

Equality Impact Assessment (EQIA)

The General Equality Duty and protected characteristics are detailed at the end of this form.

Refer to the EQIA Guidance Document for more Information on how to complete this form.

Title of Policy, Procedure, or Relevant Practice:	PREVENT Policy v.2 (2020)	
Lead Officer:	College Secretary	
Type of Policy, Procedure, or Relevant Practice:	New: <input type="checkbox"/>	Existing/Reviewed/Revised: <input checked="" type="checkbox"/>
Date of Assessment:	17 December 2019	

Step1: Outcomes and Potential Impacts

1A. What are the intended consequences (outcomes) of the policy, procedure or relevant practice?

Section 26 of the Counter-Terrorism and Security Act 2015 (the Act) places a statutory duty on certain bodies, listed in Schedule 6 to the Act, to have, in the exercise of their functions, “*due regard to the need to prevent people from being drawn into terrorism*”. The PREVENT Strategy was published by the UK Government in 2011 as part of its overall counter-terrorism strategy – CONTEST.

This Policy Statement is designed to set out the College’s position and approach with regard to the PREVENT duty, and aligns the College’s aims in respect of the key strategic objectives of the Prevent strategy with those of the Scottish Government as set out in the Revised Prevent Duty Guidance for Scotland (2015).

The current revision of this Policy was undertaken in the light of a revision of the Prevent duty guidance from the UK Government,

specifically the Prevent Duty Guidance for Further Education Institutions in Scotland (April 2019). This revision followed a ruling from the Court of Appeal on 8 March 2019, that one paragraph relating to the hosting of external events and speakers was unlawful. It should be noted that: “This judgment only affects that one paragraph in each of those documents and the rest of those documents, and the other Prevent duty guidance documents, should continue to be read as before.” (UK Government: Ref. <https://www.gov.uk/government/publications/prevent-duty-guidance> at 12/12/19)

This paragraph in the Government guidance has been revised, and reference to this revised guidance is now made explicit in the revised College Policy draft attached. Further revisions to responsibilities of College postholders is also included in this draft.

1B. Could this policy, procedure or relevant practice potentially result in differential impact on groups with protected characteristics?

Yes: If “Yes”, go to **Step 2** and then complete the remainder of this form

No: If “No”, or “Unforeseen” go to **Step 6** and then complete the remainder of this form

Step 2: Consideration of Evidence and Information

2A. What information do you plan to use as the basis of this EQIA?

It is recognised that the student & staff population represent the full range of protected characteristics and that there is a duty to make the Policy accessible, fair, and effective for all. The PREVENT strategy has attracted some negative publicity in the past, due to the perception in certain quarters that it places a disproportionate focus upon certain race/religious groupings. The Policy is explicit in recognising the possibility of such misinterpretation, and highlights the College’s commitment to respecting and valuing the diversity of the College

community, while addressing its legal duty under PREVENT, as well as its duty to protect its students. The following passages from the policy address these issues:

“4.2 The College recognises its duty to protect our students from indoctrination into any form of extreme ideology which may lead to the harm of self or others.

4.3 The College is committed to maintaining a safe, welcoming and inclusive environment for all members of our community. The College also commits to encouraging debate and discussion, preserving freedom of expression and academic freedom within the law, whilst seeking to safeguard those that are vulnerable.

4.4 The College respects and values the diversity of its community, and is sensitive to the concerns expressed by some of the potential misinterpretations of the PREVENT duty leading to counter-productive actions. It is within this context that the College seeks to balance the legal obligations placed upon us.” (Ref: CoGC PREVENT Policy, 2018)

This Policy position will inform all associated training and development.

2B. Please indicate potential positive, neutral and negative impacts in relation to each protected characteristic.

(What does the information indicate about potential positive, neutral and negative impacts on people who share protected characteristics? Are the needs of people with different characteristics met? Does the policy, procedure, or relevant practice affect some groups differently?)

Protected Characteristic	Detail the Potential Positive, Neutral, or Negative Impacts with Reference to Evidence, or Information
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Age	<p>There is potential for young people to be considered more vulnerable, and therefore more prone to the influence of terrorist ideologies. This involves a danger that a young person’s needs may be mis-characterised and inappropriately responded to, with highly negative consequences. This perception might also result in signs of concern under Prevent being overlooked in others (i.e. older people). Both these risks may be mitigated by including such considerations in Prevent training.</p>
Disability	<p>Disability, Gender Reassignment and sometimes Sexual Orientation could potentially be linked to mental health problems, leading to behaviours which may be wrongly perceived as suspicious. Consideration should be given to how this issue might be included within Prevent training, with explanations as to how this could be mitigated through raising awareness about different behavioural changes, and the similarities between those;</p> <p>It is recognised that individuals may have different communication needs; so for example written communications should not be required, and any format of submission should be accepted. Use clear, logical language. The Policy should be easily found on the College website.</p>
Gender Reassignment	<p>Use Inclusive positive language throughout, e.g. “they/their” rather than “he” and/or “she”. See also above.</p>
Protected Characteristic	<p>Detail the Potential Positive, Neutral, or Negative Impacts with Reference to Evidence, or Information</p>
Marriage & Civil P’ship	<p>Neutral</p>
Pregnancy & Maternity	<p>Recognise that pregnancy leave might present a difficulty – manage and support those wishing to make a submission. Ensure appropriate training on return from leave.</p>

Race	<p>Recognise possibility of, for example, cultural pressures affecting an individual's willingness to disclose any concerns in respect of PREVENT.</p> <p>There are a range of possible unintended consequences following from misinterpretations of the PREVENT duty leading to counter-productive actions. There may also be opportunities for those with a racist agenda to promote unnecessary and unfounded suspicion directed towards certain minority racial and religious groups. The College will ensure that related training highlights that Prevent is not restricted to certain groups/races/religions, and that terrorism is associated with a wide range of ideologies/issues. Failure to do so may result in well-meaning interventions being focused on specific groups, with negative consequences.</p>
Religion or Belief	As above
Sex	It is likely that men would be stereotypically considered more likely to be considered 'at risk' of being radicalised. This can also be covered in the training and we can be explicit in stating that we are making sure we tackle prejudice and unconscious bias.
Sexual Orientation	Not apparent

Step 3: Consider Alternatives and Mitigation

3A. Are you able to reduce any potential negative impacts identified above?

Yes: No: N/A: If N/A, go to Step 4

3B. If "Yes", what arrangements could be implemented to reduce any potential negative impacts identified above?

Potential negative impacts associated with these issues have been addressed within the Policy and will also be addressed in related PREVENT training and development, as well as College communications.

3C. If “No”, it may be appropriate if the policy, procedure, or relevant practice affects groups differently where this is a proportionate means of achieving a legitimate aim. If this is the case, please provide explanatory details to objectively justify this decision.

(Note: you may be required to obtain legal advice to verify your decision. If you suspect this may be the case, please contact Diversity & Equalities for direction.)

Step 4: Compliance with General Equality Duty

4A. Does the policy, procedure or relevant practice comply with the three parts of the general duty:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Yes: No: For 4B- 4D, please detail relevant groups who share a protected characteristic and refer to evidence/information

4B. If “Yes”, how?

While recognising the potential for misinterpretation, it is expected that by raising awareness of related issues via training and development, the overall equality impact will be positive, and Policy will comply with the General Equality Duty. Parts A and B of the duty are met in the provision of training, awareness-raising, communications etc, provided in many forms to increase accessibility and engagement. Part C of the duty is met by promoting the understanding that terrorism takes many forms.

4C. If “No”, what are the negative impacts and the associated risks?

None

4D. If “No”, What arrangements exist, or could be implemented to better comply with the general duty?

Not applicable

Step 5. The Involvement of Individuals, Groups and Organisations Representing Protected Characteristics

5A. Who has been involved in the undertaking of this assessment? (Please detail the staff/student/stakeholder groups)

ED&I team

5B. How successful has this been, and what changes can be made to improve this process in the future?

5C. If you have further involvement to carry out, please list who you are going to involve and how?

Step 6: Making a decision and outcome

6A. What is your decision? (Please select an option from the drop down menu options using the arrow on the right)

B. A negative impact is not foreseen (with the proviso outlined at 3B and 4B above), and on the contrary the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.

6B. Are you able to introduce the policy, procedure, or relevant practice without making any changes?

Yes: No:

6C. If “Yes”, clearly explain upon which basis this decision was made

The Policy was revised following initial EQIA. This current revision takes account of this learning.

6D. If “No”, what changes will you make before implementation?

Step 7: Taking action and monitoring
7A. What action will we take? Review and approval of the Policy was undertaken prior to implementation of v.1.
7B. Who will take that action? College Secretary
7C. When will that action be completed? Action completed prior to approval in May 2018 (Board of Management Student Staff and Equalities Committee).
7D. Once implemented, how will the policy, procedure, or relevant practice be monitored? By SMT/ College Secretary/ED&I team/OD Team as appropriate.

Miscellaneous
Additional Information (please insert any supporting information, or data here)

Sign-off, authorisation and publishing	
<p>For College records, but not for publishing publically</p> <ul style="list-style-type: none"> • The information contained within this EQIA needs to be confirmed and approved as the completed EQIA will be published on the College web-site. • As such, EQIAs must be approved by a Director or above. • Ask a Director to review and sign off the EQIA (an electronic signature will suffice, as long as a paper copy follows). • Following completion, send an electronic copy to both the Equalities, Diversity and Inclusion Manager and College Secretary/Planning. 	
Name:	Paul Clark
Position:	College Secretary
Signature:	
Date:	December 2019

Summary of the General Duty of the Equality Act 2010

Components	Due Regard
A public authority must, in the exercise of its functions, <i>have due regard</i> to the need to:	Having due regard specifically involves taking steps to:
a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act.	
b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.	a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic * b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.	a) Tackle prejudice. b) Promote understanding.

‘Due regard’ comprises two linked elements: proportionality and relevance. The weight that public authorities give to equality should be proportionate to how relevant a particular function is to equality. In short, the more relevant a function is to equality, then the greater the regard that should be paid.

The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership *
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

* Although Marriage and Civil Partnership applies to section a) in employment only, this will be considered for all stakeholders