

People and Equality Impact Assessment

This document fulfils the ICO's requirements to conduct Equality Impact Assessments, as a requirement to have due regard under the Equality Act. 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 People and Equality Impact Assessments (PEIAs), which you can access [through this link](#), along with a glossary of issues to consider, which you can access [through this link](#). The purpose of PEIAs 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 experienced of any of the protected characteristics. Therefore, you should, wherever appropriate, consult with the relevant EDI staff networks or other colleagues to discuss potential impacts.

You must read the guidance and glossary before completing the document.

Please tick here to confirm that you have read the [guidance](#).

Please tick here to confirm that you have read the [glossary of issues to consider](#).

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

Summary

Please provide your name.

Answer: Megan Duncan

What is the title of this piece of work? Please try to ensure that this is likely to be understandable to everyone in the ICO.

Answer: Legal secondee and barrister contractor placement programme.

Briefly describe the overall purpose of this work.

Answer:

The purpose of the scheme is to provide legal resource to the ICO Legal Service as follows:

- (i) Extra and flexible legal capacity of high quality lawyers;
- (ii) Adding to our understanding of how information law is applied in practice;
- (iii) Improving the understanding of how the ICO operates for external information lawyers;
- (iv) Growing our external network of information lawyers; and
- (v) Attracting lawyers to work at the ICO in future.

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.

Please answer Yes or No

Answer: Yes

*If you answer **No** to this question, you may not need to complete a PEIA. PEIAs are only required for policies, procedures and similar. However, with the ICO's commitment to equality, we would like PEIAs to be completed for as much of our work as possible. This should be beneficial in ensuring that you consider any potential equality issues while developing work.*

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 (e.g. monetary penalties, enforcement notices, information notices etc)?

Please answer Yes or No

Answer: No

*If you answer **Yes** to this question, you may not need to complete a PEIA. You do not need to do a PEIA in coming to a decision regarding regulatory action, or explaining how the law operates, as equality considerations are assumed to be part of the laws. However, in areas such as guidance or anything similar, you should definitely complete a PEIA.*

Impact on people with protected characteristics

The issues to consider annex, [available through this link](#), sets out some issues that you should consider for each protected characteristic.

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. 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?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
<p>Religion or belief</p>	<p>No impact</p> <p>The legal secondee and barrister contractor placement programme offers positive opportunities for people from all religions and beliefs.</p> <p><u>Selection of secondees/contractors:</u> We offer placements to lawyers with a relevant background in information law and/or litigation.</p> <p>Solicitor firms are required by professional rules to “act in a way that encourages equality diversity and inclusion”.</p> <p>We will encourage law firms to put forward candidates from diverse background with protected characteristics</p> <p>Placements are offered via an open application scheme run through the ICO website.</p>	

	<p><u>Selection of secondees:</u> We will monitor the EDI data at each stage of the process. If we observe a lack of diversity, we will review the pool of submissions and decide how to proceed.</p> <p>When conducting the selection process, we will be mindful during planning of days of religious observation of faith backgrounds.</p> <p>Once we have all the applications, we will either interview all candidates or we will anonymise the applications/CVs and give each a score based on the relevance of the expertise to an ICO legal role.</p> <p>If possible, there will be diversity in the panel that conduct the selection process for the secondees.</p> <p>Over time, the benefit of the Legal Seconded Programme is intended to improve the ICO's legal services and for the ICO to provide enhanced services to the community as a whole.</p>	
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Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Race, nationality or cultural background	<p>No impact</p> <p>The scheme will offer positive opportunities for people from all races, cultural backgrounds or nationalities.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors"</p>	
Disabled people	<p>No impact/positive impact</p> <p>The scheme will offer opportunities for all including those with disabilities.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p> <p>In addition, we will make reasonable adjustments during the selection process and guarantee to interview all disabled applicants, and promote this when promoting the scheme.</p>	

	<p>Any secondees who are disabled and need reasonable adjustments to work effectively will be accommodated.</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often the ICO's flexible working patterns offer more flexibility than the firm/chambers and other secondments.</p>	
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Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Sexual orientation	<p>No impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" and "Selection of secondees/contractors".</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
<p>Sex (see note 1)</p>	<p>No impact / positive impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" Selection of secondees".</p> <p>Where it aligns with business need, we will enable the secondees to work a variety of flexible working patterns. Although working flexibly is not restricted to a particular sex, statistically it is shown that more women work part-time so withdrawing or not offering flexible working may have a disproportionate negative impact on women.</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often the ICO's flexible working patterns offer more flexibility than the firm/chambers and other secondments.</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Age	<p>No impact / positive impact</p> <p>The scheme will offer positive opportunities for people from all ages. The requirement for qualifications and experience are in line with relevant employment law requirements.</p> <p>See above sections on "Selection of firms" Selection of secondees".</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often the ICO's flexible working patters offer more flexibility than the firm/chambers and other secondments.</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Gender reassignment (see note 2)	<p>No impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p>	
Marital status	<p>No impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p>	
Political opinions	<p>No impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors"</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Pregnancy and maternity	<p>No impact</p> <p>Being pregnant or being on maternity leave will not be a barrier to applying for the secondment scheme. Offers will be made to the most suitable people based on the criteria.</p> <p>The scheme will offer positive opportunities to all.</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often the ICO's flexible working patterns offer more flexibility than the firm/chambers and other secondments.</p> <p>See above sections on "Selection of firms" and "Selection of secondees/contractors".</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
People with dependants	<p>No impact/positive impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often the ICO's flexible working patterns offer more flexibility than the firm/chambers and other secondments.</p> <p>The secondees will not become employees of the ICO. The ICO will support flexible working and time off to care for dependents for the period of the secondment</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p>	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Socio-economic groups or social classes (see note 3)	<p>No impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p> <p>There is evidence that requiring specific educational qualifications may limit opportunities for some groups. There will be no requirements for qualifications to be from specific establishments or any particular routes to becoming a solicitor, legal executive or barrister.</p>	
Multiple protected characteristics (see note 4)	<p>No impact/positive impact</p> <p>The scheme will offer positive opportunities to all.</p> <p>For many firms and chambers, the ICO's flexible working patterns will have a positive impact, albeit for a limited period. Very often</p>	

	<p>the ICO's flexible working patters offer more flexibility than the firm/chambers and other secondments.</p> <p>See above sections on "Selection of firms" Selection of secondees/contractors".</p>	
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Note 1: you may also wish to consider gender while considering sex, although gender is not a protected characteristic under the Equality Act.

Note 2: you may wish to consider the impact on transgender people while considering people undergoing gender reassignment, although gender is not a protected characteristic under the Equality Act

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 (e.g. the same issue has a positive impact on people with one protected characteristic but a negative impact on people with another protected characteristic)

If you state that for any negative impact the mitigation you have identified will not be able to fully mitigate the negative impact, you will need to contact HR to discuss next steps. Details are provided at the end of this document.

Q4. The ICO's Welsh Regional Office has a statutory requirement to provide services through the medium of the Welsh language. Will there be a requirement for this work to include a Welsh-language element?

Please answer Yes, No or Don't Know

Answer: No

If you answer **Yes or Don't Know** to this question, you will need to contact the Welsh Regional Office to discuss next steps.

Contributing towards the ICO's equality objectives

Q5. How does this work contribute towards the ICO's equality objectives? For each of the objectives in the table below, please explain how the work you are doing will contribute to achieving this objective or state "no contribution". If there are ways that the contribution could be increased, please also mention them here.

Objective	Contribution to objective
Objective 1: <u>Spreading knowledge and taking action</u> : 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 inequalities or vulnerabilities. We will ensure that in our actions as a regulator we do not create inequalities or discriminate.	<ul style="list-style-type: none">(i) the lawyers seconded to the ICO will raise awareness of information rights in their careers(ii) the benefits to our ICO legal service will improve the ICO's work generally, including to raise awareness of information rights and take action to ensure organisations fulfil their obligations.(iii) From the secondees, we will gain understanding of groups and sectors with knowledge gaps and how we can work to improve those.

Objective	Contribution to objective
Objective 2: <u>Accessible services</u> : 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.	(i) the benefits to our ICO legal service will improve the ICO's work generally, including the need to provide high quality services for all and anticipate customer needs (ii) the secondees will provide insights from their previous work experience which will improve our services for all.
Objective 3: Encouraging others: 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.	(i) by being very clear with firms and chambers about the ICO's equality aims, we will influence them to make improvements to their equality aims. (iii) we will monitor the EDI data at each stage of the process, and continuously consider whether additional steps to our selection process could improve equality
Objective 4: Employer: 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.	We will offer the same flexible working patterns to secondees. This may have direct benefits to equality. The scheme may offer a career-development opportunity to those with protected characteristics, which would otherwise not be available.

Monitoring and evaluation

Q6. What arrangements are in place, or will you put in place, to monitor and evaluate the impact of the work on equality?

Answer: We will monitor EDI during the selection process and for the period of the secondments.

Q7. How long will these arrangements be in place?

Answer: The monitoring will continue throughout the scheme

Q8. When do you intend to review this monitoring to assess the impact of this work on equality? This should usually be done no later than a year after implementation and may need to be ongoing as part of regular review of the work.

Answer:

We will review the EDI data for the scheme as part of the full review to measure the effectiveness of the scheme.

Publication

Q9. As stated above and in the guidance, we intend to publish all completed PEIAs on the ICO's website. Are there any parts of your answers to the questions above which need to be redacted prior to publication? Should publication be delayed until a certain date? If so, please provide details for each of these questions in the box below.

You should also review the wording to ensure that it is likely to be as understandable as possible to any member of the public.

Answer: No

Conclusion and sign-off

Thank you for completing this PEIA.

You should ensure that the person with overall responsibility for the piece of work the PEIA refers to is 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. This might be you, your line manager or someone else in the ICO. Therefore, you may need to provide this PEIA form to that person for review prior to completing it.

Please tick here to confirm that you have consulted with the relevant EDI staff networks or other colleagues where appropriate.

Please state here who has signed off the PEIA.

Signed off by: Megan Duncan

At each of their meetings, the EDI Board will receive a summary of the PEIAs which have been completed over the previous six weeks. However, the role of the EDI Board is **not** review and approval of PEIAs, rather overall assurance that the PEIA process is operating effectively.

For the actions which you have identified, you must complete a PEIA action plan, which you can access at [this link](#).

If you have identified that there are any negative impacts to any protected characteristics that you cannot fully mitigate (so that despite your best efforts, there will still be a negative impact to people with that protected characteristic), you must contact HR for advice via HRteam@ico.org.uk.

Please send your completed form to corporategovernance@ico.org.uk for storage and publication.

Version number	1.0
Status	Approved
Relevant or related policies	People and Equality Impact Assessment Guidance
Author/owner	EDI Board
Approved by	Jen Green and Suzanne Gordon (EDI Board Chairs)

Date of sign off	30 August 2024
Review date	August 2026

Version	Changes made	Date	Made by
0.1	Created new document.	June 2021	Chris Braithwaite
0.2	Amendment of title to PEIA 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 PEIA	August 2021	Chris Braithwaite
1.0	Links added and approved	September 2021	Chris Braithwaite