

# Equality Impact Assessment (EqIA)

This document fulfils the ICO's requirements to conduct Equality Impact Assessments, as a requirement to have due regard under the Equality Act 2010, S75 of the Northern Ireland Act 1998 and the public sector equality duty. This document helps you to assess the equality relevance of a policy or procedure on one or more groups of people with protected characteristics. Guidance is also available for Equality Impact Assessments (EqIAs), along with a glossary of issues to consider. The purpose of an EqIA is to ensure that equality issues are identified and mitigated. The guidance and 'issues to consider' documents are intended to assist with this, but they are not a substitute for consultation with people with lived experience of any of the protected characteristics. Therefore, you should, wherever appropriate, consult with the ICO Inclusion and Wellbeing Team or other colleagues to discuss potential impacts.

You must read the [guidance](#) and [glossary of issues to consider](#) before completing the document.

Completed EqIAs will be published [on the ICO's website](#).

## Summary

**Prepared by: Andy Grocott**

**What is the title of this piece of work? SAR Generator service**

**Briefly describe the overall purpose of this work.**

Individuals have an important legal right to access information held on them by businesses, through making SARs. Reporting indicates that SARs going in to businesses are often formulated badly, meaning that requests are unclear or unnecessarily wide in scope. This slows down the process of the individual accessing the information they need, and gives businesses an extra administrative burden of trying to understand and meet the request. We believe this is because individuals don't understand how to make a request in the best way, which may stop individuals exercising their right to make a request. The aim of this project is to help individuals understand their rights and how best to make an SAR, thereby supporting individuals, reducing the burden of poorly formulated SARs on businesses, and reducing complaints to the ICO.

The ICO currently has two pieces of guidance on its website that aids data subjects in making a SAR request ([Preparing and submitting your subject access request | ICO](#) and [SAR template for small businesses](#)). The project will replace both of these sets of guidance with a single web service whereby an individual, or person/organisation nominated by that individual, can create a more specific and detailed subject access request, which will then be routed to the DPO email address held on the ICO's public register.

## Initial screening questions

Q1. Does this work relate to an ICO policy, procedure, working practice or anything broadly similar? This includes both current policies and new policies under development.

Yes

If you answer **No** to this question, you may not need to complete a EqIA.

Q2. Is this work about the explanation of the laws which the ICO regulates, or about decisions to use or not use any of our regulatory powers (eg monetary penalties, enforcement notices, information notices etc)?

Yes

If you answer **No** to this question, you may not need to complete a EqIA.

If you answered no to both Q1 and Q2, it is best practice to rationalise why there are no negative impacts to each protected characteristic in the table below.

### Impact on people with protected characteristics

Q3. For each of the protected characteristics, you should consider whether there are any **positive impacts** for people with each characteristic and set those out in the table below. If you think there are any **negative impacts**, set those out in the table below **and** explain how you will fully mitigate those impacts. It is best practice to include three mitigations per negative impact. Sign off can only be done with a minimum of two mitigations. If you think there is no impact, please explain why you think that is the case.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
Religion or belief	No	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
<b>Race, nationality or cultural background</b>	Yes	<p>The two existing SAR services referenced in the "Summary" above are not translated in to Welsh language versions. The initial Beta version of this service will be developed in English and tested with users and iterated in line with feedback. The Live version of the service will then be produced in both English and Welsh, thereby providing a service for Welsh customers that has not existed to date. On the landing page of the Live service we will offer signpost that users can get additional support by calling helpline.</p> <p><b>UPDATED 18/10/2023</b> – Following live testing of the Beta version of the digital SAR service, a Welsh language version of the service has been translated and developed with the support of Linguaskin and colleagues in the ICO's Cardiff regional office. This is a legal requirement under the Welsh Language Measure 2011 and helps ensure that pages relevant to the general public are translated as a matter of priority.</p>
<b>Disabled people</b>	Yes	The service will be built using Umbraco software, templates and patterns already in use on the ICO website. These patterns and

<b>Protected characteristic</b>	<b>Is there likely to be a specific impact on people with this characteristic?</b>	<b>List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.</b>
		templates have all been accessibility tested and are WCAG 2.1 AA compliant. On the landing page of the Live service we will offer signpost that users can get additional support by calling helpline. The service will not be mandatory and users will still be able to make verbal, email or written SAR requests direct to the organisation holding their data.
<b>Sexual orientation</b>	No	N/A
<b>Sex (see note 1)</b>	No	N/A
<b>Age</b>	No	
<b>Gender reassignment (see note 2)</b>	No	N/A
<b>Marital status</b>	No	N/A
<b>Pregnancy and maternity</b>	No	N/A
<b>Political opinions</b>	No	N/A
<b>People with dependants</b>	No	N/A
<b>People without dependants</b>	No	N/A

<b>Protected characteristic</b>	<b>Is there likely to be a specific impact on people with this characteristic?</b>	<b>List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.</b>
<b>Socio-economic groups or social classes (see note 3)</b>	No	N/A
<b>Multiple protected characteristics (see note 4)</b>	No	N/A

*Note 1: you may also wish to consider gender while considering sex, although gender is not a protected characteristic under the Equality Act or s75 of the Northern Ireland Act 1998.*

*Note 2: you may wish to consider the impact on transgender people while considering the protected characteristic of gender reassignment. This includes if the person is proposing to undergo, is undergoing or has undergone a process.*

*Note 3: Socio-economic group or social class is not a protected characteristic, but we would still like to ensure that we consider the impact of our work in this area.*

*Note 4: Multiple protected characteristics is an opportunity to consider whether there are issues which affect people with most or all of the protected characteristics, or where there may be different impacts of the same issue on different characteristics (eg the same issue has a positive impact on people with one protected characteristic but a negative impact on people with another protected characteristic).*

Q4. The ICO has a number of legal obligations in relation to the provision of Welsh language services. Is this work being delivered in Wales, or to the people of Wales, and if so will there be a need to consider the impact on the Welsh language?

Please answer Yes

*If you answer **Yes or Don't Know** to this question or would like further information, please contact the Welsh Regional office to discuss next steps via [wales@ico.org.uk](mailto:wales@ico.org.uk) .*

Q5. In interests of best practice, you should consider whether this work may have a negative impact on or contravene any Human Rights. Click this link to find an overview of each of the human rights and further details about each. The Human Rights Act itself is available at this link. Please confirm that you have considered this and set out any actions you will take to mitigate any impacts.

Answer: No human rights impacted

## Contributing towards the ICO's equality objectives

Q6. How does this work contribute towards the ICO's equality objectives? Please explain contributions, state ways contribution could be increased, or state 'no contribution'.

Objective	Contribution to objective
Objective 1: <b>Spreading knowledge and taking action:</b> We will raise awareness of information rights across the community and take action to ensure that organisations fulfil their obligations. We will have particular focus on groups and sectors where knowledge gaps may cause information rights	The service is designed to support data subjects in their right of access and educate organisations in their duties and responsibilities in response to a SAR.

Objective	Contribution to objective
<p>inequalities or vulnerabilities. We will ensure that in our actions as a regulator we do not create inequalities or discriminate.</p>	
<p>Objective 2: <b>Accessible services:</b> Our services and information will be accessible for users and potential users of our services, and we will provide our staff with the skills and knowledge they need to provide high quality services for all. We will try to anticipate customer needs and we will take action to remove barriers to our services when possible.</p>	<p>The software the service is built in is WCAG2.1 AA tested and compliant. The service is built following user centric methodologies, with user research carried out to understand the user need, the service tested with users and future iterations of the service delivered in line with user feedback and need.</p>
<p>Objective 3: <b>Encouraging others:</b> We will use our status as a regulator, advisory body and purchaser of services to influence improvements in equality by other organisations and across society.</p>	<p>The service will also be made available through our SME Hub so that Organisations can also adopt the service and give data subjects a structured way to make a SAR request that the organisation can then deal with quicker.</p>
<p>Objective 4: <b>Employer:</b> Our workplaces and practices will be accessible, flexible, fair and inclusive. We will value the diversity, skills, backgrounds and experience of our people, enabling them to perform to their best in a welcoming and supportive environment.</p>	

## Monitoring and evaluation

Q7. What arrangements are in place, or will be put in place, to monitor and evaluate the impact of the work on equality?

*Answer:* In line with ICO DDaT's objectives to deliver "amazing digital products and services" and "a standout digital experience for all our people", we will be building the service for all users, in line with user need. The



service will have a built in feedback survey that will measure the usability of the service and seek user feedback. This feedback will be actively monitored and will support future prioritised iterations of the service.

Q8. How long will these arrangements be in place?

*Answer:* The service is being built for the user and will be iterated in line with user feedback and user need. Therefore, the arrangements described in Q7 will remain in place for the lifetime of the service.

Q9. When do you intend to review this EqIA? This should usually be done upon any change that is made to the original piece of work that this EqIA is for.

*Answer:* An EqIA and DPIA are two of the service criteria for "Definition of Done". This criteria is applied before any iterative release or upgrade of the service. If we cannot demonstrate we have met the "Definition of Done" a new release will not have permission or authority to deploy. Therefore, the EqIA and DPIA will be reviewed at each new product/service release to Live.

## Publication

Q10. As stated above and in the guidance, we intend to publish all completed EqIAs on the ICO's website. Please provide detail of any necessary redactions and the intended publication date.

You should also review the wording to ensure that it is as clear as possible for any staff or public to read.

*Answer:* Redaction of name of person completing the EqIA and the line manager required, along with any ICO email addresses contained in the Governance notes to the form.

## Governance and sign-off

The person who completes this document must be content that all potential equality issues have been identified and considered, that appropriate monitoring will be in place and the publication issues have been considered.

Please tick here to confirm that you have consulted with other colleagues and those it would largely impact where appropriate.

Please state here who has completed the EqIA:

*Signed by: Andy Grocott*  
*Date: 18 October 2023*

Approved by line manager:

*Signed by: Suzanne Gordon (SAR generator Sponsor)*  
*Date: 19 October 2023*

You **must** send your completed form to [corporategovernance@ico.org.uk](mailto:corporategovernance@ico.org.uk) for storage and publication.

The EDI Board provides overall assurance that the EqIA process is operating effectively, but it is not for them to review or approve EqIAs.

If you have identified any negative impacts to any protected characteristics that you cannot fully mitigate, please contact Inclusion and Wellbeing for advice via [inclusionandwellbeingteam@ico.org.uk](mailto:inclusionandwellbeingteam@ico.org.uk).

## Section 75 The Northern Ireland Act

To meet the NI section 75 consultation requirement, we must incorporate the following into our EqIA process. Please read through the below and implement as appropriate whilst completing your EqIA

1. We will externally publish a list of all EqIA screenings we complete. We should publish these quarterly. The spreadsheet will be 'housed' on the ICO website [Equality and diversity | ICO](#) (these will include **all** EqIA screenings we complete)
2. Where an EqIA screen results in the need for a full EqIA on a policy, procedure or change that relates directly to the ICO carrying out its external statutory functions; we will consult with key stakeholders at the earliest opportunity for 12 weeks. By law we must consult with the Northern Ireland stakeholder list, but good practice would be to include other relevant stakeholders from across the UK. The author/approval manager will be best places to determine who these should be.
3. We have clarified that if we don't receive a response from these stakeholders to a consultation, that is fine. We record no response and move on with the policy, procedure or change.
4. We have clarified that we do not need to consult under s75 for policies that only impact our staff. Whilst its good practice to consult with staff, Trade Unions etc about changes that impact employees, ways of working etc, this type of internal change would not engage s75. We should of course complete an EqIA at the earliest opportunity, it's just that the s75 consultation requirement is unlikely to be engaged.
5. We have agreed that it would be for the manager who approves the EqIA to determine if a s75 consultation is needed. The Inclusion and Wellbeing team can provide support, but the author and manager will know their business area and will be best placed to assess if a new/change to a policy impacts external customer and stakeholders as part of our statutory function and should therefore be consulted on.
6. We have agreed that it should be for the author/approving manager to send the EqIA screening form or full EQIA form to corporate governance.

Status	Approved
Relevant or related policies	Equality Impact Assessment Guidance
Author/owner	EDI Board (EqIA sub group)

Approved by	EDI Board
Date of sign off	10 February 2023
Review date	February 2024

Version	Changes made	Date	Made by
0.1	Created new document.	June 2021	Chris Braithwaite
0.2	Amendment of title to EqIA and minor amendments	July 2021	Chris Braithwaite
0.2a	Amended to put protected characteristics and objectives into a table as an option to consider	July 2021	Chris Braithwaite
0.3	Added wording in relation to publishing the EqIA	August 2021	Chris Braithwaite
1.0	Links added and approved	September 2021	Chris Braithwaite
2.0	Reviewed form and process	8 August 2022	DOC, AT, JT, RS (IWT)
2.1	DOC added in sections and review of content	28 August	DOC
2.2	Amended changes after collaboration and feedback from the EDI Steering Group	30 August 2022	IWT
2.3	Updated to include best practice consideration of the Human Rights act	26 January 2023	Chris Braithwaite
2.3a	Slight amendment to replace reference to Staff Networks with the ICO Inclusion and Wellbeing Team	17 April 2023	IWT