

Equality Impact Assessment

Guidance on completing Equality Impact Assessments can be found on the intranet in the equality and inclusion section

Document:	Fitness to Study
Executive Summary:	<p>A new policy created to ensure that there are clear and fair guidelines for students in relation to their fitness to study.</p> <p>The procedure provides an opportunity to put reasonable adjustment and support mechanisms in place for students. It therefore has the potential to advance equality for students, increase knowledge and understanding and reduce stigma. The basis of the Fitness to Study policy is to safeguard the health, safety and wellbeing of students and those individuals and organisations we work with. It gives students the opportunity to disclose personal circumstances, disability and health-related conditions. As such, this policy is likely to advance equality of opportunity for all and eliminate discrimination,</p> <p>Several negative equality impacts have been identified across all a number of protected characteristic groups:</p> <p>Risk The application of this policy has the potential to discriminate indirectly or victimise students whose attendance and/or behaviour is affected by factors relating to a protected characteristic.</p> <p>Mitigation Ensure appropriate safeguards are in place to limit the risk of indirect discrimination, e.g. staff EDI training, regular review of process/disciplinary cases, seeking student feedback. Updates on Fitness to Study to be shared with Equality and Inclusion Committee for tracking and monitoring purposes as a standing item.</p> <p>Risk As a small college, we are at greater risk that the impact of unconscious bias may impact on the decisions we make about students that we know.</p> <p>Mitigation Ensure appropriate steps are taken to limit the risk of conformity and confirmation bias, e.g. staff training, regular review of process and appropriate allocation of staff to fitness to study panels.</p>

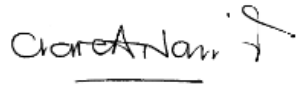
By law we must meet the requirements of the Equality Act 2010 including the Public Sector Equality Duty. Please give due regard to the following when completing an EIA;

- 1: Does the policy/practice eliminate discrimination, harassment and victimisation?
- 2: Does the policy/practice promote equality of opportunity?
- 3: Does the policy/practice promote good relations?

<p>Protected Characteristic</p>	<p>Commentary <i>For each protected characteristic provide a commentary of impact. If a negative impact occurs, consider the following;</i></p> <ol style="list-style-type: none"> 1. <i>Change the policy so impact is no longer negative</i> 2. <i>Justify why it has to be done e.g. health and safety legislation</i> 3. <i>Consider how you are going to mitigate the impact</i>
<p>Age <i>Someone belonging to a particular age, or range of ages</i></p>	<p>Equality impacts have been identified. See executive summary.</p>
<p>Care Experienced <i>Someone who has been or is currently in care or from a looked-after background at any stage in their life. This includes adopted children who were previous looked-after.</i></p>	<p>Equality impacts have been identified. See executive summary.</p>
<p>Marriage/Civil Partnership <i>Married couples and civil partnership should be treated the same on a wide range of matters</i></p>	<p>No equality impact identified for this group.</p>
<p>Race <i>Refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins</i></p>	<p>Equality impacts have been identified. See executive summary.</p> <p>Risk The policy states that representatives at Fitness to Study hearings should not speak on behalf of the student. However, ESOL students may experience communication challenges (e.g. not being understood/being misunderstood) during a Fitness to Study hearing</p> <p>Mitigation</p>

	The policy has been updated to provide flexibility in approach and to arrange appropriate support where required.
Sexual Orientation <i>A persons sexual and/or romantic attraction to other people, or lack thereof</i>	Equality impacts have been identified. See executive summary.
Disability <i>A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities</i>	Risk Some students may not share the same understanding and/or awareness of the importance of disclosing disability related needs. This may be an issue if access to support is dependent on self-identification. Mitigation The policy and processes should emphasise sensitivity, discretion, and confidentiality to mitigate any student concerns about stigma. Launch a 'what's it got to do with you?' campaign communicating the reasons why it is helpful to share details with the college. Risk The policy states that representatives at Fitness to Study hearings should not speak on behalf of the student. However, students with certain learning difficulties may find it difficult to articulate themselves during a high stress situation (e.g. autistic students becoming non-verbal). Mitigation The policy has been updated to provide flexibility in approach and to arrange appropriate support where required.
Gender identity/reassignment <i>The process of transitioning from one gender to another (can include changing names, pronouns, dressing differently, medical intervention and living in their self-identified gender)</i>	Equality impacts have been identified. See executive summary.
Pregnancy/maternity <i>Refers to being pregnant and the</i>	Equality impacts have been identified. See executive summary.

<i>period after birth (linked to maternity leave in the employment context)</i>	
Religion or Belief <i>Religious and philosophical beliefs, including lack of belief (atheism)</i>	Equality impacts have been identified. See executive summary.
Sex <i>Gender assigned at birth</i>	Equality impacts have been identified. See executive summary.
Employment or Trade Union Membership	No equality impacts have been identified for this group.
Past Criminal Convictions	Equality impacts have been identified. See executive summary.
Poverty or Deprivation	Equality impacts have been identified. See executive summary.

Owner:	C Nairn	
Date initiated:		
Consultation:	<i>Which groups were consulted with in the development of this EIA?</i>	
Signature (Owner)		Date 27/06/23
Signature (Equalities Officer)	Amy Brydon	Date 27/06/23

Please return the completed Equality Impact Assessment to the
Equalities Officer (abrydon@borderscollege.ac.uk)