAB in managing and developing the legal aid system. We will explore whether we get sufficient data from the applicants' survey to help with policy development, which will in turn inform whether or not we need administrative data capture on all cases. We will also explore the extent to which we gather data about the solicitors who use the service.

May 2018 Project Board meeting: The project board agreed to formulate a policy statement that would define context for why we want to collect equality data and subsequently assist in guiding the system changes.



August 2018 Executive team meeting: Improving equalities data collection will contribute to SLAB's strategic objectives. The aim is to develop options for improved capture and use of equalities data on both applicants and system users. A policy statement outlines gathering and use of equalities data, as well as setting out the priority areas for change and recommended options. The Executive Team agreed on three main uses of equalities data: service delivery, operational decision-making, and policy development or strategic planning.

The Chief Executive signed off that SLAB's policy for gathering and using equalities information is to ensure that timely, useful and accurate data supports our service delivery, decision-making and strategic development.

- a. Staff, solicitors and applicants are fully aware of why we gather information and how it will be used, as part of our transparent, impartial processes
- b. The information gathered is proportionate, can be conveniently disclosed by applicants or system users
- c. The information is kept securely and processed in line with our data protection policies
- d. Information can be accessed and used by staff as appropriate to their roles.

Responsibility for gathering and using equalities data does not rest solely with the policy team. Whilst bespoke research work and the inclusion of demographic information in quantitative surveys can support the policy statement, a system to fully address the policy statement was agreed to comprise:

- a. Operational guidance on decision making
- b. Customer service guidance
- c. Systems which support the convenient gathering of and access to equalities data
- d. Systems which support the use of data for strategic development
- e. Additional development or training for staff performing activities where equalities data is used.

Existing and new projects were identified to take this work forward:

- Retrospective EqIA discussed with Equalities Project Group via correspondence during September 2021
- Retrospective EqIA submitted for Chief Executive approval on 15 October 2021.



Step 6 - Post-implementation actions and monitoring impact

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.

Data for strategic planning

- Make disability and ethnic origin questions in Legal Aid Online mandatory, whilst retaining a prefer not to say option. Reword questions to be in line with current good practice. Review why SLAB seeks to collect only some data.

Data for service delivery

- An agreed, written policy is necessary to better facilitate predictability and consistency for the profession and applicants in their interactions with SLAB around reasonable adjustments, whilst providing SLAB staff with greater clarity
- A customer service project will clarify when SLAB and its directly employed solicitor services will pay for adaptations and communication support needs
- Systems should be updated to allow for information directly relevant to service delivery to address and make adjustments to address communication support needs.

Data for operational decision-making

- Equality impact assessment as part of the Guidance on Administration of Legal Aid project (GALA) will aid consideration of how guidance should be updated to clarify in which ways information related to protected characteristics is used in our decision making.

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

| Measure | Lead department/ individual | Reporting (where/ frequency) |
|---|--|---|
| Implementation of GALA project | Director of Operations | GALA project board at each meeting |
| Implementation of customer service delivery project | Director of Strategic Development initially for policy | Project Board to be set up, reporting as required on progress to Executive Team |



| | | |
|---|---|---|
| | phase, then Director of Operations for implementation | |
| Implementation of applicant data gathering through Legal Aid Online | Director of Strategic Development | As required on progress to Executive Team |

6.2 EqlA review date.

01/10/2026

A lengthy review date is suggested as monitoring and review of the policy will only be possible once the three projects noted in section 6.1 have completed and are implemented.

Step 7 - Assessment sign off

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

25/11/2021