EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/practice/process/service:
Vulnerable Customer 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 policy is a high-level statement of our approach to how we will deal with customers who are in vulnerable circumstances and are supported by a number of specific policies and duties that have been subject to separate equalities impact assessments.

Summary of actions taken because of this assessment:
Existing supporting policies will have an explicit link to the Vulnerable Customer Policy

Ongoing actions beyond implementation include:
The supporting policies will be reviewed if the implementation of the principles of the Vulnerable Customer Policy flags any operations issues that might require change. We are also developing guidance to assist staff within Operations when dealing with customers who are in vulnerable circumstances.

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):
09/08/2024

Document control	
Document control:	V0.2
Date policy live from:	TBC
Review cycle:	3 years

Document change log		
Version/Author	**Date**	**Comment**
Civil Finance Manager	February 2024	First Draft for review by Policy Officer (Equalities)
Policy Officer (Equalities)	February 2024	Second draft for review by Civil Finance Manager
Policy Officer (Equalities)	February 2024	Third draft for review by Civil Finance Manager and SRO
Policy Officer (Equalities), Civil Finance Manager	May 2024	Final approval and sign off by CE

Step 1 – Framing the planned change

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

The aim of the policy is to set out what our customers can expect from us when we are aware of their vulnerabilities.

This policy supports our Corporate Values and one of our Strategic Objectives:

- Objective 1 –High Quality Administration. Our timely, clear and consistent decisions on legal aid applications and accounts deliver a positive customer experience.

Fully implemented, a vulnerable customer policy should also supports many of our principles:

- Our services are designed with our customers' needs in mind
- We promote equality, diversity and sustainability in our work
- We seek continuous improvement in our work

1.1 Why is the change required?

We are a public body and strive to ensure that we treat all customers fairly and respectfully, with equality and diversity in the heart of everything we do. Where any of our customers have told us that they are in vulnerable circumstances we will ensure that we assist where we can, to support them and to provide a customer focused quality service.

1.2 Who is affected by this policy/practice/process/service?

Our Vulnerable Customer Policy reflects our commitment to providing an excellent level of service to the people we deal with, whether they are solicitors, applicants, opponents, suppliers or members of the public: our customers. A policy should facilitate predictability and consistency for people in their interactions with SLAB whilst providing SLAB staff with greater clarity on what they need to do and what they can expect from those they interact with who are in vulnerable circumstances.

1.3 Policy/practice/process/service implementation date?

09/08/2024

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

The policy is a set of high-level statements of general expectations of service delivery and is supported by a number of specific policies and duties that have been subject to separate equalities impact assessments.

Specific supporting policies are the Customer Services Policy, Complaints Handling Procedure, Customer Communication Support Service and the Unacceptable Behaviour Policy.

Our public sector equalities duties (PSED) and associated policies on communications are linked.

Other linked work includes improvements to template letters and other written correspondence with assisted persons/ applicants, opponents and other interested parties in the case, as well as early-stage work in relation to an 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

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

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?
General	EqIA's for complaints policy, unacceptable behaviour policy	The supporting policies and duties that sit under the umbrella of the charter have identified a number of issues and have been developed to take account of those. These policies and practices – and any subsequent ones developed as part of departmental implementation of the elements of the charter – either have or will have equalities impact assessments

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?
Age	EqIA: Unacceptable Behaviour Policy A framework for understanding old-age vulnerabilities Older Persons in Vulnerable Situations	Older people can be at greater risk of exposure to some vulnerabilities such as cognitive impairment or frailty. People reaching their sixties are at risk of reduced income, and this might precipitate poverty for some. This can create distress for customers. Main vulnerabilities in old age are: lack of care, poverty, exclusion from participation in society, homelessness, loss of autonomy and dependence, lack of social contacts and loneliness. Older people are more likely to experience bereavement and the loss of a spouse, which can create vulnerabilities. Due to their age, older people are also more likely to have a long-term illness or a disability. Older people are also more likely to depend on other people such as carers or family members, which can make them more vulnerable to abuse.
Disability	EqIA: Unacceptable Behaviour Policy UK Disability Statistics: Prevalence and life experiences Disability and domestic abuse Scot NHS, Cognitive Problems	Cognitive impairments can affect a person's attention, information processing and memory. This can have a major impact on the person's life and affect their ability to engage in social interactions and make sound judgements. Disabled people are more likely to be victims of domestic abuse. Disabled women are twice more likely to experience domestic abuse than non-disabled women. This abuse can also take the form of financial abuse, with the perpetrator taking control of the victim's finances.

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?
	Risks to Mental Health: An Overview of Vulnerabilities and Risk Factors	Poor mental health can impact on people's everyday life, relationships, employment, poverty status. It is estimated than 1 in four adults and one in 10 children experience mental illness. Mental illness can make life challenging and particularly stressful, which can increase people's vulnerability level as well as the way they process information and react to it.
Race	Statistics on languages in Scotland People whose first language is not English: learning from case reviews	The main intersection between race and communication support needs is in English language comprehension and potential requirements for translation or interpreting services. The proportion of Scotland's population aged 3 and over who could speak, read and write English was 94%. This proportion was lowest for those born in the EU Accession countries (75%) or in the Middle East and Asia (89%)." People with difficulties understanding or speaking English are more likely to rely on a third party to translate for them. This can create an imbalance of power between the person speaking and understanding English and the person relying on them for support. This also creates a lack of confidentiality, which reduces the chances of abuse of issues being disclosed.
Sex		The evidence for other protected characteristics does not highlight any impact of these characteristics in themselves on their level of vulnerability.
Gender Reassignment	Trans Mental Health 2012 Vulnerability and psychosocial risk factors regarding	Trans* people are more likely to have conditions making them vulnerable: - HIV - Higher rates of depression - Higher rates of suicide and suicide ideation

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?
	people who identify as transgender. A systematic review of the research-evidence.	This can affect how they communicate and the level of distress they express when faced with a difficult situation.
Sexual orientation	LGBT in Britain – Health Report	Sexual orientation is linked to higher levels of mental ill health
Religion or Belief		The evidence for other protected characteristics does not highlight any impact of these characteristics in themselves on their level of vulnerability.
Pregnancy or maternity	Women's vulnerability within the childbearing continuum: a scoping review Pregnancy and complex social factors: a model for service provision for pregnant women with complex social factors	Pregnancy is a life-altering experience which can create or enhance the pregnant person's vulnerability. Pregnant people can be more vulnerable due to the psychological and physiological disruptions that accompany pregnancy and hospitalisation, leading to increased anxiety and stress. These changes can include: sickness, mood swings, increased levels of stress due to the new responsibilities creates by pregnancy. 1 in 5 women have mental health problems in pregnancy or after birth, with depression and anxiety being the most common mental health issues faced by pregnant women. Domestic violence may start or escalate during pregnancy: for almost 30% of women who experience domestic abuse, the first incident occurs in pregnancy. As women can rely on their partner, this increases their dependency and their vulnerability, especially for women who have difficulties reading or speaking English.

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?
	WHO Multi-Country Study on Women's Health and Domestic Violence Against Women Mental Health in Pregnancy	
Marriage/civil partnership		N/A
Care Experienced *(corporate parenting duty)*	Outcomes for care experiences children and young people	Care experienced young people have higher rates of mental ill health, lower educational achievements, and higher rates of homelessness than children who are not care experienced. They are also more likely to experience homelessness and are more vulnerable to offending behaviour.

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.

The policy is of relevance to all protected characteristics and care experienced people. It will facilitate predictability and consistency for people in their interactions with SLAB whilst providing SLAB staff with greater clarity on what they need to do and what they can expect from those they interact with. The policy itself as a set of "umbrella" principles will have an overall positive impact.

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

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

Yes (Internal stakeholder engagement)

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

The Director of Operations, key managers and staff within Operations, Policy Officer (Equalities) and the Executive Team.

3.3 What did you learn from the consultation/involvement?

Consultees were supportive and looking forward for guidance on this area.

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

- **Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010?**
- **Is there potential to advance equality of opportunity between people who share a characteristic and those who do not?**
- **Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not?**

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

Age	**Place 'X' in the relevant box(es)**			**Describe the changes or actions (if any) you plan to take.**
	Positive impacts	**Negative impacts**	**No impact**	
potential for discrimination	X			We've identified evidence that older people are more likely to suffer from long-term illness, disabilities and other circumstances that link to vulnerabilities. By clearly setting out our service provision by the means of the policy and guidance, we raise awareness and understanding about the range of needs people in vulnerable circumstances may have. The policy allows for flexibility to adapt our service provision to the needs of our customers, which helps us prevent from potential discrimination against equality groups.
potential for developing good relations	X			The development and publication of this policy, as well as the guidance for staff will raise awareness and understanding of vulnerabilities and the range of needs people in these circumstances may have. The policy and

				guidance clearly set out and provide suggestions on how staff may be able to best support clients in vulnerable circumstances.
potential to advance equality of opportunity	X			The policy and EqIA helped us to identify vulnerabilities people from equality groups may encounter. This helped us design and shape our decision making and how we work with clients to ensure we remove any disadvantages or barriers people may experience with our service delivery.

Sex	**Place 'X' in the relevant box(es)**			**Describe the changes or actions (if any) you plan to take.**
	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.**
	Positive impacts	**Negative impacts**	**No impact**	
potential for discrimination	X			We've identified evidence that people with a disability are more likely to suffer from mental ill health, domestic abuse and other circumstances that link to vulnerabilities. By clearly setting out our service provision by

				the means of the policy and guidance, we raise awareness and understanding about the range of needs people in vulnerable circumstances may have. The policy allows for flexibility to adapt our service provision to the needs of our customers, which helps us prevent from potential discrimination against equality groups. As part of this policy development process, we have gathered evidence about the range of needs people in vulnerable circumstances may have to support them as best as possible. Having carried out this EqIA helped shape our policy and guidance and ensure we aren't treating people differently/negatively due to their needs.
potential for developing good relations	X			The development and publication of this policy, as well as the guidance for staff will raise awareness and understanding of vulnerabilities and the range of needs people in these circumstances may have. The policy and guidance clearly set out and provide suggestions on how staff may be able to best support clients in vulnerable circumstances.
potential to advance equality of opportunity	X			We seek to recognise customers in vulnerable situations and adapt our service provision to their needs. We want to proactively support them and remove any barriers to improve access to our service. The intention of this policy is to support us with this approach.

Gender reassignment	**Place 'X' in the relevant box(es)**			**Describe the changes or actions (if any) you plan to take.**
	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.**
	Positive impacts	**Negative impacts**	**No impact**	
potential for discrimination	X			We've identified evidence that people whose first language is not English might be more vulnerable as they rely on a third party to help them through the legal aid process. By clearly setting out our service provision by the means of the policy and guidance, we raise awareness and understanding about the range of needs people in vulnerable circumstances may have. The policy allows for flexibility to adapt our service provision to the needs of our customers, which helps us prevent from potential discrimination against equality groups.
potential for developing good relations	X			The development and publication of this policy, as well as the guidance for staff will raise awareness and understanding of vulnerabilities and the range of needs people in these circumstances may have. The policy and guidance clearly set out and provide suggestions on how staff may be able to best support clients in vulnerable circumstances.
potential to advance equality of opportunity	X			The policy and EqIA helped us identifying vulnerabilities people from equality groups may encounter. We've designed and shaped our decision making and how we work with clients to ensure we remove any disadvantages or barriers people may experience with our service delivery.

Religion or Belief	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	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.
	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 and Maternity	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	Negative impacts	No impact	

potential for discrimination	X			We've identified evidence that pregnancy links to vulnerabilities. By clearly setting out our service provision by the means of the policy and guidance, we raise awareness and understanding about the range of needs people in vulnerable circumstances may have. The policy allows for flexibility to adapt our service provision to the needs of our customers, which helps us prevent from potential discrimination against equality groups.
potential for developing good relations	X			The development and publication of this policy, as well as the guidance for staff will raise awareness and understanding of vulnerabilities and the range of needs people in these circumstances may have. The policy and guidance clearly set out and provide suggestions on how staff may be able to best support clients in vulnerable circumstances.
potential to advance equality of opportunity	X			The policy and EqIA helped us identifying vulnerabilities people from equality groups may encounter. We've designed and shaped our decision making and how we work with clients to ensure we remove any disadvantages or barriers people may experience with our service delivery.

Marriage & Civil Partnership	**Place 'X' in the relevant box(es)**			**Describe the changes or actions (if any) you plan to take.**
	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.**
	Positive impacts	**Negative impacts**	**No impact**	
potential for discrimination	X			We've identified evidence that care experienced people have higher rates of mental ill health and a higher risk of homelessness, which links to vulnerabilities. By clearly setting out our service provision by the means of the policy and guidance, we raise awareness and understanding about the range of needs people in vulnerable circumstances may have. The policy allows for flexibility to adapt our service provision to the needs of our customers, which helps us prevent from potential discrimination against equality groups.
potential for developing good relations	X			The development and publication of this policy, as well as the guidance for staff will raise awareness and understanding of vulnerabilities and the range of needs people in these circumstances may have. The policy and guidance clearly set out and provide suggestions on how staff may be able to best support clients in vulnerable circumstances.
potential to advance equality of opportunity	X			The policy and EqIA helped us to identify vulnerabilities people from equality groups may encounter. This helped us design and shape our decision making and how we work with clients to ensure we remove any disadvantages or barriers people may experience with our service delivery.

The Vulnerable Customer Policy and the Guidance recognise that different groups may face different vulnerabilities and circumstances. The policy sets out what our customers can expect from us when staff are made aware of their vulnerable circumstances, and the guidance will help staff to navigate conversations where a vulnerability is disclosed.

Different teams might need to adapt the guidance depending on the customers they are more likely to interact with. This will help cater to customers' and teams' needs. The TEXAS Approach outlined in the Guidance will allow staff to respond to customers in an appropriate manner and will help them build trust and understanding with customers in vulnerable circumstances.

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.

Please select (X)	Implications for the policy/practice/process/service
X	**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.
	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

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

This has been discussed at the Operations Managers meetings in December 23 & January 24. The policy has been reviewed by the various managers and they have all had the opportunity to suggest changes. It is thought that given the different customer groups the policies may be adapted slightly to best fit each different team.

Step 6 – Post-implementation actions and monitoring impact

6.1 Record any ongoing actions below.

N/A

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

Measure	Lead department/ individual	Reporting (where/ frequency)
Team Survey to assess how the guidance is being used and if there are any obvious gaps	Cindy Morrice	12 months after Guidance publication

6.3 EqIA review date.

09/08/2027

Step 7 – Assessment sign off and approval

Director/SRO sign off: 25/04/2024
Chief Executive approval: 02/05/2024