



# EQUALITY IMPACT ASSESSMENT (EqIA)

## Summary results of the EqIA

**Title of policy/practice/process/service:**

Customer Communication Support Services Policy.

**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):**

The new policy will provide prompts to our customers to let us know if they have any communication support needs.

This will assist us in fulfilling our Public Sector Equality Duty by improving the ability of customers to engage with our services and processes.

The key groups affected are people with disabilities and those from ethnic minority groups who do not speak or comprehend English well.

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

This assessment informed our development of policy to be as inclusive as possible, by offering to consider all communication support needs and not restricting these to a set range.

We also provide a public statement on our website and mention in all relevant communication channels the availability of adjustments for communication support needs, which evidence from this assessment suggested could foster good relations.

**Ongoing actions beyond implementation include:**

N/A.

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

Civil Finance Manager.

**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):**

05/10/2023

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<b>Document control:</b>		V0.2
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Project Policy Manager and Policy Officer (Equalities)	July 2022	First draft
Policy Officer (Equalities)	August 2023	Second draft for review
Director of Operations	September 2023	Approval and sign off
Chief Executive	October 2023	Approval and sign off

## Step 1 - Framing the planned change

*Discussing step 1 and step 2 with the 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.**

This policy sits under SLAB's general Customer Service Policy. The aim of this policy is to understand our customer's communication needs and identify how we can support them.

For this policy statement, we define SLAB's customers as clients of our direct services; applicants, assisted persons, opponents, family members (of both applicants and opponents), client representatives, and members of the public in general including complainants, subject access requesters (SAR) and Freedom of Information (FOI) requesters engaging with our administration of legal aid.

The primary focus of this policy is the ways in which we communicate with the customers outlined above, which includes letters, phone calls, emails, online messages via Legal Aid Online (LAOL), and other relevant communications which are tailored to each case.

Excluded from the scope of this policy will be general website information, for example, communications which are not specific to an individual case.

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

Internal research found that the equality data we were gathering about applicants through LAOL was not sufficiently detailed to be used to inform interactions with customers or to indicate any reasonable adjustments that might be required. Whilst there are cases where SLAB has adjusted when needs are specifically made known to us, we weren't proactively asking about support needs.

There have been historical discussions about who (SLAB or Solicitor Firm) should meet the cost of any reasonable adjustments or

communication support for an applicant (such as translation costs). The backdrop to this discussion is agreement that no person should have to pay for the cost of adjustments to deliver the service to them.

There is no clear policy statement on what principles should apply to help determine our response in each individual circumstance. 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 also providing SLAB staff with greater clarity on communication support services. Without this, there is a risk of inconsistency and continued disagreement with the profession.

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

Applicants, assisted persons, opponents, family members (of both applicants and opponents), client representatives, and members of the public in general including complainants, subject access requesters (SAR) and Freedom of Information (FOI) requesters engaging with our administration of legal aid.

**1.4 Policy/practice/process/service implementation date? *Project end date, date new legislation will take effect.***

05/10/2023

**1.5 What other SLAB policies or projects may be linked to or affected by changes to this policy/practice/process/service? *The EqIA for related policies might help you understand potential impacts, and/or your findings might be relevant to share.***

There are linked policies in relation to what will be paid from the Legal Aid Fund under the judicare regime, in terms of funding additional support, such as interpreters and translators or adjusting for assisted persons.

Other linked work includes improvements to template letters and other written correspondence with applicants, opponents and other interested parties in the case, as well as early stage work in relation to a telephone interpreting service which forms part of a [central government framework](#). A suite of [accessibility](#) and [language](#) options are available through SLAB’s website.

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

The information you gather in this section will:

- help you to understand the importance of your policy/practice/process/service 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.

### 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 EqIA guidance for sources of evidence.*

*Remember, this step in the EqIA process is NOT about the impact your policy has on equality groups and what we need to do to mitigate those. That assessment is done under Step 4.*

*Note: If you proceed to a full EqIA 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 (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? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
Age	<p>(1) <a href="#">Communication with older people who have diverse needs</a></p> <p>(2) <a href="#">Understanding the links between communication</a></p>	<p>Age, especially older age is often tied to disability. With increasing age, the likelihood of communication support needs increases. People may suffer from vision or hearing loss and therefore find it challenging to read information or engage in a conversation. (1)</p> <p>Speech and cognitive impairment may also interfere with a person's ability to effectively communicate. (1)</p>

Equality characteristics	Evidence source (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? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<a href="#">difficulties and mental health challenges</a>	There is a strong association between communication difficulties and mental health challenges. Research shows that 45% of young people referred for mental health services have communication difficulties. Many children and young people with one of the more severe forms of developmental language disorders suffer from mental health problems. Children and young people with mental health difficulties may have underlying speech, language and communication needs. (2)
<b>Disability</b>	<p>(1) <a href="#">What is a communication support need?</a></p> <p>(2) <a href="#">What are reading disorders?</a></p> <p>(3) <a href="#">How to care for someone with communication difficulties</a></p>	<p>Certain conditions may cause people to have communication support needs. Among these are cerebral palsy, autistic spectrum condition, developmental language disorder or delay, learning disability, certain genetic disorders, traumatic brain injury, neurological disorder or illness such as motor neurone disease (MND), stroke, dementia, and some cancers including head and neck. Some conditions may be present from birth, others may be acquired later through illness or accidents. (1)</p> <p>People may struggle to say words or sentences or find the correct words to use, and they may have some speech that is difficult to understand, or they are unable to produce speech. They may not understand words that are being used, or the instructions they hear. They may have difficulties knowing how and when to talk and listen to others. People might be affected to varying degrees. (1)</p> <p>Reading disorders, such as dyslexia, may make it difficult for people to read and understand texts of information. Dyslexia is the most well-known reading disorder but there are others, such as alexia (losing the ability to read after a stroke or injury to the brain), hyperlexia (advanced reading skills, but problems with understanding when read/spoken aloud). (2)</p> <p>Sign language/British Sign Language (BSL) is the language used by deaf people in the UK. Sign language is a way of communicating visually, using hand gestures, facial expressions, lip patterns, finger spelling and body language. There are hundreds of</p>

Equality characteristics	Evidence source (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? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		different types of sign language across the world. Besides sign language, deaf/deafblind people may use sign supported English, tactile signing or Makaton, which are different methods/ways of signing and therefore communication. (3)
Race	(1) <a href="#">Scotland Language</a>	English is the main language spoken in Scotland, but there are over 170 languages spoken in Scotland today. These include Arabic, Bengali, Cantonese, Dutch, Farsi, French, German, Hebrew, Hindi, Italian, Japanese, Kurdish, Makaton, Mandarin, Punjabi, Polish, Spanish, Turkish, and Urdu. (1)
Sex	N/A	No evidence was found that indicated people had any communication needs based on the fact they are either a woman or a man.
Gender Reassignment	(1) <a href="#">Our mental health and wellbeing - transactual</a>	No specific evidence was found that indicated people with a trans history had any communication needs because they have a trans history. However, evidence indicated that trans people are disproportionately affected by mental health difficulties which can cause communication support needs. (1)
Sexual orientation	N/A	No evidence was found that indicated people had any communication needs based on their sexual orientation.
Religion or Belief	(1) <a href="#">Religion, Scottish Census</a>	According to the Scottish Census Questions 2011, 36.7% of people indicated they had no religion. 32.4% identified with the Church of Scotland, 1.4% of people identified as Muslim, Buddhists or Hindus, and Sikhs made up 0.7% of the Scottish population. The number of Jewish people stayed just under 6000. (1)
Pregnancy or maternity	N/A	No evidence was found that indicated people had any communication needs based on the fact they are pregnant or a parent.
Marriage/civil partnership	N/A	This protected characteristic is only relevant in terms of employment law.
Care Experienced	(1) <a href="#">SLAB - Corporate parenting literature</a>	No evidence was found that indicated that people had any communication needs based on the fact they have been in care. Being care experienced is linked to higher levels of

Equality characteristics	Evidence source (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? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
<i>(corporate parenting duty)</i>		mental ill health and poorer educational outcomes, as well as a greater likelihood of being involved in the criminal justice system or experiencing homelessness.

**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.**

Communication support needs are classified as needs in relation to reading, understanding, and speaking. The policy may be of relevance to all protected characteristics, but specifically to age, race, and disability. According to the evidence we found, different equality groups may have varying needs for communication support. For example, people may speak and comprehend a different language other than English and therefore require information to be translated, others might be visually impaired and may require information to be provided in a different format other than a letter or email. Therefore, it's important to be aware of the varying communication support needs people may have and to be able to provide information in different languages, formats or communication channels.

**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		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		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?**

No.

The key evidence gap is in the volume and type of requests that our customer base will generate. The only way to fill that gap will be to implement the policy, possibly in a phased or piloted approach. Pre-implementation and external data gathered for the development of the policy combined with internal knowledge of past issues and an understanding of current practice is considered the best way to proceed.

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

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.**

The internal interviews and focus group demonstrated that a defined policy was required to ensure consistency of approach and a framework was needed for developing clear processes and procedures.

## 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 the policy/practice/process/service might have on each equality characteristic, as it is planned or as it operates, 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.

Age	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) 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.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			Age, especially older age, may be tied to certain disabilities. With increasing age, the likelihood of communication support needs increases. We can offer a range of communication support to ensure we meet people's needs. For example, we can provide information through different communication channels, such as phone, letter, or email, and in different formats, font sizes and colours.

potential for developing good relations	X			A public statement about the availability of adjustments and promotion of the policy could develop good relations between staff and customers, with communication support needs from across age ranges.
potential to advance equality of opportunity	X			A more consistent and transparent approach should help more people with communication support needs to access SLAB's services.

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, 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.

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, 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			Certain conditions may cause people to have communication needs. We can offer a range of communication support to ensure we meet people's needs. For example, we can provide information through different communication channels, such as phone, letter, or email, and in different formats, font sizes and colours.

potential for developing good relations	X			A public statement about the availability of adjustments and promotion of the policy could develop good relations between staff and customers with disabilities.
potential to advance equality of opportunity	X			A more consistent and transparent approach should help more people with communication support needs due to a disability or a limiting condition to access SLAB's services.

Gender reassignment	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) 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.
	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.

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, 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			English is the main language spoken in Scotland, however, there are over 170 languages spoken in Scotland today. By offering a translation and interpretation service for our main communication channels we can ensure we effectively communicate with our customers and meet their communication support needs.

potential for developing good relations	X			A public statement about the availability of adjustments and promotion of the policy could develop good relations between staff and customers from different backgrounds where language is a barrier.
potential to advance equality of opportunity	X			A more consistent and transparent approach should help more people with communication support needs due to their language skills to access SLAB's services.

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, 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.

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, 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.
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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, 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.

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, 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	This protected characteristic is only relevant in terms of employment law.
potential for developing good relations			X	This protected characteristic is only relevant in terms of employment law.
potential to advance equality of opportunity			X	This protected characteristic is only relevant in terms of employment law.

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, 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.

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

N/A

**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
X	<b>No major change</b> 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.

	<p><b>Adjust the policy/practice/process/service</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/practice/process/service when implemented.</p>
	<p><b>Continue the policy/practice/process/service with adverse impact</b>  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.</p>
	<p><b>Stop and remove the policy/practice/process/service</b>  The policy/practice/process/service will not be implemented due to adverse effects that are not justified and cannot be mitigated.</p>

## 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. EqIA should be on every project board agenda therefore only note dates where key decisions have been made (for example draft EqIA 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.

A project board was set up to discuss and progress the development of the project/policy. A pilot was launched to test our new process for customer communication support services. The pilot has been successful, and we are now working on implementing the policy.

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

*There may be further actions or changes planned after the policy/practice/process/service is implemented and this assessment is signed off. It is important to continue to monitor the impact of your policy/practice/process/service 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.*

After the policy has been implemented, the Team Leader of Civil Finance and the Research team are going to develop and send out a survey to ask clients for feedback on our service. This is planned for January 2024. This will help us identify whether there are any gaps or room for improvement.

**6.2 Note here how you intend to monitor the impact of this policy/practice/process/service 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,
- identify where the measure will be reported to ensure any issues can be acted on as appropriate.

Measure	Lead department/ individual	Reporting (where/ frequency)
We aim to collect cases where we've provided communication support. This will help us to get a better understanding of how many cases with communication support we deal with on average, what the support needs are, and how much they cost.	Team Leader Civil Finance and Paralegal Civil and Children's Legal Assistance	Every 6 months

**6.3 EqlA review date.**

*This EqlA 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 policy/practice/process/service implementation date.*

05/10/2026

## Step 7 - Assessment sign off and approval

*Once final consultation has been undertaken with Corporate Policy Officer (Equalities), all equality impact assessments must be signed off by the relevant Director or Senior Responsible Owner (SRO), even where an EqIA is not required. The Chief Executive must approve all equality impact assessments. Note the relevant dates here:*

**Director/SRO sign off:** 18/09/2023

**Chief Executive approval:** 03/10/2023

*All full equality impact assessments must be published on SLAB's website as early as possible after the decision is made to implement the policy, practice, process or service.*