



Equality Impact Assessment Initial Screening - Relevance to Equality Duties

Before you complete an Equality Impact Assessment you must read the guidance notes and unless you have a comprehensive knowledge of the equality legislation and duties, it is strongly recommended that you attend an EIA training course.

The EIA should be used to identify likely impacts on:

- disability
- race
- sex
- gender reassignment
- age
- religion or belief
- sexual orientation
- pregnancy and maternity
- caring responsibilities (usually only for HR policies and change management processes such as back offices)

1. Name of the proposed new or changed legislation, policy, strategy, project or service being assessed.

Regulation of non-commercial providers/ special bodies that provide reserved legal services

2. Individual Officer(s) & unit responsible for completing the Equality Impact Assessment.

Christopher Baas, Legal Services Board

3. What is the main aim or purpose of the proposed new or changed legislation, policy, strategy, project or service and what are the intended outcomes?

| Aims/objectives | Outcomes |
|---|--|
| Ending the transitional protection for non-commercial bodies while ensuring that there is a proportionate and responsive licensing regime | Consumers of reserved legal services provided by non-commercial bodies are appropriately protected The regulation of non-commercial bodies is proportionate, targeted and effective |

4. What existing sources of information will you use to help you identify the likely equality impacts on different groups of people?

(For example statistics, survey results, complaints analysis, consultation documents, customer feedback, existing briefings, submissions or business reports, comparative policies from external sources and other Government Departments).

Survey results, information from regulators, consultation documents, stakeholder engagement, a review from Frontier Economics commissioned by the LSB, Routine Diversity Monitoring of the Supplier Base published by the Legal Services Research Centre (May 2011)

5. Are there gaps in information that make it difficult or impossible to form an opinion on how your proposals might affect different groups of people? If so what are the gaps in the information and how and when do you plan to collect additional information?

Note this information will help you to identify potential equality stakeholders and specific issues that affect them - essential information if you are planning to consult as you can raise specific issues with particular groups as part of the consultation process. EIAs often pause at this stage while additional information is obtained.

Yes. There is not a definitive list of non-commercial bodies who are benefiting from the transitional protection. So there is little specific information about those working in the bodies and there is even less information about their clients. However, for information about the workforce we will analyse the most recent information on routine diversity monitoring published by the Legal Services Research Centre to assess whether it can be used as a proxy for this group.

We will also try to collect additional information (particularly about consumers who use these services) as part of this consultation process. Also the LSB has commissioned a large scale survey of consumers of all legal services. If possible, analysis of that survey will be undertaken to consider if there is disproportionately high representation by some groups among the users of services provided by non-commercial bodies.

6. Having analysed the initial and additional sources of information including feedback from consultation, is there any evidence that the proposed changes will have a **positive impact** on any of these different groups of people and/or promote equality of opportunity?

Please provide details of which benefits from the positive impacts and the evidence and analysis used to identify them.

This is a consultation stage equalities impact assessment so further information is being sort. However, there is evidence that there is consumer benefit from receiving legal services from a regulated provider.

7. Is there any feedback or evidence that additional work could be done to promote equality of opportunity?

If the answer is yes, please provide details of whether or not you plan to undertake this work. If not, please say why.

There is no evidence that additional work can be done within the scope of this proposal. However, the LSB and all the ARs have work programmes that are focussed on the promotion of equality.

8. Is there any evidence that proposed changes will have **an adverse equality impact** on any of these different groups of people?

Please provide details of who the proposals affect, what the adverse impacts are and the evidence and analysis used to identify them.

As a consultation stage assessment we are seeking such evidence. It does appear possible that the additional cost of regulation may impact on some non-commercial providers. However, we do not know whether this is likely to have any adverse equality impact.

9. Is there any evidence that the proposed changes have **no equality impacts**?

Please provide details of the evidence and analysis used to reach the conclusion that the proposed changes have no impact on any of these different groups of people.

We have not yet received enough evidence to assess whether there are any equality impacts. This intervention is not targeted at any particular group.

10. Is a full Equality Impact Assessment Required? Yes No not yet known

If you answered 'No', please explain below why not?

NOTE - You will need to complete a full EIA if:

- the proposals are likely to have equality impacts and you will need to provide details about how the impacts will be mitigated or justified
- there are likely to be equality impacts plus negative public opinion or media coverage about the proposed changes
- you have missed an opportunity to promote equality of opportunity and need to provide further details of action that can be taken to remedy this

If your proposed new or changed legislation, policy, strategy, project or service involves an Information and Communication Technology (ICT) system and you have identified equality impacts of that system, a focused full EIA for ICT specific impacts should be completed. The ICT Specific Impacts template is available from MoJ ICT or can be downloaded from the Intranet at: <http://intranet.justice.gsi.gov.uk/justice/equdiv/equal-impact.htm>, and should be referenced here.

The proposed strategy does not involve any ICT system.

11. Even if a full EIA is not required, you are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor evaluate or review your proposals and when the review will take place.

The proposal in the consultation document is for the transitional protection to be lifted in spring 2014. The review will therefore take place after that, but we will not be able to set a timetable until after a final decision is made on lifting the transitional protection. We will expect licensing authorities to collect information about diversity as part of their routine data collection exercises. The LSB has a statutory duty (section 110 of the Legal Services Act 2007) to include in its annual report how, in the Board's opinion, the activities of licensing authorities and ABS have affected the regulatory objectives.

12. Name of Senior Manager and date approved

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| Name (must be grade 5 or above): Chris Kenny, Chief Executive |
| Department: Legal Services Board |
| Date |
| Note: The EIA should be sent by email to analyticalservices@justice.gsi.gov.uk of the Equality Analytical Programme for publication. |

Full Equality Impact Assessment

13. Which group(s) of people have been identified as being disadvantaged by your proposals. What are the equality impacts?

14. What changes are you planning to make to your original proposals to minimise or eliminate the adverse equality impacts? Please provide details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes.

15. Please provide details of whether or not you will consult on the proposed changes, particularly with disabled people and if you do not plan to consult, please provide the rationale behind that decision.

16. Can the adverse impacts you identified during the initial screening be justified and the original proposals implemented without making any adjustments to them? Please set out the basis on which you justify implementing the proposals without adjustments.

17. Do your proposals miss an opportunity to promote equality of opportunity? If so, do you plan to take action to remedy this and if so, when? Please provide details.

18. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place.

19. Summary details, sign off by Senior Manager and date approved.

You should now complete a brief summary (if possible, in less than 50 words) **setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the results of consultation, a summary of the impacts (positive and negative) and, any decisions made, actions taken or improvements implemented as a result of the EIA.** The summary will be published on the external MoJ website.

Name (must be grade 5 or above):

Department:

Date:

Note: The EIA should be sent **by email to analyticalservices@justice.gsi.gov.uk** of the Equality Analytical Programme for publication.