

Annex 4 - Equality Impact Assessment

April 2013

Definition of an EIA

1. An EIA is a proactive process designed to ensure inequalities are narrowed where there are significant differences in the outcomes of applying a given policy to protected groups¹ in comparison with others.
2. When making a new policy, decision-makers should screen the policy and consider how the policy will impact on people from protected groups.
3. EIAs are designed to eliminate unlawful, unjustifiable discrimination and harassment and promote equality.
4. Decisions about impact should be made on the basis of evidence and should be proportionate.

The stages of a full EIA

Initiation of the policy

- From the outset of the policy development, the impact on protected groups should be considered.

Consultation

- Evidence should be gathered from stakeholders

Evidence gathering

- Evidence to consider how the policy will impact on identified groups should be gathered and analysed to determine if there is an adverse/positive impact

Next Steps

- Once the data has been analysed, the decision can be taken to stop, amend or justify.
- The EIA should be published.

¹ Under the Equality Act 2010, the protected groups are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, gender and sexual orientation.

CPD (Screening Process)

The Scheme

5. In order to maintain membership in The Chartered Institute of Legal Executives (CILEx), members must comply with the CPD rules as devised by ILEX Professional Standards.
6. As one of a number of reviews relating to the education and training of Chartered Legal Executives and other members of CILEx, a CPD scheme more relevant and reflective has been developed and will be consulted upon.

Potential barriers for protected groups

7. The consultation process will be used to gather evidence and views from members and other stakeholders about the possible impact introduction of the scheme may have on members.
8. Consideration will also be given to any unintended consequences which arise from the consultation process.

Evidence gathering

9. Once the consultation process is complete, IPS will run a pilot to test the operation of the proposed scheme. At this point further evidence will be gathered relating to any differential impact the new scheme may have on protected groups.

Next steps

10. After the evidence has been gathered there will be analysis of the data (both quantitative and qualitative) and using this information, a decision can be taken to stop, amend or do nothing and justify the revised scheme.
11. The scheme will continue to be monitored post introduction of the final scheme

Evidence gathered from the CPD consultation

12. IPS operated a public 12 week consultation which outlined the proposed amendments to the CPD scheme for CILEx members.
13. The consultation included a question which concentrated on the identification of unintended consequences of the proposed changes to the scheme on any protected group, as defined by the Equality Act 2010.
14. The consultation identified one issue.
15. The proposed scheme removed the exemption for CILEx members who have been away from work for longer than 6 months within the CPD year.
16. The consultation identified that this may impact on a number of protected groups including women on maternity leave and people with a disability who are away from work on long term sick leave.
17. As a result, amendments have been made to the scheme to ensure that any adverse impact on these groups is minimised, without compromising the assurance of competence.

Evidence gathered from the CPD pilot

18. IPS operated a 3 month pilot of the CPD scheme, in which 76 CILEx members participated.
19. Members were drawn from a range of grades of membership and from a variety of professions.
20. Members taking part in the pilot represented all but the very youngest members, the under 25s (which is likely to reflect the fact that members in the Student and Affiliate grades of membership are not required to undertake CPD).
21. The male to female participants in the scheme were in approximately the same ratio as for the CILEx membership as a whole (32% to 68% respectively).
22. 10% of participants were disabled and a further 2% preferred to not to state their status. This approximately reflects disability in society as a whole, which is estimated to be approximately 15% of working age people.

23. The participation of CILEx members who had an ethnic origin which was not white, was slightly lower than the overall CILEx membership (at 8%) with a further 8% not declaring their ethnic origin. Through other work done by IPS, it has been identified that CILEx members of non-white origin are less likely to work in private practice. However, the operation of the pilot has demonstrated that the revised scheme works across a range of legal employments including private practice, the public sector and in-house legal departments.

Conclusions

24. The pilot has not identified any areas which may create an unintended barrier to CILEx members who have protected characteristics.

25. The potential for discrimination against certain protected groups through the removal of the exemption from CPD for those who have been absent for more than 6 months has been mitigated through the acceptance of attendance on a returners to work scheme as an alternative to undertaking the requisite amount of CPD.

26. The impact on protected groups of the revised scheme will be monitored through periodic reviews of the scheme and as part of the annual report of supervised activities.