



EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/practice/process/service:

Advice and Assistance (A&A) and Assistance By Way Of Representation (ABWOR): increases in authorised expenditure

Is the policy new (proposed), a revision to an existing policy or a review of current policy?

A review of a current set of policies.

Key findings from this assessment (or reason why an EqIA is not required):

Equalities considerations are embedded into our assessment of increases policy and practice. The impact assessment indicates that a key consideration is clear guidance for our decision-makers and for those submitting accounts. The findings will be carried into the development of Decision Makers Guidance and external guidance.

Summary of actions taken because of this assessment:

We will monitor how the policy works in practice through ongoing review of decisions.

Ongoing actions beyond implementation include:

No specific actions identified.

Lead person(s) for this assessment (job title and department only):

Policy Projects Manager, in conjunction with Head of Civil and Children's Legal Assistance and Head of Criminal Legal Assistance.

Senior responsible owner agreement that the policy has been fully assessed against the needs of the general duty (job title only):

Director of Operations.

Publication date (for completion by Communications):

25/06/2024

Document control		
Document control:	Advice and Assistance (A&A) and Assistance By Way Of Representation (ABWOR): increases in authorised expenditure v0.6	
Date policy live from:	08/06/2023	
Review cycle:	Every three years	
Document change log		
Version/Author	Date	Comment
V0.1	March 2022	First draft based on completed templates
V0.2	June 2022	Second draft incorporating discussions of equality issues with operational colleagues
V0.3	October 2022	Third draft following consideration of the policy statement and outline of equality issues by the GALA Review Group
V0.4	June 2023	Fourth draft following input from Policy Officer (Equalities) for review by Operations colleagues and reviewed by GALA Review Group
V0.5	February 2024	Update to section three following outcome of consultation
V0.6	April 2024	Finalised clean version

Step 1 - Framing the planned change

Discussing step 1 and step 2 with the Policy Officer (Equalities) at an early stage will help identify appropriate evidence. This may include support from the wider Policy and Development team.

1.1 Briefly describe the aims, objectives and purpose of the policy/practice/process/service. You can use the information in your project specification, business case etc.

The assessment of requests for increases in authorised expenditure in advice and assistance (A&A) and Assistance by Way of Representation (ABWOR) is a role that is common across civil, children's and criminal legal aid. The ultimate decision to be made on a request for an increase in authorised expenditure is how much to grant as an increase claimed by a solicitor. This can be to grant a request in full, part grant the request or refuse the request.

Our policy is that the test applied is one of reasonableness where an application for an increase in authorised expenditure is not covered by a template. Our policy is that we will assess both the reasonableness of undertaking the proposed work and/or commissioning an outlay, and the reasonableness of the specific amount sought as cover for the new level of expenditure. The use of 'work' below includes commissioning of an outlay for brevity.

For any increase in authorised expenditure, the work undertaken must not deviate from the work we have approved. If other work is proposed, the solicitor must submit a further increase request. We will grant an increase request where the solicitor has provided information which allows us to conclude that:

1. the work appears reasonable given the facts and circumstances of the case,
2. the cost of the work proposed appears reasonable given the facts and circumstances of the case,
3. the cost appears to not be a duplication of other work carried out in the case or in linked cases.

Our policy is that, when considering the points above, the factors we will consider in assessing whether the increase in authorised expenditure is reasonable are whether:

- a. the work proposed appears to be necessary to advance the case or lead to its early resolution (including discontinuation of proceedings),

- b. other more economical or cost-efficient means of carrying out the work are available,
- c. the work is not premature,
- d. it is shown that the case includes matters of complexity or raises difficult or novel questions for the particular area of work,
- e. it is shown that there is particular skill, effort, specialised knowledge and responsibility required in the case for the particular area of work,
- f. the client's particular vulnerabilities impact on the nature of the work required and/or the way the work requires to be carried out.

Our policy is that solicitors should provide a summary of the work already completed, together with details of the further work now proposed. Where an outlay is sought, the request can be accompanied by appropriate quotes. This summary and the need for comparative quotes is supplemented by our understanding of currently accepted practice or patterns of charging for the particular subject matter, case or work item. A particular subject matter means a case category or type of proceeding and/or court or tribunal procedure.

The solicitor must direct us towards the factors that justify an increase request. One or more factors can be sufficient justification for an increase. We will assess an increase against all relevant factors, not only those indicated by the solicitor, in concluding on whether it is reasonable. We will restrict an increase request to the work, and associated cost, which is reasonable in the circumstances of the case.

Additional factors in civil Advice and Assistance (A&A) and civil Assistance by Way of Representation (ABWOR)

For civil the factors we will consider whether the increase in authorised expenditure is reasonable in assessing, as outlined above, and additionally whether:

- the value of claim is sufficient to warrant the expenditure,
- the impact on the client of the available legal outcomes is sufficient to warrant the expenditure.

For both these factors, we also consider proportionality and balance the assessment on value of the claim or impact on the person with likely wider impact on others, development of case law, protection of human rights or the promotion of equality of opportunity for people with shared protected characteristics.

1.2 Why is the change required? *Legislative, routine review etc.*

We are reviewing our approach to assessing increases as this area could be potentially enhanced consistency, either in how we apply our discretion or how the detail is expressed through guidance. Our aim is to clarify the assessment process, the factors we consider and the information we need in assessing requests for increases in authorised expenditure. We hope that this will help solicitors to request increases that are more likely to be granted in full, first time. By being clearer about what we do, how we do it and why we do it, we hope to smooth the system operation for the benefit of the profession and our own staff.

1.3 Who is affected by this policy/practice/process/service? *Be clear about who the ‘customer’ is.*

The ultimate customer is the client to whom legal services, which are supported through the Legal Aid Fund, are provided. Solicitors work with the policies and guidance we develop. They are affected by the policy but not in relation to their protected characteristics.

1.4 Policy/practice/process/service implementation date? *Project end date, date new legislation will take effect.*

Policy is currently in effect.

1.5 What other SLAB policies or projects may be linked to or affected by changes to this policy/practice/process/service?

The EqlA for related policies might help you understand potential impacts, and/or your findings might be relevant to share.

The main related operational policies are the valid grant policy and policy on templates, as well as accounts assessment and the policies associated with payments due by the assisted person at the end of the case.

Step 2: Consider the available evidence and data relevant to your policy/practice/process/service

The information you gather in this section will:

- *help you to understand the importance of your policy/practice/process/service for different equality groups,*
- *inform the depth of equality impact assessment you need to do (this should be proportional to the potential impact on equality groups), and*

- *provide justification and an audit trail behind your decisions, including where it is agreed an equality impact assessment is not required.*

2.1 What information is available about the experience of each equality group in relation to this policy/practice/process/service?

Stay focused on the topic and scope of your policy/practice/process/service. Does the policy/practice/process/service relate to an area where there are already known inequalities? Refer to the EqlA guidance for sources of evidence.

Remember, this step in the EqlA process is NOT about the impact your policy has on equality groups and what we need to do to mitigate those. That assessment is done under Step 4.

Note: If you proceed to a full EqlA you should continue to add to this section as you develop the policy/practice/process/service, come across new evidence and/or undertake a consultation.

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).
Cross cutting	(1) Internal review of data and the legal aid landscape (2) Inclusive language: external and internal guidelines	The profile of applicants to the Legal Aid Fund is patterned by protected characteristics within different aid types (for example, between civil and criminal legal aid) and by case categories within those aid types (for example, between those seeking to oppose interdict orders and those seeking divorce). We have no control over who applies to the Fund, which operates on eligibility rather than entitlement basis. Solicitors are the key intermediaries who decide which clients and which cases they take on. The aggregate position is the result of complex interactions between societal trends, changes in wider justice sector processes, individual firms' appetite to undertake legally aided work for a particular case or client, and the actual legal issue at play. We do have a responsibility to ensure that applicants are not treated unfairly because of their protected characteristics. Our assessment officers need to be told by solicitors how someone's

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		protected characteristics affect the provision of the legal services they require: we will not know and cannot assume what that impact will be at the individual case level. (1) Language used to describe different equality groups can be stigmatising. (2)
Age	<ul style="list-style-type: none"> (1) SLAB internal administrative data on applicants, 2021-22 (2) Scottish Survey Core Questions (3) Healthy ageing in Scotland (4) Attention and ageing (5) Attention spans for children 	<p>SLAB’s administrative data shows that 57% of civil advice and assistance grants were made to people aged between 25 and 44, with 29% aged 45 and over. Those aged between 25 and 44 made up 62% of people granted criminal advice and assistance, with 19% aged 45 and over. In children’s advice and assistance, 68% were aged between 25 and 44, with only 12% aged 45 and over. (1)</p> <p>This is in the context of national data, which has 31% of people aged between 25 and 44, with 56% aged 45 and over. (2)</p> <p>The incidence and severity of disability increases as we age. (3)</p> <p>The ability to process complex tasks slows as we age. (4)</p> <p>Attention spans for children increase as they reach 18. (5)</p>
Disability	<ul style="list-style-type: none"> (1) SLAB applicants survey data and Scottish Survey Core Questions (2) SLAB equality outcomes research 	<p>SLAB’s surveys of legal aid applicants and direct service clients across both civil and criminal areas show a high prevalence of declared disability (between 43% and 54%) as compared to the general population (26% in Scottish Survey Core Questions 2019). (1)</p> <p>Access was the most prevalent theme for people with learning or physical disabilities. This was discussed in several forms - contacting a service, getting information or understanding discussions. The group were also explicit in their desire not to be defined by their disability, expressing a need for service providers to take time to understand an individual’s requirements and consider how best to interact. The other important</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(3) Housing and disabled people: Britain's hidden crisis</p> <p>(4) Disabled people's travel behaviour and attitudes to travel</p> <p>(5) Communication support and disabilities, UK govt</p> <p>(6) Capital District Health Authority guidance; Anxiety: The Cognitive Perspective</p> <p>(7) Health needs assessment of lesbian, gay,</p>	<p>theme was that appropriate consideration is given to engaging with carers and support workers. These interactions can be complex, as it cannot always be assumed that a carer or support worker is known to, or trusted by, an individual.</p> <p>People with disabilities face several communication barriers, which differ depending on the nature of the disability. Website accessibility is also crucial for those who may need to undertake significant planning to get to an appointment. For people with experience of poor mental health, the biggest communication challenge is needing to frequently explain not only the reason for the appointment, but details of their condition or diagnosis. Other barriers faced relate to difficulties around understanding or retaining information. The first common theme to emerge when discussing the appointment itself was difficulty filling in forms. This could be due to language, understanding or accessibility issues. Another common theme across people with disabilities and people from ethnic minority backgrounds was concern around confidentiality relating to extended family or support workers attending appointments. The third theme to emerge when discussing the appointment was the need to ensure the best use of the time available and to allow more time, if needed. Some flexibility in the structure and length of appointments would benefit most of the groups we talked to. (2) People with disabilities are less likely to be able to leave their homes and travel autonomously. (3) (4) By making it clear that we can fund adjustments for people with disabilities, they know that we wish to include them in legally aided service provision. (5) When experiencing mental health problems, concentrating and remembering things can be difficult, as well as heighten stress levels, which may be an issue for interacting with SLAB. Anxiety and stress can exacerbate problems with reading comprehension. (6)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	bisexual, transgender and non-binary people	<p>“Overall, the HNA has evidenced that LGBT+ people face health inequalities on every measure of wellbeing (social, physical, mental and emotional, financial etc). This is true for all LGBT+ groups, but non-binary and trans people consistently demonstrate the worst health and wellbeing indicators, and bisexual women also have particularly poor indicators for mental wellbeing.” (7)</p> <p>It is important to bear in mind that there will be specific case types where legal assistance funding is provided under ABWOR, and which are specifically focused on people who have, or are ascribed with having, a disability: for instance, work relating to the mental health tribunal.</p>
Race	<p>(1) SLAB applicants survey data and Scottish Survey Core Questions</p> <p>(2) SLAB equality outcomes research</p> <p>(3) Immigration and asylum overview</p> <p>(4) Findings from internal spoken language interpreting and</p>	<p>SLAB’s survey data indicates that the proportion belonging to the White ethnic group for criminal legal aid applicants (97%) and PDSO clients (93%) is similar to the general population (95% in Scottish Survey Core Questions 2019). Civil legal aid applicants (89%) and CLAO contacts and clients (86%) are less likely to belong to the White ethnic group. Access issues were the most prevalent concerns for people from ethnic minority backgrounds, primarily linked to language and communication, with participants highlighting the difficulties faced by those with poor or no English. These included the challenges of making phone calls or appointments, explaining a situation, filling in forms or understanding background materials. There were also discussions around the inherent assumptions made about service users’ knowledge and the need for service providers to understand cultural differences and sensitivities. (1)</p> <p>The first common theme to emerge was a difficulty filling in forms, which could be due to language, understanding or accessibility issues. Another common theme across people with disabilities and people from ethnic minority backgrounds was a concern around confidentiality in relation to extended family or support workers attending</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>translation review</p> <p>(5) Good practice guide to working with interpreters</p> <p>(6) Complex post-traumatic stress disorder in asylum seekers and victims of trafficking: treatment considerations</p> <p>(7) NHS: Symptoms of PTSD</p>	<p>appointments. A third theme was to ensure the best use of the time available and to allow more time if needed, as flexibility in the structure and length of appointments would benefit most of the groups we talked to. (2)</p> <p>Those with immigration and asylum cases are more likely to need spoken language interpreting and translation, because of their nationality, ethnicity and race. (3)</p> <p>For spoken language interpreting and translation, a clear policy exists that sets out standard rates and terms surrounding what that covers or excludes. The issues raised by solicitors around availability of language interpreters at SLAB rates are for more rarely encountered spoken languages. In these instances, the standard rate for spoken language interpreting can be overridden. Otherwise, if a claim is received above the standard rate, the cost is restricted to standard rates and terms. The level of SLAB's standard hourly rates for spoken language interpreters appear to be competitive when compared to Scottish Government's framework and the Legal Aid Agency's rates. New interpreters continue to join the register. Overall, the supply of spoken language interpreters does not appear to be a problem at SLAB rates. (4)</p> <p>Spoken language interpreting usually needs a longer meeting time than would usually be the case. (5)</p> <p>Asylum seekers experience high levels of traumatic events pre, post and during migration. Exposure to such events can lead to the development of a wide range of mental health difficulties, such as PTSD, which includes symptoms of re-experiencing the trauma through flashbacks or nightmares, avoidance of reminders and hyperarousal. (6)</p> <p>Post-traumatic stress disorder's symptoms include avoidance (avoiding people/places that remind you of the trauma avoiding or talking to anyone about your experience),</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		hyperarousal (feeling very anxious and difficult to relax which can lead to irritability, angry outbursts and difficulty concentrating), mental or physical health problems. (7)
Sex	<p>(1) SLAB applicants survey data and Scottish Survey Core Questions</p> <p>(2) SLAB administrative data on applicants</p> <p>(3) Scottish Health Survey 2019</p> <p>(4) Symptoms of the female menopause</p> <p>(5) Symptoms of the 'male menopause'</p>	<p>SLAB survey data indicates that the proportion of women accessing CLAO services (60%) and civil legal aid in general (64%) is higher than in the general population (52% in Scottish Survey Core Questions 2019). For criminal legal aid (26%) and PDSO clients (26%), the proportion of women is much lower than the general population. (1)</p> <p>Our administrative data aligns with this split by criminal advice and assistance, with 81% male. Applicants for civil advice and assistance were 53% female and applicants for children's advice and assistance were 65% female. (2)</p> <p>Under A&A, 52.61% of the applicants were female and 47.39% were male. (2)</p> <p>There are few significant differences between the mental health and wellbeing of men and women in Scotland. In terms of general health, men self-reported better health than women. Men were more likely to have a range of long term conditions than women. (3)</p> <p>Most women will experience some symptoms around the menopause. These can include problems with memory and concentration, anxiety and difficulty sleeping. (4)</p> <p>Some men develop depression and other physical and emotional symptoms when they reach their late 40s to early 50s, with symptoms including difficulty sleeping, poor concentration and short-term memory. (5)</p>
Gender Reassignment	(1) SLAB applicants survey data and Scottish Survey Core Questions	<p>SLAB's survey data for civil and criminal applicants indicates around 1% of applicants have a different gender identity to the one they were born with, as compared to less than 1% in the Scottish Survey Core Questions 2019. (1)</p> <p>Sources suggest gender reassignment is correlated to higher levels of mental ill health. (2)(3)(4)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	(2) Trans mental health study (3) Stonewall survey of LGBT mental health (4) Health needs assessment of lesbian, gay, bisexual, transgender and non-binary people	
Sexual orientation	(1) SLAB applicants survey data and Scottish Survey Core Questions (2) Stonewall LGBT mental health survey (3) Health needs assessment of LGBT+	SLAB’s survey data for CLAO contact and client, PDSO clients, civil and criminal applicants indicates that a similar proportion of applicants identify as Lesbian, Gay, Bisexual or Other, as compared to around 3% in the Scottish Survey Core Questions 2019. (1) Some sexual orientations are correlated to higher levels of mental ill health. (2) (3)
Religion or Belief	(1) SLAB applicants survey data and	SLAB’s survey data for civil applicants indicates that fewer applicants declared “No religion” (38%) as compared to the general population (54%) in the Scottish Survey Core

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	Scottish Survey Core Questions	Questions 2019. Similar proportions of applicants identified as belonging to the Church of Scotland (around 23%), the Roman Catholic Church (around 14%) and as “Other Christian” (around 7%). Civil applicants were more likely to be from other faiths (10%) as compared to the general population (4%). (1)
Pregnancy or maternity	(1) NHS advice on travel during pregnancy (2) Mental health and pregnancy	Some pregnant women may not be able to travel long or short distances. (1) Pregnancy can be correlated to mental health problems such as depression, PTSD, panic disorder or obsessive-compulsive disorder. (2)
Marriage/civil partnership	N/A	N/A
Care Experienced (<i>corporate parenting duty</i>)	(1) SLAB applicants survey data and ‘Who Cares? Scotland’ collated statistics (2) Internal SLAB care experience literature review	Surveys indicate that PDSO clients (4%) and criminal legal aid applicants (8%) are more likely than the general population to be currently looked after. The proportion for civil legal aid applicants and CLAO contacts and clients are similar to the general population. Both the PDSO (8%) and criminal applicant (13%) surveys showed higher levels of people being previously looked after as compared to civil applicant (3%) and CLAO (6%) surveys. Surveys of people in custody (40%) and prison (25%) indicate high proportions of care experienced people involved in the criminal justice system. (1) Evidence gathered as part of an internal literature review suggests that being care experienced is linked to higher levels of mental ill health. (2)

2.2 Using the information above and your knowledge of the policy/practice/process/service, summarise your overall assessment of how important and relevant the policy/practice/process/service is likely to be for equality groups.

This policy statement on the assessment of requests for increases in authorised expenditure in A&A and ABWOR relates to how we will assess both the reasonableness of undertaking the proposed work and/or commissioning an outlay, and the reasonableness of the specific amount sought as cover for the new level of expenditure. The policy states that we will grant an increase application where the solicitor has provided information, which allows us to conclude that an increase in cost is reasonable. To determine whether an increase in cost is reasonable, we take certain factors into account, which includes whether the client’s particular vulnerabilities impact on the nature of the work required and/or the way the work is required to be carried out.

The evidence in table 2.1, under step 2 (above) sets out data for A&A clients, as well as more generally on clients of PDSO, CLAO and civil, criminal and children’s legal aid applicants. It also provides general evidence on the different protected characteristics that are relevant to this policy. Clients with mental health issues, physical disabilities, language barriers or different communications needs may require meetings to be shorter, longer or include more frequent breaks. In some cases, it might be required for the solicitor to travel to the client because they are not able to attend meetings outside their home. These factors may contribute to an increase in costs and should be taken into consideration under reasonableness.

2.3 Outcome of step 2 and next steps. Complete the table below to inform the next stage of the EqIA process.
Consult with the project group and/or Corporate Policy Officer (Equalities) on completing this section.

Outcome of Step 2 following initial evidence gathering and relevance to equality characteristics	Yes/ No (Y or N)	Next steps
There is no relevance to equality or our corporate parenting duties	N	Proceed to Step 5: agree with decision makers that no EqIA is required based on current evidence
There is relevance to some or all of the equality groups and/or our corporate parenting duties	Y	Proceed to Step 3: complete full EqIA
It is unclear if there is relevance to some or all of the equality groups and/or our corporate parenting duties	N	Proceed to Step 3: complete full EqIA

Step 3 - stakeholder involvement and consultation

This step will help you to address any gaps in evidence identified in Step 2. Speaking to people who will be affected by your policy/practice/process/service can help clarify the impact it will have on different equality groups.

Remember that sufficient evidence is required for you to show ‘due regard’ to the likely or actual impact of your policy/practice/process/service on equality groups. An inadequate analysis in an assessment may mean failure to meet the general duty.

The Policy and Development team can help to identify appropriate ways to engage with external groups or to undertake research to fill evidence gaps.

3.1 Do you/did you have any consultation or involvement planned for this policy/practice/process service?

Yes.

3.2 List all the stakeholder groups that you will talk to about this policy/practice/process/service.

We published a consultation covering this policy area on our website, with responses open to all. A link to the consultation was also provided to all solicitors registered to provide legal aid as part of a broader mailshot to the profession.

3.3 What did you learn from the consultation/involvement? Remember to record relevant actions in the assessment action log.

Research work in the [SLAB equality outcomes research](#) specifically involved an exercise to assist in framing our equality outcomes, which highlighted the potential for an outcome focused on funding for adjustments on race/disability: “Equality outcome 1: People with disabilities and people who speak languages other than English can access our services and funding of appropriate communication support with ease.”

Our autumn 2023 public consultation on A&A and ABWOR policies included a specific question regarding equalities implications with consultation documents publicly available on SLAB’s website. This received three responses from solicitor firms. Whilst this policy fell within the scope of that consultation, none of the comments received were directly relevant to this policy area; as such, our assessment for the purposes of this EqIA has not changed following the consultation exercise.

Step 4 - Impact on equality groups and steps to address these

You must consider the three aims of the general duty for each protected characteristic. The following questions will help:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

4.1 Does the policy/practice/process/service have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?

In the tables below, record the impact the policy/practice/process/service might have on each equality characteristic, as it is planned or as it operates, and describe what changes in policy/practice process/service or actions will be required to mitigate that impact. Copy any actions across to the project action log.

All protected characteristics	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity	X			
				For all protected characteristics where there is a possible discriminatory impact, we will highlight in external guidance what adjustments are possible and what evidence is needed to justify these. We will highlight to decision makers the range of ways that protected characteristics can

				affect the service someone needs and the cost of an increase in authorised expenditure.
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Age	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			Older people may be more likely to experience conditions that affect their ability to travel to a solicitor, therefore the solicitor may have to travel to their home which could cause an increase in costs. Some older people may have difficulties processing complex information or tasks, therefore longer meetings or more frequent breaks might be needed.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Sex	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			Symptoms associated with the menopause may include a lack of concentration and recall, which in turn can have an impact on the legal services which people need, for example, a letter confirming that advice was provided may be needed or a series of shorter meetings. Women are more likely to be primary carers for children or vulnerable adults, so a series of shorter meetings could be arranged to meet client's needs.

				In exceptional cases it could also be arranged for the solicitor to visit the client if they were not able to attend an important meeting due to care responsibilities.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Disability	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			Symptoms associated with mental ill health may include a lack of concentration and recall or other communication needs which in turn can have an impact on the legal services the people need. Shorter meetings or frequent breaks might be required for those struggling with concentration. Longer meetings might be needed to allow a solicitor to explain a situation clearly to a person with learning disabilities. Where a client with a disability is housebound or cannot otherwise travel to a solicitor's office, we can allow an increase in authorised expenditure for travel to their home by the solicitor. Longer meetings might also be required for BSL users who require an interpreter.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Gender reassignment	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	There is no specific evidence that there is any impact of this policy on this protected characteristic. Impacts are due to the intersectionality with mental and physical health, rather than with gender reassignment directly.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Race	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			There might be different impacts of this policy on this protected characteristic. For example, in asylum cases the client may have severe PTSD associated with the circumstances of leaving their home country so longer meetings, or a series of longer meetings, may be needed to build trust and deal with the impact of symptoms associated with PTSD. In these and other types of cases, where spoken language interpreting is required, this will increase the length of meetings. Any other cases where the client's first language is not English, and they require an interpreter, means more time or more frequent meetings are required. More time might be needed for translation, but also to explain certain matters and assist in completing forms.

potential for developing good relations			X	
potential to advance equality of opportunity			X	

Religion or Belief	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	There is no specific evidence that there is any impact of this policy on this protected characteristic. There might be an impact due to intersectionality with ethnicity, nationality and spoken language.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Sexual Orientation	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	There is no specific evidence that there is any impact of this policy on this protected characteristic. There might be an impact due to intersectionality with mental and physical health.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Pregnancy & Maternity	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X			Some pregnant women may not be able to travel to the solicitor's office, in which case the solicitor can travel to them. Where a pregnant woman is experiencing mental health problems, these may result in lack of concentration and recall, affecting what legal services need to be provided. A series of shorter, but more frequent meetings might be needed.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Marriage & Civil Partnership	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	N/A
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Care experienced young people	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	There is no specific evidence that there is any impact of this policy on this protected characteristic. There might be an impact due to intersectionality with mental health.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

4.2 Describe how the assessment so far might affect other areas of this policy/practice/process/service and/or project timeline?

No impact anticipated at this point aside from the normal process of developing internal guidance for our decision makers and external guidance for solicitors.

4.3 Having considered the potential or actual impacts of your policy/practice/process/service on equality groups, you should now record the outcome of this assessment below.

Choose from one of the following (mark with an X or delete as appropriate):

Please select (X)	Implications for the policy/practice/process/service
X	No major change Your assessment demonstrates that the policy/practice/process/service is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.

Step 5 - Discuss and review the assessment with decision makers and governance structures

You must discuss the findings of this assessment with senior decision makers during the lifetime of the project/review and before you finalise the assessment. Relevant groups include, but are not limited to, a Project Board, Executive Team or Board members. EqlA should be on every project board agenda therefore only note dates where key decisions have been made (for example draft EqlA sign off, discussion about consultation response).

5.1 Record details of the groups you report to about this policy/practice/process/service and impact assessment. Include the date you presented progress to each group and an extract from the minutes to reflect the discussion.

- 27 May 2022: The policy statement and a summary of the equalities issues were presented at the GALA Review meeting; equality issues are familiar to members as the factors for increases are like those engaged for accounts assessment in the reasonableness test.
- May 2023: Discussed EqlA with Head of Civil and Children’s Legal Assistance and Head of Criminal Legal Assistance.
- June 2024: Amended EqlA signed off by GALA Review Group.

Step 6 - Post-implementation actions and monitoring impact

There may be further actions or changes planned after the policy/practice/process/service is implemented and this assessment is signed off. It is important to continue to monitor the impact of your policy/practice/process/service on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

6.1 Record any ongoing actions below.

This can be copied from the project action log or elsewhere in this assessment and should include timescales and person/team responsible. If there are no outstanding items please make this clear.

None anticipated.

6.2 Note here how you intend to monitor the impact of this policy/practice/process/service on equality groups. In the table below you should:

- list the relevant measures,
- identify who or which team is responsible for implementing or monitoring any changes,

- *identify where the measure will be reported to ensure any issues can be acted on as appropriate.*

Measure	Lead department/ individual	Reporting (where/ frequency)
Review cases where increase request engages the ‘client vulnerability’ factor to monitor consistency in its application	Independent Checking & Quality Unit (ICQU)	Executive Team (annually)
Review complaints about increases to identify any equalities issues	<ul style="list-style-type: none"> • Head of Civil and Children’s Legal Assistance • Head of Criminal Legal Assistance 	Executive Team (annually)

6.3 EqlA review date.

This EqlA should be reviewed as part of the post-implementation review of the policy/practice/process/service. The date should not exceed three years from the policy/practice/process/service implementation date.

08/06/2026.

Step 7 - Assessment sign off and approval

Once final consultation has been undertaken with Corporate Policy Officer (Equalities), all equality impact assessments must be signed off by the relevant Director or Senior Responsible Owner (SRO), even where an EqlA is not required. The Chief Executive must approve all equality impact assessments. Note the relevant dates here:

Director/SRO sign off: 08/06/2023.

Chief Executive approval: 08/06/2023.

All full equality impact assessments must be published on SLAB’s website as early as possible after the decision is made to implement the policy, practice, process or service.