1. **About this guidance**

This guidance has been developed to support the Equality Impact Assessment (EIA) of activities and proposals in relation to the University’s safe return to campus. It complements the existing generic [guidance on EIAs](https://www.gcu.ac.uk/equality/equalityanddiversitytoolsandresources/equalityimpactassessments/).

1. **Implications for ‘safe return to campus’**

The Equality Act 2010 requires the University to undertake EIAs to demonstrate ‘due regard’ to eliminating discrimination, advancing equality of opportunity and fostering good relations.

In practice, this means that key University policies, strategies and decisions, including those related to safe return to campus, must be equality impact assessed for their impact on people with different protected characteristics[[1]](#footnote-1).

There is overwhelming [evidence](https://www.gov.scot/publications/equality-fairer-scotland-impact-assessment-evidence-gathered-scotlands-route-map-through-out-crisis/pages/4/) that shows the different and disproportionate impact that Covid-19 – and measures to tackle it – is having on people with protected characteristics under the Equality Act. Therefore, the University’s response to Covid-19, including the planning for the safe return of staff to campus, must take into account these unequal impacts. This EIA process focuses on staff and in re-establishing our business as usual activities we must ensure that we identify any potential inequalities and put in place mitigating actions. To put this into wider context of safe return to campus, the EIA considers the overall potential risk to equality for a team or department, while the Health Questionnaire provides an individual assessment based on specific information and factors relating to that individual.

Completed EIAs are published regularly on the [Safe Return to Campus Sharepoint site](https://www.connected.gcu.ac.uk/sites/SafeReturntoCampus), under the University Risk Assessments section.

1. **Roles and responsibilities**

Senior managers proposing the work activity and return of staff to campus are responsible for ensuring that an EIA for that essential work activity is carried out in parallel with the risk assessment process. The process will be supported by

advice and guidance from the [Equality and Diversity Advisor](mailto:A.Lui@gcu.ac.uk), so please make contact as soon as you embark on this process.

The EIA should be recorded on the University [EIA form](https://www.gcu.ac.uk/equality/equalityanddiversitytoolsandresources/equalityimpactassessments/) and detail potential positive or negative impacts on equality or people with protected characteristics and outline any mitigating actions. The form should be signed off by the senior manager and Equality and Diversity Advisor when completed. The form should then be given final approval by the Dean/Director.

1. **Key considerations for work activity EIAs**

The two following considerations should be central to the work activity EIA:

1. The work activity EIA should be consistent with the University level EIA of the University’s Overarching Covid-19 Risk Assessment (see Appendix 1). The University level EIA covers all GCU functions, so it is expected that work activity EIAs align with this. However, there may be specific equality issues and risks associated with a particular area that are not covered explicitly by the University level EIA (e.g. laboratory work, placements).
2. The University level EIA includes staff data relating to the protected characteristics of disability, race and sex, taken from the [Public Sector Equality Duty Report 2019](https://www.gcu.ac.uk/media/gcalwebv2/equality/GCU%20Public%20Sector%20Equality%20Duty%20Report%202019.pdf#page=57). These are the most relevant protected characteristics to consider as others such as sexual orientation and marriage and civil partnership do not feature prominently in reports on increased Covid-19 risk.

Work activity EIAs should include data relevant to that specific team/department to provide local context and analysis of potential risk and impact. Contact [workforcesystems@gcu.ac.uk](mailto:workforcesystems@gcu.ac.uk) to request this data. Where the proposal involves a small number of staff (fewer than 10) that data is not required as it could result in individuals being identified. Instead, the profile of staff should be described in general terms in the narrative. As the EIA is primarily focused on staff, student data is not required.

Additionally, EIAs should be further informed by the following resources:

1. [Coronavirus (COVID-19): evidence gathered for Scotland's route map - equality and Fairer Scotland impact assessment](https://www.gov.scot/publications/equality-fairer-scotland-impact-assessment-evidence-gathered-scotlands-route-map-through-out-crisis/): this Scottish Government

document provides Scotland specific contextual information on the Covid-19 related risks faced by people with different protected characteristics.

1. [Coronavirus (COVID-19) guidance for employers](https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers): this Equality and Human Rights Commission (EHRC) guidance outlines considerations related to our legal obligations to ensure the decisions made in response to Covid-19 do not directly or indirectly discriminate against employees with protected characteristics. The EHRC has additional guidance on [pregnancy and maternity](https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers-your-duties-pregnancy-and-maternity) and [reasonable adjustments](https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers-reasonable-adjustments-employees) in the context of Covid-19.
2. [Coronavirus (COVID-19): guidance for universities](https://www.gov.scot/publications/coronavirus-covid-19-guidance-for-universities/pages/equity-in-the-workplace/): this Scottish Government guidance outlines some general principles around equity in the workplace.
3. [Principles and Considerations: Emerging From Lockdown](https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2020/principles-and-considerations-emerging-from-lockdown-june-2020.pdf): this Universities UK document outline principles and areas to consider in relation to emerging from lockdown safely. Principle Four covers aspects related to welfare and mental health and wider equality, diversity and inclusion considerations.

**Appendix 1: University level EIA of the University’s Overarching Covid-19 Risk Assessment**

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| **1. DESCRIBE** |
| 1.1. Name of policy/strategy/decision |
| GCU Covid-19 2020 Risk Assessment |
| 1.2. Owner |
| Health, Safety and Wellbeing Committee |
| 1.3. Date |
| 09.07.20 |
| 1.4. Aims of policy/strategy/decision |
| The GCU Covid-19 2020 Risk Assessment describes the hazards (i.e. risks) and potential consequences of plans under the heading of ‘A Safe Return to Work’, and details the control measures and further actions that will be put in place to mitigate these risks.  The control measures and further actions that are taken to mitigate the risk of Covid-19 infections could have a negative impact on staff with protected characteristics. This equality impact assessment considers whether the mitigating actions in the risk assessment are consistent with the principles of the Equality Act 2010 and whether they could have a negative impact on staff.  This equality impact assessment takes into account guidance related to Covid-19/safe return to workplaces from the [Scottish Government](https://www.gov.scot/publications/coronavirus-covid-19-guidance-for-universities/pages/equity-in-the-workplace/), the [Equality and Human Rights Commission](https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers) and [Universities UK](https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2020/principles-and-considerations-emerging-from-lockdown-june-2020.pdf). |
| 1.5. Who does the policy/strategy/decision affect? |
| GCU staff. |
| 1.6. Could there be any potential implications for equality, or people with protected characteristics? |
| The GCU Covid-19 2020 Risk Assessment describes measures that aim to mitigate against risks in relation to Covid-19 in supporting staff to return to campus. However, the return of staff could potentially have both negative and positive implications for equality and people with protected characteristics.  **Disability**  It is recognised that Covid-19 disproportionately impacts [people with underlying health conditions.](https://www.nhs.uk/conditions/coronavirus-covid-19/people-at-higher-risk/whos-at-higher-risk-from-coronavirus/) Under ‘Individual Risk Factors’, extremely vulnerable and vulnerable staff with health conditions that fall under Government definitions as very high and high risk are likely to fall under the protected characteristic of disability. Although the percentage of GCU staff declaring a disability is relatively low (4.7%), there may be staff who have not formally disclosed a disability.  Staff who have declared a disability are mainly concentrated in Professional and Administrative Support (46.1%) and Academic, Research, Enterprise (36.8%) roles. There are smaller proportions of staff with disabilities in Campus Services (11.8%), and Technical Services (5.3%) roles. Regardless of role and function, the University must ensure that staff with a disability are supported during the return to campus process. Not considering a disability may have a negative impact as it could result in exacerbating a condition or in sickness absence.  Under ‘Work Environment’, the plans to limit entry and exit points could potentially disadvantage staff with a mobility impairment, particularly if normally accessible entry and exit points are ‘one-way’ or are closed. Similarly, staff with a mobility impairment may be negatively impacted where measures to implement social distancing such as one-way routes and barriers prevent normally accessible routes being used.  The use of face coverings may have a negative impact on staff with a hearing impairment if they rely on lip reading to aid communication.  The option of car travel for staff should not have a negative impact on staff ~~with~~ who have a Blue Badge or require disabled parking as disabled parking spaces are clearly marked out around campus.  The ‘Staff Wellbeing’ control measures support all staff in principle but could have a particularly positive benefit for staff with poor mental health (covered as a disability under the Equality Act).  **Race**  Although the proportion of GCU staff from a Black, Asian and Minority Ethnic (BAME) background is relatively low (6.6%), the University must take into account the evidence that shows Covid-19 disproportionately impacts certain groups, for example, people from [particular ethnic backgrounds](https://www.ifs.org.uk/publications/14827). BAME people have higher rates of certain [underlying health conditions](https://www.bhf.org.uk/informationsupport/heart-matters-magazine/news/behind-the-headlines/coronavirus/coronavirus-and-bame-patients) which can increase the risk of health effects of Covid-19. BAME people tend to be employed in lower paid work, and in occupations where social distancing is harder to maintain and have unequal access to healthcare.  Furthermore, BAME staff may be exposed to safety risks in a wider sense by returning to campus – racial harassment and hate crime are still a reality for BAME people, with [evidence of racialised and xenophobic behaviours](https://www.timeshighereducation.com/news/coronavirus-sparks-rising-tide-ofxenophobia-worldwide) triggered by the pandemic.  The majority of BAME staff at GCU are in Academic, Research and Enterprise roles (67.3%). Nearly a third are in Professional and Administrative roles (28.2%). Regardless of role and function, the University must ensure that BAME staff are supported during the return to campus process across all the aspects covered by the Covid-19 2020 Risk Assessment.  **Pregnant women**  It is recognised that Covid-19 disproportionately impacts certain groups, including  [pregnant women](https://www.nhs.uk/conditions/coronavirus-covid-19/people-at-higher-risk/whos-at-higher-risk-from-coronavirus/). GCU on average has between 20 and 30 women on maternity leave per year, with a similar number of staff returning from maternity leave during each year. The University must ensure that pregnant women are supported during the return to campus process across all the aspects covered by the Covid-19 2020 Risk Assessment. Staff on maternity leave should be kept up to date on developments.  **Mitigating negative impact**  These potential negative impacts should be mitigated through the completion of a Health Questionnaire, which all staff are required to complete prior to any return to campus. The questionnaire has been designed to assess a number of factors that will assess an individual’s vulnerability to Covid-19 by confirming their Covid-age and a vulnerability level against this. Covid-age summarises vulnerability for combinations of risk factors including age, sex and ethnicity, and various health problems. It works by “translating” the risk associated with each risk factor into years which are added to (or subtracted from) an individual’s actual age. This then gives a single overall measure of vulnerability. This questionnaire can be used for staff who have no underlying medical conditions or multiple medical conditions.  Staff who have a Low/Moderate vulnerability rating are not required to undertake any further health assessment and will be deemed fit to return to campus. Staff in the High/Very High Covid-age rating or are in a shielding/vulnerable category or pregnant will require an Occupational Health referral assessment, via a telephone consultation.    This individualised approach to mitigating the risks and negative impacts is a positive and proportionate approach to avoiding direct and indirect discrimination, and avoids making blanket assumptions about staff because of disability, race or sex.  Other mitigating actions include ensuring that line managers utilise the upcoming ‘Understanding individual circumstances in preparation for a return to campus working’ guidance produced by People Services so that they have open, supportive and sensitive conversations to build a more specific understanding of individual circumstances that may need to be considered as part of any return to campus.  Additionally, staff with protected characteristics should be made aware of internal and external support services and mechanisms. For example, being made aware of advice and support from People Services Casework and the Employee Assistance Programme, or following [guidance from Action on Hearing Loss](https://actiononhearingloss.org.uk/coronavirus-response/communication-tips-for-the-general-public/) to facilitate inclusive communications. |

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| **2. ASSESS** |
| What are the implications, positive or negative (and evidence for this) of the policy/strategy/decision in relation to GCU’s duty to have due regard to the need to: |
| 2.1. Eliminate unlawful discrimination, harassment and victimisation? |
| The Covid-19 2020 Risk Assessment Form broadly considers individual and environmental risk factors and outlines the control measures for a safe return to campus. A ‘one size fits all’ approach to implementing the control measures for all staff without considering issues related to protected characteristics and individual circumstances could potentially have a negative impact on this duty. For example, a blanket approach where all staff are treated the same in implementation could potentially result in indirect discrimination. The Health Questionnaire has a crucial role to play in ensuring that the needs of individuals are considered in order to avoid discrimination.  Further equality impact considerations should be made in the work activity risk assessment process to ensure that local activities also consider this duty. |
| 2.2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it? |
| The Covid-19 2020 Risk Assessment Form broadly considers individual and environmental risk factors and outlines the control measures for a safe return to campus. A ‘one size fits all’ approach to implementing the control measures for all staff without considering issues related to protected characteristics and individual circumstances could potentially have a negative impact on this duty. For example, a failure to provide a safe return to campus for people with protected characteristics could potentially have a negative impact on their future career progression compared to other people who do return to campus and can access more opportunities to access opportunities and development. In contrast, this may be limited for staff working from home. The Health Questionnaire has a crucial role to play in ensuring that there is an accurate assessment of who is able to return to campus.  Further equality impact considerations should be made in the work activity risk assessment process to ensure that local activities also consider this duty. |
| 2.3. Foster good relations between people who share a protected characteristic and those who do not share it? |
| The main consideration in terms of the duty to foster good relations is around race equality and tackling racism. As noted in 1.6, pandemic related racial harassment is a reality, which has been compounded by the global focus on race and racism. Therefore, there may be negative implications for this duty as BAME staff could potentially negatively impacted by racial harassment. The University’s stance on Black Lives Matter, and the recommendations of the Tackling Racism Short Life Working Group will provide medium- and long-term mitigations against this. An imminent sector wide anti-racism campaign and resources supported by the Scottish Funding Council will help to address this impact in the shorter term.  Further equality impact considerations should be made in the work activity risk assessment process to ensure that local activities also consider this duty. |
| **3. ACTION** |
| 3.1. If a negative impact has been identified, how will this be addressed? |
| At this stage, only *potential* negative impacts have been identified, and mitigating actions are considered in section 1.6 and section 2. |
| 3.2. If changes have been made to the policy/strategy/decision as a result of this assessment, outline the changes |
| N/A |

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| **4. MONITOR AND REVIEW** |
| 4.1. How will the implementation of the policy/strategy/decision and its impact on equality be monitored and reviewed? |
| Progress on mitigating against the potential impacts should be reported through the relevant governance mechanism i.e. the Health, Safety and Wellbeing Committee.  This equality impact assessment should be reviewed as and when the Covid-19 2020 Risk Assessment changes (for example, when new Government guidance is issued). Trade Unions and other relevant stakeholders should feed into this review.  Additionally, feedback on equality related issues should be sought from staff in an appropriate and proportionate way, for example, through staff surveys, focus groups, one-to-one meetings with managers. |

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| **5. PUBLISH** |
| Please email this completed form, along with the policy/strategy and any other relevant information[[2]](#footnote-2) to [equality@gcu.ac.uk](mailto:equality@gcu.ac.uk) for publishing on the Equality and Diversity website and annual reporting in line with Equality Act 2010 requirements. |

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| **6. SIGN OFF** | |
| 6.1. EIA Owner Date | |
| Susan Mitchell | 13.07.20 |
| 6.2. Equality and Diversity Advisor Date | |
| Adrian Lui | 09.07.20 |

1. The protected characteristics covered by this duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership but only in respect of eliminating unlawful discrimination. [↑](#footnote-ref-1)
2. Information or evidence may be removed if it is commercially sensitive or personal information [↑](#footnote-ref-2)