

Guidance

G1060 A2

Getting it right for customers through the Equality Impact Assessment process

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1 Purpose

The purpose of this guidance is to outline the reasons for completing a Customer Equality Impact Assessment (CEQIA) and how to do this.

2 Scope

This guidance applies to all TfL employees involved in developing and delivering strategies, policies, programmes, or projects that affect our customers.

3 Introduction

The Equality Impact Assessment (EQIA) is a means by which we can demonstrate how we have considered inclusion and put people at the heart of the decisions and changes we make. It is also a way for us to demonstrate that we have complied with our legal duty under the Equality Act to take account of impacts on certain groups of people. This duty is known as the Public Sector Equality Duty or PSED.

This guidance is intended to help anyone completing an EQIA ("you"). It may also help senior accountable managers who need to understand their role in overseeing and signing off an EQIA, or anyone who wishes to increase their understanding of the process and focus on what is relevant to that task (rather than the preceding step of policy formulation or the subsequent tasks of decision making and ongoing ownership). Senior accountable managers are ultimately responsible for ensuring that the EQIA requirements are taken on board and delivered as part of the project deliverables and/or escalated to decision-makers where necessary.

This document explains:

- Why we need to complete an EQIA
- When we need to start an EQIA to demonstrate our consideration and when it needs updating
- Who should complete the EQIA?
- How to complete an EQIA
- Tips for managers who are reviewing an EQIA
- Suggested language that could be used and what should be avoided
- Useful links to help you complete the EQIA

4 An overview of the process

4.1 What is our policy on completing EQIA?

An EQIA must be considered whenever we are looking at proposals that may have an impact on anyone with protected characteristics (explained below). The proposal here can be anything from policies, decisions, strategy, business plan, change initiative, and delivery designs to reviewing a decision, revising a process, redesigning, or decommissioning a service etc.



4.2 Why I need to complete an EQIA

The purpose of the EQIA is to assess the equality impacts (positive and/or negative) of the proposal or decision being considered and should be supported by sufficient evidence. Guidance on what is 'sufficient' can be found in the [Equality and Human Rights Commission \(EHRC\)'s technical guidance](#) on the PSED.

We will be able to make better and more informed decisions when we base them on a broader understanding of our customers' needs, a solid evidence-base and engagement with our customers. By improving our appreciation of how different people will be affected by the decisions we make, we will design and deliver a transport network that is more appropriate and accessible to everyone. A more inclusive and accessible network opens people's opportunities to access jobs and services, as well as enhance the potential for increased revenue because more people can travel.

Not fulfilling the general duty, would mean that we run the risk of action by the Equality and Human Rights Commission who can investigate our approach and serve a compliance notice. Similarly, judicial review proceedings can be brought in the High Court by an individual or group, which can result in the courts instructing us to repeat our decision-making process, this time making sure we have considered the PSED. These proceedings can be very costly and reputationally damaging.

More broadly, we would run the risk of designing services that do not meet the needs of our current or future customers, or facilities that cost more when expensive adaptations must be made later in a programme or project.

The purpose of the EQIA is to assess the equality impacts of the proposal or decision being considered. The decision may have significant negative consequences which should not be underplayed and may increase barriers.

These barriers may include:

- Connectivity to community and services
- Overcrowding
- Crime and the fear of crime
- Lack of information, especially real-time information
- Physical and infrastructure barriers
- Lack of awareness from staff or other passengers
- Affordability, which can then limit job prospects and social integration.

Clear aims, a solid evidence base, and a transparent assessment of impact should help you to make more informed, inclusive, and responsive decisions. Having your decisions and rationale easily accessible to members of the public should also help to counter any misconceptions and reduce delays caused by legal challenges or complaints.



4.3 Meeting the requirements of the Equality Act 2010

As a service provider we should be ensuring that our decisions, policies, and projects do not discriminate against any protected characteristic groups and that we ensure we are delivering inclusive schemes that recognise difference and remove barriers. The Equality Act identifies nine protected characteristic groups:

- Age
- Disability
- Gender
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation
- Marriage and civil partnerships

As a Mayoral body we need to consider our wider impact on other groups who are disadvantaged in London for example:

- People on low incomes
- Refugees and asylum seekers
- Homeless people.

4.4 The Public Sector Equality Duty (PSED)

In addition, as a public body, we have obligations under s.149 of the Equality Act, the PSED, also known as the general equality duty.

The PSED requires us to pay due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Act.
- Tackle prejudice and promote understanding, between people who share a 'protected characteristic' and people who don't (known as fostering good relations).
- Advance equality of opportunity between people who share a 'protected characteristic' and people who do not share it by:
 - removing or minimising disadvantages experienced by people because of their protected characteristics
 - meeting the needs of people with protected characteristics and



— encouraging people with protected characteristics to participate in public life

Having ‘due regard’ is about the need to consider how TfL’s functions impact anyone with protected characteristics. It is how we demonstrate that we have considered the impacts and equality aims based on available evidence. It’s also about good analysis of this evidence, at the right time, as part of our decision-making processes to shape and provide inclusive services. It is important to recognise that we may not always be able to resolve every issue or negative impact, but if we have identified them and taken them into account we will have complied with our duties.

Case law has clarified that decision-makers need to:

- Be aware of the general equality duty and place equality considerations at the centre of policy formulation, side-by-side with other considerations, such as quality, cost, and time.
- Be clear that compliance with the general equality duty takes place before and at the time a particular policy is under consideration and when a decision is taken.
- Consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process. They must recognise it is not just a matter of ‘box ticking’.
- Have sufficient information to understand the effects of the policy, or of the decision, on the aims set out in the general equality duty.
- Review policies or decisions if circumstances change e.g., if the location or timing of a project changes. This is vital as the duty is a continuing one.
- Take responsibility for complying with the general equality duty regarding all relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- Consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

The Mayor’s [Inclusive London strategy](#) and our own [Equality objectives](#) also set out the reasons why diversity and inclusion are important to our business, how we will adopt best practice and comply with legislation.

4.5 Does my work require completion of an EQIA?

An EQIA should be considered on all proposals or decisions if they might impact on anyone with protected characteristics (either positively or negatively, or both). It is not about the size of the project, although the EQIA should be proportionate and relevant to the proposal under consideration, it is about potential impact.

The following questions, though not exhaustive can help you to determine the degree and depth to which the EQIA is carried out:

- Does the piece of work affect customers, or the wider community? NB: The relevance of your work depends not just on the number of those affected, but on the significance of the impact on them
- Is it likely to affect any group of people with protected characteristics?
- Is it a major project, significantly affecting how services are delivered?
- Will the work have a significant impact on TfL functions that are being carried out on its behalf by its agents or suppliers etc.? NB: TfL is responsible for the PSED even where its functions are being carried out on its behalf by others e.g., agents and suppliers. TfL may ask suppliers or agents to demonstrate how they are embedding inclusion or have embedded inclusion into the product or services that they produce or deliver on its behalf or include EQIA in commercial contracts as a mandatory requirement and use auditing compliance to ensure that an appropriate EQIA is in place and the duty is being discharged.
- Does the work relate to aspects of our service that have been identified as being important to people with protected characteristics?
- Does the project relate to an area giving rise to known inequalities? For additional guidance on this, please refer to the [EHRC's technical guidance on the PSED](#).

If you decide that your work can have no impact on eliminating discrimination, fostering good relations between different people, and advancing equality of opportunity, you should be confident of your reasons for this. The fact that 'no information is available' is not a justification.

Recording your reasons with the supporting evidence will help you to increase transparency, encourage engagement and may assist in demonstrating compliance with the general equality duty. Additional information on complying with and identifying the relevance of the general equality duty can be found in the [EHRC's technical guidance on the PSED](#).

4.6 When do I start the EQIA?

If you determine that the scheme you are proposing does require an EQIA then the process should be started as soon as possible. This will help to start thinking about inclusion as early as possible when it is easier to make changes and build in inclusive features. As the work develops, you can then revisit and revise the EQIA to ensure that it takes account of changes as they occur. Assessing impact should not be a one-off exercise. The general equality duty is a continuing duty and contexts / circumstances change. Providing for equality, diversity, and inclusion should be considered during the decision-making process to agree policies or projects that are to be put in place.

Undertaking assessments late can lead to problems:

- Retrofitting accessibility features late in the design process can be prohibitively expensive and time consuming.

- Decision makers may be unlikely to demonstrate that they have paid due regard to the general equality duty when decisions were made. This would leave you open to a legal challenge.
- The project may still lead to potentially discriminatory activity or adverse impacts on groups of people.
- An opportunity to advance equality may be missed, leaving people with protected characteristics not benefiting from the work to the extent that others do.

The project is not likely to be effective in achieving its aims if its impact has not been fully considered on all groups of people.

4.7 Who should complete the EQIA?

Assessing the impact of our work on equality, diversity and inclusion should be a core part of how we work, in similar way that consideration of risks, safety and finances are. Those responsible for delivering our functions need to be aware of the general equality duty and consciously take it into account in their work. It is important for our decision makers to carry out this duty. This will depend on their application, how they amend and improve plans and the information that formed their decisions.

Anyone can complete the EQIA, but it is likely to be helpful to have contributions from others as to how inclusion has been considered through the decision making, designing (utilising access appraisals of designs) or engagement process.

Ideally, a small team of staff involved in the work will jointly complete an EQIA as it will usually help to have an objective/independent view from someone not directly involved in a particular work stream. Internal experts in different business areas, such as Diversity & Inclusion, Stakeholder Advocacy & Engagement, and Public Affairs can contribute specialist knowledge. This approach produces a better EQIA by helping to increase objectivity, join up internal thinking, share good practice and develop EQIA expertise. NB: Legal team will only be involved by exception if there are legal issues to resolve.

If an assessment of a function (or elements of it such as information gathering or access appraisals) is outsourced, it is important to remember that we are still directly accountable for any decisions that are made as a result. TfL is responsible for the PSED even where its functions are being carried out on its behalf by others.

4.8 What are the steps for completing an EQIA?

EQIA is a live document. It should be used at the commencement of your project and updated regularly or at set stages as in the design process. The EQIA should show the journey that the team have taken from policy/concept development to implementation. You need to have sufficient information to meet the duty and consider taking reasonable steps to closing any information gaps. It may be too late to do this by the time of the final decision. Further investigations may need to take place during the formative stage of the project in order to get the necessary information.

The steps for completing an EQIA are:

1. Introduction of aims/objectives/focus - identify the decision to be made that will have an impact.
2. Gather evidence in relation to all relevant protected characteristics and inclusion groups. Consider readily available relevant information and data.
3. Engagement and consultations - consult and engage with relevant stakeholders/inclusion groups/communities and seek feedback. Carry out bespoke research and engagement to close any information gaps.
4. Assess or identify potential impacts - brainstorm different scenarios and outcomes to uncover as wide a range of possible impacts as possible.
5. Act on the results including planning actions to mitigate potential negative impact.
6. Monitor and evaluate the success of the mitigation actions and the overall impact of your decision or proposal
7. Make the right decision – findings from the assessment may lead you to take a decision to either justify and continue with your work, or change or adapt your work, or stop the work altogether.
8. Sign-off

Draft or completed EQIA should be submitted to CustomerEQIA@tfl.gov.uk and a superuser will be allocated to review the document.

4.9 Who is accountable for the EQIA?

You are accountable for bringing all the relevant information about the impact of activity on different groups of people to the decision-maker's attention. Decision-makers involved in planning or owning an activity are responsible for overseeing the completion of the EQIA and approving it. Details for decision-makers around what to consider when reviewing an EQIA are in section 5.1.

The D&I team is not accountable for the project, and therefore do not 'approve' EQIA. Their role, and the role of EQIA Superusers is to support the overall process, provide advice and recommendations to help you achieve more inclusive outcomes.

4.10 Which EQIA form should I use?

EQIA is a tool to help you demonstrate how we have considered inclusion throughout the proposed scheme. They are not fixed documents and are adaptable and changeable to suit your needs. The important thing is how we consider inclusion and not sticking to a rigid format. If something in the form doesn't work then adapt it, but there will still be a need to demonstrate in an accessible and easy access format the steps we have taken to be inclusive and the decisions we have made.

The EQIA process is set out in [TfL Pathway](#). Pathway is the integrated and consistent 'product' based framework designed to support the assured delivery of the TfL investment programme. If you are not using Pathway, then the requirements are the same as set out in section 7 of the step-by-step guide to completing your EQIA (5.1.10).

If you are outsourcing your EQIA to external organisations to do for you, please ensure that you provide them with the right EQIA template or form, and other relevant information including data sets needed to complete the assessment.

4.11 What information should the EQIA contain?

The purpose of EQIA is to assess the equality impacts (positive and negative) of a proposal or decision being considered and should be supported by sufficient evidence. It needs to consider how TfL's functions impact anyone with protected characteristics. The proposal or decision may have significant negative consequences which should not be underplayed (e.g., a reduction in bus services) and will not always lead to a reduction of barriers.

Inclusive services should be shaped by evidence-based policymaking and using a clear methodology will help you to collect, analyse and present evidence about diversity and inclusion in a consistent way. It also allows us to record our decisions and thought processes which may help us learn from previous experiences.

4.12 What are the steps for reviewing customer EQIA?

The Diversity & Inclusion customer team and superusers support the overall process, provide advice and recommendations to help you achieve a more inclusive outcome. Superusers are trained specialists and consultants that help review EQIA. They are not accountable for the project, and therefore do not approve or sign off EQIA.

The steps for reviewing customer EQIA are:

1. Draft or completed EQIA should be submitted to [customer EQIA mailbox](#). Correspondence between superusers and EQIA author/project teams will be tracked and monitored via this mailbox.
2. After receiving your EQIA, the Diversity & Inclusion customer team will acknowledge receipt, log your EQIA, provide you with a unique reference and allocate a superuser to review the EQIA.
3. At the end of the review process (once the superuser is happy with the quality of the EQIA), a clean version of the EQIA (without any tracked changes or comment) should be sent to the superuser for signature and for record purpose.
4. The EQIA should be signed off by a senior accountable manager or senior project sponsor. By signing, they are confirming that the equality impacts have been identified, understood, and considered; those affected by the proposal/decision have been involved or consulted; and there are plans to mitigate any potential negative impact and monitor the actual impact of the proposal/decision after implementation.

5 A step-by-step guide to completing your EQIA

5.1 Step by step guide on completing the EQIA form

An EQIA is a tool that you can use to demonstrate how you have considered inclusion throughout the project lifecycle. It is important to remember that it is not the process itself that is important, but that you have considered the impact of your plans

on different groups in substance, with rigor and with an open mind in such a way that it influences the final decision.

Completing the EQIA demonstrates you understand the impacts and have considered how you may be able to improve people's experience and opportunity.

5.1.1 Section 1: Key information and clarifying aims

The key information page provides the overall status of the specific document and can assist in identifying the versions as the EQIA is updated. It also details who is accountable and responsible for the content of the EQIA.

First, establish how the objectives of your piece of work, relate to the three aims of eliminating discrimination, fostering good relations between different people, and advancing equality of opportunity. Think about the purpose of the programme or project, the context in which it will operate, who it should benefit, and the intended results. Here, you can start to think about potential impacts on people with different protected characteristics. This would allow you to consider changing your aims, if necessary, to take better account of diversity considerations.

At this stage, use descriptions that will facilitate a more open or broader assessment. For example, your aim could be 'to provide a safe route for people to use the road network', rather than 'introduce a staggered crossing', as the latter assumes only one solution from the outset. Clarifying the aims helps you to set the scope of the impact assessment.

If a description of your aims has been written elsewhere e.g., in a project brief, then simply cut and paste this in so other readers of the EQIA understand your work.

NB this document may need to be published if it is requested by the public or the proposal/decision is challenged legally, and needs to be simple, easy to read and understand. While cross referencing may be useful, the document should not rely heavily on other documents to make sense of how we have considered inclusion. The document needs to be in an accessible format. Further information on customer accessibility requirement guidelines can be found in the [customer service handbook](#).

5.1.2 Section 2: Collecting Evidence

Think about which of the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation, marriage and civil partnerships may be relevant to your piece of work. Also consider any evidence relating to other inclusion groups who are already at a disadvantage for example those living in poverty, refugees and asylum seekers, ex-offenders.

It is important that you have sufficient and relevant information about the different groups that are likely to be affected. The information that will be most useful will depend on the nature of the project. It may be helpful to look at the following.

- To better understand the way London's diverse communities travel look at [Understanding London's diverse Communities 2019 \(UDC\)](#)

- Every year TfL carries out surveys from randomly selected households in London about travel habits. Findings are set out within the [Travel in London reports](#)
- [Transport for all](#) - a pan-impairment organisation, guided by the passionate belief that all disabled and older people have the right to travel with freedom and independence. The only disabled-led group striving to increase access to transport and streetspace across the UK.
- Comparisons with similar projects although local demographics often differ.
- [The GLA's Equality Evidence Base](#)
- Taking issues to TfL's Independent Disability Advisory Group (IDAG) to gain insights into issues that may affect disabled people. Contact idadg@tfl.gov.uk
- Utilise the [research library](#) and Customer Insights Team to understand feedback from our wider customer engagement.
- Information about the local community, including census findings to help you establish the diversity of the population.
- Proximity to local services such as hospitals, care homes, schools etc.
- Local authority local plans, both quantitative and qualitative information.
- Local data on demographics, amenity, and development plans as well as data from the [UK Census](#)
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups of people.
- Recommendations from inspections or audits to help you identify any concerns about diversity and inclusion matters from regulators.
- Recent research from national, regional, and local sources that includes information on relevant equality issues.
- Languages spoken in the area to establish whether additional consideration needs to be given to how local communities are contacted and communicated with.
- Issues regarding hate crimes in the local area may have an impact on how we can improve safety and security.
- Collision data – particularly for street scheme proposals and especially, if the objective is to reduce casualties (i.e., a positive impact).
- Information regarding deprivation of the areas potentially affected.
- Results of your own engagement with people with different protected characteristics or information from expert organisations who understand the needs of people with different protected characteristics.



If you do not have good evidence about the diversity of people, consider whether your piece of work needs to start filling this information gap. This could mean undertaking short surveys, or some engagement work. If it is not possible to collect this in time to inform your assessment, think about how you can increase your understanding in the short-term before undertaking more robust research later.

The information you collect on the actual impact of your project, will be valuable for your monitoring and review work. Further guidance on taking reasonable steps to gather sufficient information from an early stage can be found in the [EHRC's technical guidance on the PSED](#).

5.1.3 Section 3: Engagement and consultation

Audience understanding should be at the heart of policy and service design, resulting in better decision-making and improved delivery. Genuine two-way engagement improves our understanding of what our audiences are thinking and want and answering concerns and responding to feedback early on could help you save money and time in the long run.

Set out how you have engaged with people from Protected Characteristic Groups (PCGs). If engagement or consultation has not yet been carried out, then please outline when this will take place. Identify key insights that have been collected and how these will be responded to.

A great deal of engagement has already been undertaken by TfL and City Hall on transport and equality, diversity, and inclusion issues, particularly in relation to the [Mayor's Transport Strategy](#) and key policy areas. Be sure to read and refer to this when planning your work.

5.1.4 Commissioning stakeholder and community engagement

While the project manager / sponsor will be responsible for completing the EQIA, the Stakeholder Advocacy and Engagement team, or the Local Communities and Partnerships team can provide stakeholder and community insight and intelligence to help shape your policy. You can commission a stakeholder engagement plan through these teams, where they can facilitate engagement with relevant audiences, including with organisations representing protected characteristic groups e.g., people with disability, older and younger people, women, LGBT+; faith and people from ethnic minorities – at a local, London-wide, national level. It may be useful to contact these teams at the commencement of your project.

Not all projects require large scale consultation to take place. But all projects should have some level of engagement relevant to the project to help you anticipate and manage risk and achieve better outcomes. At the commencement of your project, if you identify that your project requires consultation, there are several key issues to consider. The [Consultation Team](#) can also provide further advice.

5.1.5 What to consider when commissioning engagement

When	Issue	Ideas
Before engagement	Identifying relevant stakeholder groups	<ul style="list-style-type: none"> Local authorities often have lists of local charities, support



When	Issue	Ideas
	<p>who can promote the engagement or help gather community views</p>	<p>groups etc. but be mindful of how diverse these groups are and how representative they are of local views.</p> <ul style="list-style-type: none"> • Letter drops to residents, additional leaflets at medical, religious or day centres. NB, letter drops, or printed letters may not be accessible to all e.g., people with sight impairments or non-English speakers.
	<p>Ensuring that everyone who wants to take part can do so</p>	<ul style="list-style-type: none"> • Use a variety of methods e.g., online surveys, drop-in events, emails, and letters. • Include a statement that engagement materials are available in large print and different languages on request including braille. • Any premises should be accessible to everyone. • Does the timing of any event exclude people (e.g., working, or caring commitments)? • Consider building access, toilet facilities, hearing loops, distance from local area etc.
	<p>Probing on known hot topics</p>	<p>Using the evidence base and research work for your EQIA you should be able to identify any hot topics that require specific questions during the engagement e.g., shared use, bus stop by-passes etc.</p>
<p>During engagement</p>	<p>Responses are not being received from key sections of the community</p>	<p>We often receive the highest levels of responses in the first few weeks. By including monitoring of responses to demographic questions in your process you can identify if certain groups are not taking part. You can then use reminder emails and phone calls or outreach to parts of the community, day centers, school gates, parent & toddler groups, and social media platforms.</p>



When	Issue	Ideas
After engagement	Checking a broad range of communities have been engaged.	<ul style="list-style-type: none"> Consider both the diversity of respondents and expertise of groups consulted. Where gaps exist speak to the stakeholder engagement team who will be able to find specific groups to help. Ensure that the analysis considers the responses of PCGs and the significance of impact. Some voices may be fewer but the potential impact far greater.
	Communicating clearly how the work has been modified to take account of views and expertise inputted during engagement	Use the EQIA to record the ways in which your work has been changed considering stakeholder input. Where issues have been raised that we cannot mitigate it is crucial to explain why.

5.1.6 Engagement options

Who	Why	How
Independent Disability Advisory group (IDAG)	Source strategic, independent, expert advice on accessibility issues.	Via Diversity and Inclusion team. IDAG@tfl.gov.uk
Valuing People Group	To engage with adults with learning difficulties on transport issues	Via Diversity and Inclusion Team. Diversityandinclusion@tfl.gov.uk
Youth Panel	To engage with young people who know us well on key transport issues	Stakeholder Advocacy and Engagement StakeholderAdvocacyandEngagementTeamSAE@tfl.gov.uk
Inclusive transport Forum	To engage with organisations who represent the views of older and disabled people	StakeholderAdvocacyandEngagementTeamSAE@tfl.gov.uk
TfL Customer Panel	Engage online with existing passengers	Via Customer insights Team. Customer.reserach@tfl.gov.uk



Who	Why	How
National, regional, and local stakeholder groups	To engage with national, pan-London and local communities and groups on projects	StakeholderAdvocacyandEngagementTeamSAE@tfl.gov.uk LocalCommunitiesandPartnerships@tfl.gov.uk

5.1.7 Section 4: Identifying the potential impacts

Bringing together your evidence, the aims of your project and any engagement should enable you to start assessing the likely impact on - eliminating discrimination, fostering good relations between different people, and advancing equality of opportunity.

An approach that you may find useful is to ask yourself and colleagues working on the project with you the following:

- Do policy outcomes and service take-up differ between people with different protected characteristics? For example, young people and older people; disabled people and non-disabled people, or women and men.
- Are there a few changes planned that could have a more compound impact on protected groups?
- If there is a greater impact on one group, is that consistent with the policy aims?
- Could some groups or communities be excluded from the benefits of your work?
- If the project has negative impacts on people sharing similar characteristics, what steps can be taken to mitigate these effects?
- Will the piece of work deliver practical benefits for certain Protected characteristic groups (PCGs)?
- Does the project miss opportunities to advance our diversity and inclusion objectives?
- Do other standards or policies need to change to enable this work to be effective?
- Is there a focus on reducing barriers for a specific group e.g., disabled people?
- Has an access appraisal been carried out on built environment projects to assess the inclusiveness of the design, as measured against best practice? Designers should be able to set out how they have considered inclusion through the design decisions.
- How do you plan to communicate any changes and does your project require a specific communication plan to help you target those most impacted?

Be wary of making overly positive or overly generalised conclusions. For example, if you conclude that 'a new platform design will universally benefit all passengers'



without any evidence to support that conclusion; it may be difficult for you to demonstrate compliance with the general equality duty.

Remember that an EQIA helps to identify, and where possible mitigate against or remove, negative effects. It is also an opportunity to identify ways to advance equality of opportunity and foster good relations by enhancing and creating positive change. This may involve building innovative or creative solutions into your project at the design stage.

This is also an opportunity to think about ways in which your piece of work could make a positive impact on equality, diversity, and inclusion in line with our role as a public and Mayoral body. Some examples are provided below:

- Lifts that are easy to find are more likely to be used by people with luggage and buggies as well as people using wheelchairs, reducing accidents on escalators.
- Accessible, well-signed and well-lit streets encourage people to walk around the city supporting the mayor's healthy streets agenda and reducing use of cars.
- Platforms that are well signed and easier to find reduce the likelihood of customers running, tripping, and falling.
- Reliable audio and visual real-time information ensure users receive safety announcements, updates on delays and platform alterations.
- Evenly distributed lighting helps visually impaired people to get around more easily whilst also reducing slips, trips and falls for everyone.
- Safely placed seating encourages people to use our stations more independently, reducing the need for people to stop, sit or lean where it is unsafe.

The assessment of impacts through an EQIA may lead to creating specific actions that should address the potential negative impacts you have identified and build in new opportunities to advance equality of opportunity and foster good relations. Actions which could help mitigate any potential negative impacts should be listed and regularly reviewed. It is vital that it informs the creation of the strategy, where appropriate, and be shared with relevant stakeholders and decision-makers. It should also inform the specification for tendering as well as the evaluation criteria, contract, and monitoring of delivery. This ensures that the rationale for any decisions made remains visible and clear as a piece of work moves from planning to delivery – otherwise there is a risk that key mitigations will not be enacted.

5.1.8 Section 5: Plan action to mitigate any negative impact

If your impact assessment shows that your work is likely to have an adverse or negative impact on certain groups of people, or communities, it is important to demonstrate how you plan to address this. Where it is not possible or feasible to address such impacts, decision-makers need to be clearly informed about this.

Action planning describes the actions you will take to mitigate any negative impact, how the mitigation actions will be implemented, including how those actions will be prioritised, administered, and incorporated into the proposal or programme of work. It

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should also clearly state if more information is required to undertake the assessment more fully.

Positive action: For all groups of people with characteristics protected under the Equality Act 2010 to benefit equally from the services provided by voluntary and community organisations, some groups may need more help or encouragement than others. This is because some groups are disadvantaged or under-represented or have different needs from the population due to past or present discrimination or exclusion or experiences. The Equality Act 2010 allows service providers to take positive action that may involve treating one group more favourably where this is a proportionate way to help members of that group overcome a disadvantage or participate more fully, or to meet needs they have that are different from the population. Positive action is always voluntary and not compulsory. You can take positive action when three conditions are met:

1. You must reasonably think that a group of people who share a protected characteristic and who are, or who could be, using your services:
 - suffer a disadvantage linked to that characteristic
 - have a disproportionately low level of participation in this type of service or activity,
 - need different things from this service from other groups.
2. The action you take is intended to:
 - meet the group's different needs
 - enable or encourage the group to overcome or minimise that disadvantage
 - enable or encourage the group to participate in that activity
3. The action you take is a proportionate way to increase participation, meet different needs or overcome disadvantage. This means that the action is appropriate to that aim and that other action would be less effective in achieving this aim or likely to cause greater disadvantage to other groups

To 'reasonably think' means that you can see the disadvantage, low level of participation or different needs, but you do not have to show any detailed statistical or other evidence i.e., the disadvantages are outweighed by the advantages e.g., the inconvenience of construction works to improve an existing crossing facility.

Additional information on positive action - when it is lawful and what action is lawful can be found in the [EHRC's technical guidance on the PSED](#).

Duty to make reasonable adjustments: Some organisations like employers, local authorities, and public organisations e.g., schools, hospitals etc. must take positive steps to remove the barriers that people face because of their disability. This also applies to transport providers including TfL. This is to ensure that people with disability receive the same services, as far as possible, as someone who is not disabled. The Equality Act 2010 calls this the duty to make reasonable adjustments.

The Equality Act 2010 says changes or adjustments should be made to ensure people with disability can access the following services:

- education
- employment
- housing
- goods and services like shops, banks, cinemas, hospitals, council offices, leisure centres etc.
- associations and private clubs like the scouts and guides, private golf clubs and working men or women clubs etc.

If organisations do not comply with their duty to make reasonable adjustments, this may be unlawful discrimination under the Equality Act 2010.

There are three different things organisations may do to make it easier for people with disability to access services.

1. **Change the way things are done:** Organisations may have a certain way of doing things which makes it more difficult for people with disability to access services or do something. This could be a formal or informal policy, a rule, guidance document or a practice. It could also be a one-off decision. The Equality Act calls this a provision, criterion, or practice. The way things are done should be changed if they are a barrier or represent a barrier for people with disability unless it's unreasonable to do so.
2. **Change a physical feature:** Sometimes a physical feature of a building, service provisions or other premises e.g., steps and stairs, passageways and paths, entrances and exits, toilets, signs, lighting, and ventilation etc. may make it more difficult for people with disability to access or use it. Making reasonable adjustment may include removing, changing, or providing a way of avoiding the physical feature, where it's reasonable to do so e.g., providing ramps and stairway lifts, providing more lighting and clearer signs etc.
3. **Provide extra aids or services:** Sometimes people with disability may require assistance or aids or equipment to help them access services or do something. Or they may require additional services. The Equality Act calls this auxiliary aids and services e.g., providing information in alternative formats, such as Braille or audio formats, a portable induction loop for people with hearing aids, extra staff assistance

Additional information on duty to make reasonable adjustments can be found in the [EHRC's Services Code](#).

5.1.9 Section 6: Monitoring and evaluation

Assessing equality impact is an ongoing process that does not end once a decision or proposal has been implemented. Your assessment will have helped you to foresee and address the proposal's potential impact on different protected characteristics and inclusion groups. However, the success of mitigating actions and the actual impact of the proposal will only be known once it has been implemented. The knowledge gained through implementation of the proposal can be used to consider any possible alterations or modifications to the proposal.



You may find that you want to consider reviewing the proposal if unanticipated negative impacts occur. Other factors that could suggest the need to consider adjusting the proposal might include changes in demographical area, the availability of alternative services or the emergence of new ways to reduce adverse impact.

You may also find it helpful to set out how and when the proposal will be reviewed after implementation. Questions to be considered might include:

- How and when you will measure the actual impact of the proposal.
- How would you monitor and measure the success of the mitigating actions?
- When the proposal will be reviewed and what could trigger an early revision.
- Who will be responsible for monitoring and evaluating the impact?
- What type of information is needed for monitoring and when it will be evaluated?
- How to engage stakeholders in implementation, monitoring and evaluation

5.1.10 Section 7: Making the right decision

As a result of your assessment, your findings may lead you to take one of the following courses of action:

- Continue with your work – Your impact assessment demonstrates that the work will have no potential or adverse impact on equality and inclusion groups, and that you have taken a proportionate approach to advancing equality of opportunity and fostering good relations between people with different protected characteristics. You should document the reasons for this conclusion and the information you used to make this decision.
- Justify and continue with work – In the end, there may be other factors which make it reasonable for you to decide to continue with your programme of work despite its adverse or negative equality impact. You can choose this option where your programme of work does not unlawfully discriminate, or where any potential negative impact is indirect and can be objectively justified. Consideration should be given to the possibility that your decision could be challenged and whether you would be able to satisfy a court that you had due regard to the aims of the PSED when you reached your decision. It is important that you document the reasons for your decision and the evidence that supported these reasons.
- Change or adapt your work – This involves making changes to the proposal to ensure it does not adversely or disproportionately impact certain groups of people, communities or miss opportunities to affect them positively. This can involve taking steps to mitigate adverse or negative impacts, or to strengthen or adapt positive ones. It is lawful under the Equality Act 2010 to treat people differently in some circumstances or adopt positive actions or measures that would benefit people sharing protected characteristics. You should document the reasons for this conclusion and the information you used to make this decision.

- Stop the work – If the EQIA demonstrates a high probability of unavoidable unlawful discrimination and negative impacts which cannot be objectively justified, consider developing a new approach to avoid legal challenges under the Equality Act 2010. It is important that you document the reasons for your decision and the evidence that supported these reasons.

5.1.11 Section 8: Sign-off

TfL Pathway requires that the EQIA is signed off at each stage. The EQIA should be signed off by a senior accountable manager or senior project sponsor. They are ultimately responsible for ensuring that the EQIA requirements are taken onboard and delivered as part of the project deliverables and/or escalated to decision-makers where necessary. By signing, they are confirming that the equality impacts have been identified, understood, and considered; those affected by the proposal/decision have been involved or consulted; and there are plans to mitigate any potential negative impact and monitor the actual impact of the proposal/decision after implementation. At each relevant stage, the EQIA author should send their draft or completed EQIA to CustomerEQIA@tfl.gov.uk for review.

The D&I team is not accountable for the project, and therefore do not ‘approve’ EQIA. Their role, and the role of EQIA Superusers is to support the overall process, provide advice and recommendations to help you achieve more inclusive outcomes.

Depending on the sensitivity, significance and risk associated with your project or policy change, you may be required to share your EQIA with additional senior managers and decision-makers for their review. The EQIA team will provide advice on who should review the EQIA.

5.2 Summary of key considerations

Before you submit the EQIA, please ensure you have read through this guidance and completed the EQIA appropriately. You may need to liaise with internal teams as well as internal and external organisations to obtain supporting information and evidence for the EQIA.

In the summary below, points you are advised to consider are noted in **Blue**. Our advice is not exhaustive but acts as a prompt to support completion.

<p>Disability</p> <p>Customers with disabilities can be split into five disability sub-groups:</p> <ol style="list-style-type: none"> 1. Mobility impairment 2. Visual impairment 	<ul style="list-style-type: none"> • Will our printed and online information, as well as the information frontline colleagues provide to customers, take account of specific information or communication needs of people with various disabilities; is it easy to understand? Is the information granular and specific enough? • Have we decided what core information we need available in large print, audio, Braille, and easy read format as well as visual images and in other languages including British Sign Language? • Have we stated that the information can be made available on request in additional formats (if we have not made accommodations upfront)?
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<p>3. Hearing impairment</p> <p>4. Neurodivergent conditions (autism, dyspraxia, dyslexia, ADHD)</p> <p>5. Mental health conditions (anxiety, depression, stress)</p>	<ul style="list-style-type: none"> • If a physical location, is the site fully accessible to people with mobility impairments or who use a wheelchair? Is it navigable by people who may be visually impaired? Please remember to think about physical environments including streetscapes, vehicles and other various sites, entrances, waiting areas, changing rooms, bathrooms, toilets, signage, and car parking spaces near to the service. • Will we record the communication needs of customers with a physical or mental health condition, learning disability or sensory impairment for referring to when sending out information etc.? • What actions will you take to ensure frontline colleagues treat disabled people with respect and dignity? Have frontline colleagues received training on how to support and communicate with disabled people? • Have you considered that disabled people may arrive to sites unaccompanied?
<p>Race</p> <p>Individuals from minority ethnic backgrounds; colour, nationality, ethnic or national origin</p>	<ul style="list-style-type: none"> • Have you ensured that all service model / policy activity is discoverable and accessible by people from minority ethnic backgrounds? • Have you made sure all communication materials consider different languages and cultures; are they easy to understand? • How will you advertise the service model / policy / product activity among minority ethnic communities by making it available at different/appropriate venues? • Will you engage with local/community equality forums? • Will you implement a procedure to record uptake of interpreted/translated materials, or any ad-hoc requests where necessary?
<p>Religion or Belief</p> <p>Individuals with different Religions and/ or Beliefs</p>	<ul style="list-style-type: none"> • How will individuals from different religions or beliefs find out about our service model / policy / product activity. Are the communication products religiously appropriate/sensitive? • What actions do we need to take to ensure frontline colleagues treat people from different religions/beliefs with respect and dignity? • Are our service model / policy / product activity sites religiously and culturally sensitive to the needs of people from different backgrounds? If not, what needs to change? • Have frontline colleagues received training on any religion and belief, specifically any actions which need to be taken/avoided to remain respectful?



	<ul style="list-style-type: none"> • How will you communicate any changes to local community groups?
Deprivation Individuals from lower socio-economic backgrounds	<ul style="list-style-type: none"> • How will we ensure that the service model / policy / product activity is accessible for people from deprived areas? • Some people in deprived areas have lower educational attainment. How will we ensure that information about the service model / policy / product activity are appropriate to people with lower levels of education and possibly lower levels of literacy? • How will we monitor the uptake of our service model / policy / product activity amongst people from deprived areas? If there is not the expected uptake, how could we better target these individuals? • Have you fully analysed and considered the financial impact of your plans on lower income groups?
Age Individuals of different ages	<ul style="list-style-type: none"> • Have we designed our communications so that it easy for someone of any age (younger or older) to find out about their service and to use their service? • Is our engagement activating easily accessible to older and younger people (e.g., close to public transport links)? • Are our target population digitally literate and have we designed non-digital channels if they are not? • Have you considered safeguarding issues?
Gender Both men and women	<ul style="list-style-type: none"> • Have we made it easy for either men or women to find out about our service model / policy / product activity, thinking about where communications are displayed, or opening/closing time of service model / policy / product activity sites? • Will we monitor the gender uptake of our service model / policy / product activity and take appropriate action if we find one gender is more disadvantaged than another?
Gender reassignment	<ul style="list-style-type: none"> • Have we considered all experiences of gender reassignment? • Have we considered an environment that is user friendly and non-judgemental, which includes privacy of data and freedom from harassment? • Include the outcomes of any engagement with Trans people.
Marriage or civil partnership	<ul style="list-style-type: none"> • Have we considered access and confidentiality?



	<ul style="list-style-type: none"> • Include the outcomes of any engagement with married people and/or people in civil partnerships • Have you considered the impact of your proposal on people who may be fleeing domestic abuse and its associated impact e.g., financial, safeguarding, confidentiality
Pregnancy and maternity	<ul style="list-style-type: none"> • Have we thought about the impact of your plan on women who are pregnant or breastfeeding, and people with childcare responsibilities? • Include the outcomes of any consultation and engagement with pregnant women
General Considerations	<ul style="list-style-type: none"> • Inequalities are not necessarily overt and obvious, they can be subtle, small, everyday micro inequalities. Small changes in the planned service model / policy / product activity could potentially make a significant positive change. • Inequalities may not be intentional, but they can still have a significant impact and need to be addressed. • In considering and addressing inequalities we need to ensure we are focused on improvements for all, and avoid taking the approach where we position the issues with the individuals, and somehow fixing them to fit in. • Individuals within underrepresented groups request and access services and support in different ways. • Where possible please avoid technical language and present simpler terms to explain your project. Keep it factual, use plain English and avoid jargon or acronyms.
Impact	<p>The impacts of your proposal on people due to their protected characteristics could potentially be positive or negative and relate to:</p> <ul style="list-style-type: none"> • An individual's ability to physically access products or services. • An individual's likelihood of wanting to engage with because of your proposal. • An unintended consequence of your proposal
Risk	<p>Additional risk factors to consider in your proposal may relate to:</p> <ul style="list-style-type: none"> • Barriers to access to / inclusion in / engagement • Potential discrimination – either direct or indirect – because of the design or delivery or your proposal. • Legal challenge



	<ul style="list-style-type: none"> • Financial impact • Safety risks • Complexities / causing confusion
Mitigations	<ul style="list-style-type: none"> • Outline what action you or any other bodies are taking to mitigate potential negative impacts identified. • If a potential negative impact is to be accepted, please ensure you highlight this detailing the reasons and why it is deemed appropriate to do so.
Demographic Evidence	<ul style="list-style-type: none"> • Outline the makeup of the target audience (demographic evidence) used to inform the risks, impacts and mitigation sections. The information needs to be relevant for the project to create an understanding of the objectives and outcomes. • List the main sources of data, research, and other sources of evidence (including full references) reviewed to determine impact on each protected characteristic, indicating whether this is different to the national average. • List and number the evidence sources you have used and include links where available. Please ensure, any extracted data is easily understood out of its context.
Engagement and Involvement	<ul style="list-style-type: none"> • Please provide details the organisations and teams (internal and external) you are engaged with for your proposal. For clarity, you should include all organisations and teams in full. Acronyms should only be used after the full name is written once. • For all evidence you have and will list, please add the organisations you sourced or received the evidence from in designing and developing your proposal; the date you spoke to them; what they said and the action you took as a result • If there are organisations or teams that are relevant to your proposal, but you are yet to engage with them, please list them here, and confirm your plans to engage with them.
Action planning	<ul style="list-style-type: none"> • Please state actions you will take to mitigate any negative impact, and how the mitigation actions will be implemented. Document any actions already taken to do this. • If adopting positive actions or measures that would benefit people sharing protected characteristics, ensure that you document the reasons for this conclusion and the information you used to make this decision. • Please include whether more information is required to undertake the assessment more fully.

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5.3 Accountability and decision makers - a checklist for approvers

EQIAs provide real value to TfL in terms of making better, more informed, inclusive, and responsive decisions. TfL is also accountable to the Mayor, its stakeholders and customers. It is recommended that those signing off the EQIA or considering the impacts as part of wider decision-making process also read this guidance document, particularly with regards to understanding our obligations under the PSED (section 3.3). Decisions are open to judicial review, which is costly, time-consuming and damages our reputation. Some key principles are:

1. The main objective of the EQIA is to interrogate the scheme to identify negative and positive impacts on those who have protected characteristics, as defined by the Equality Act and or may be socially disadvantaged. The EQIA should provide evidence that inclusion has been considered throughout the decision-making process.
2. An EQIA is a live document. It should be used at the commencement of your project and updated regularly or at set stages as in the design process.
3. There should be evidence of engagement with identified representatives of protected characteristic groups affected by the scheme.
4. There should be evidence of collaboration across different stakeholder teams in TfL to include wider knowledge and experience e.g., D&I, stakeholders, design decisions, customer experience and those who have evidence and learning from previous projects.
5. The PSED or 'general equality duty' is relevant before and at the time of any decisions that impact customers.
6. This is not just a box ticking exercise and there must be sufficient information to understand the effects of the scheme on customers.
7. Review policies or decisions if circumstances change e.g., if the location or timing of a project changes. This is vital as the duty is a continuing one.
8. Responsibility cannot be delegated to external organisations that are carrying out public functions on our behalf.

EQIAs are an essential part of meeting TfL's PSED. The weight given to equality, diversity and inclusion issues should be proportionate to the relevance of the project to the three aims of the PSED as stated in section 4.4 of this document.

Generally, where large numbers of vulnerable people – very many of whom share a relevant protected characteristic – are affected consideration of the matters set out in the duty must be very high. However even if the number of people affected by a particular decision may be relatively small, for example a decision which affects transsexual people, the seriousness or extent of discrimination and harassment might be great. The weight given to the aims of the duty is not necessarily less when the number of people affected is small.

5.4 Useful links, research, and data

Document	Brief description
Internal	
The Mayor's Transport Strategy	The Mayor's Transport Strategy sets out his plans to transform London's streets, improve public transport and create opportunities for new homes and jobs
TfL Equality Objectives	Our equality objectives set out our commitments on equality. They are underpinned by the way we treat our customers, support our people and work with our partners.
Action on Equality	Action on Equality sets out our commitments to promoting equality for our customers, staff and stakeholders, and our compliance with the Equality Act 2010
Best practice examples	A selection of completed EQIA
Independent Disability Advisory Group	Transport for London (TfL) has an Independent Disability Advisory Group (IDAG) that helps shape our work to keep London moving, working and growing in a way that works for everyone
Understanding Londoners' travel needs	This document is a collection of research data focusing on travel in London among equality groups.
External	
The Office for National Statistics	The Office for National Statistics is the UK's largest independent producer of official statistics and the recognised national statistical institute of the UK. It is responsible for collecting and publishing statistics related to the economy, population, and society at national, regional and local levels
Equality and Human Rights Commission	The Commission is the regulatory body responsible for enforcing the Equality Act 2010.
The London Datastore	The London Datastore is a free and open data-sharing portal where anyone can access data relating to the capital

For further information, please contact the Customer Diversity and Inclusion team on: CustomerEQIA@tfl.gov.uk.

6 Person accountable for this document

Record the Band 4 or 5 manager accountable for keeping this document up to date.

Name	Job title
Sophie Achillini	D&I Lead (Customer)



7 Abbreviations

List capitalised abbreviations (including acronyms and initialisms) plus their meaning in full unless the document is short, to help the reader remember them.

Abbreviation	Meaning
EQIA	Equality Impact Assessment
PSED	Public Sector Equality Duty
EHRC	Equality and Human Rights Commission
UDC	Understanding London's diverse Communities
PCG	Protected Characteristic Group

8 References

List any TfL or external documents that you have referred to.

Document no.	Title or URL
F1457	Customer Equality Impact Assessment (EQIA) form
	EHRC's technical guidance on the PSED.
	EHRC's Services Code.
	PSED (section 3.3)
	Inclusive London strategy
	Equality objectives
	Mayor's Transport Strategy
	Understanding London's diverse Communities 2019 (UDC)
	Customer accessibility requirement guidelines
	Travel in London reports
	Transport for all
	The GLA's Equality Evidence Base
	UK Census
	Independent Disability Advisory Group
Pathway	TfL Pathway - Equality Impact Assessment (EqIA)

9 Document history

Issue no.	Date	Changes	Author
A1	February 2019	Document and associated form F1457 created as per Change Proposal CR-11172.	Kirsteen Singers
A2	October 2022	Document updated and amended so it is specific to customer EQIAs as per CR-16723.	Oluremi Osimade

