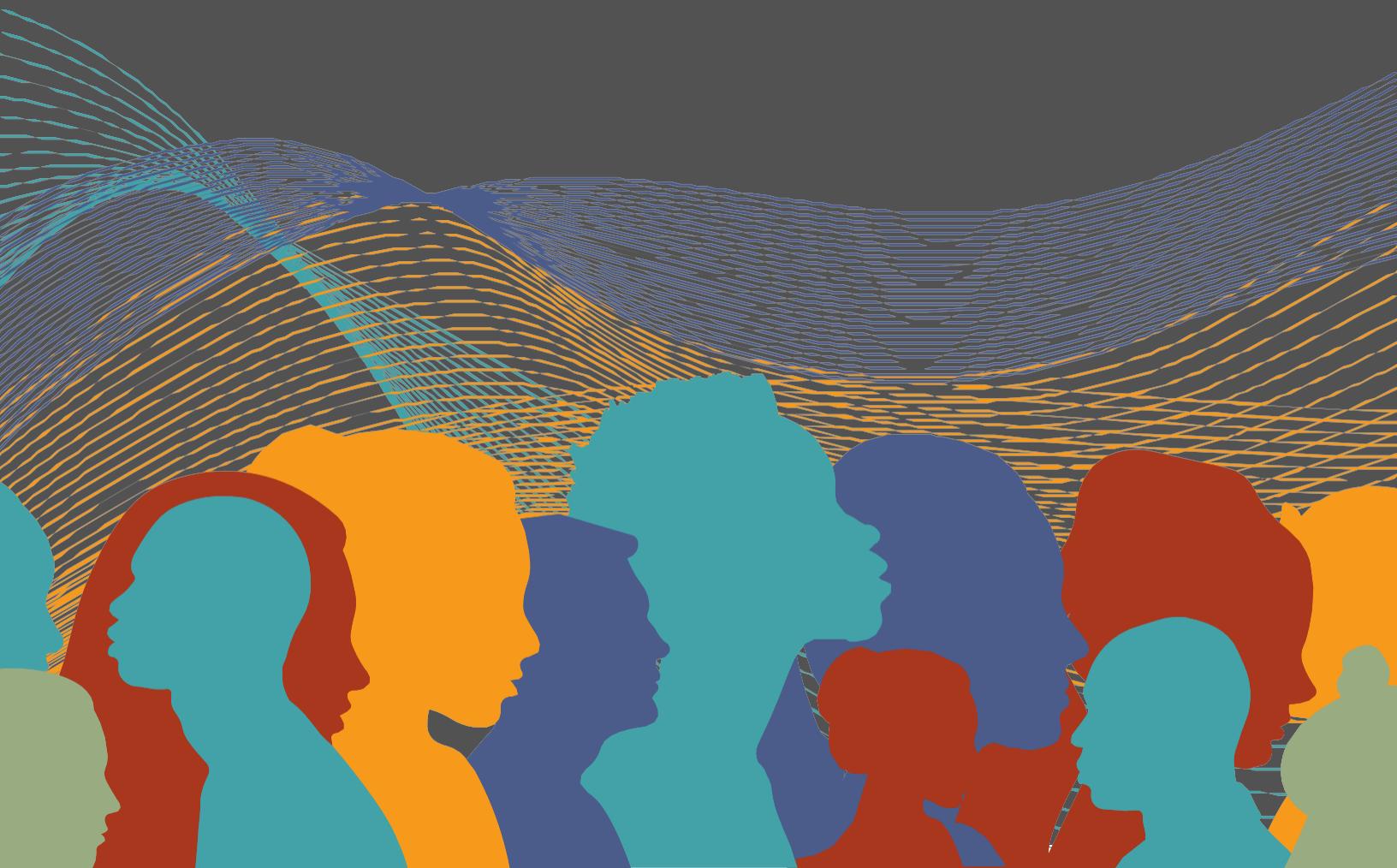


# *Equity Impact Assessment Guide*

## *Office of Equity and Anti-Racism*



# The Office of Equity and Anti-Racism

The Office of Equity and Anti-Racism (OEA), in collaboration with partners and communities, is creating a whole of government approach to address systemic racism and inequity, promote diversity and achieve anti-racist and equitable outcomes that improve the social and economic wellbeing of Nova Scotians.

## Underrepresented and Underserved Communities in Nova Scotia

In this guide and with the equity impact assessment (EIA) tool, when we speak of underrepresented and underserved communities, we are referring to communities who experience discrimination and exclusion because of unequal power relationships across economic, political, social, and cultural dimensions.

This includes systemic inequity and/or racism towards people based one or more protected characteristics as identified in the Human Rights Act, which includes: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical or mental disability, ethnic, national or Indigenous origin, family status, marital status, source of income, and political belief, affiliation or activity. Below are examples of underrepresented and underserved groups in Nova Scotia. Each of these groups has their own unique story, historical setting and history of discrimination and marginalization.

This list is not exhaustive and may not include all groups:

- Mi'kmaw and Persons of Indigenous descent
- African Nova Scotians and Persons of African descent
- Persons of Colour
- Newcomers (immigrants and refugees)
- 2SLGBTQIA+--2 Spirit, Lesbian, Gay, Bisexual/Biromantic, Transgender, Queer and/or Questioning, Intersex, Asexual/Aromantic and others whose identities are not reflected
- Persons with disabilities (physical and mental)
- Persons who are neurodivergent; and
- In some contexts, women.

It is important to take intersectionality into account. Many government policies and legislation impact individuals in multiple ways as a result of their intersecting identities.

## What is an Equity Impact Assessment?

An equity impact assessment (EIA) is one of the tools the Office has developed to support an all of government approach to identifying and addressing systemic inequity and racism. This tool will support the work government needs to do to:

- Change how we create policies, programs, and services to better meet the needs of underrepresented and underserved communities; and

- Fix our existing policies, programs, and services which may be perpetuating systemic inequity and racism.

The EIA is meant to support departments in identifying and addressing systemic inequities and racism by guiding them through a process that supports and encourages meaningful engagement with communities that are or may be impacted by the proposed policy intervention and asks questions that help to dig into the impacts.

## Why is it Important?

In Nova Scotia, the enduring impact of slavery, colonialism, ableism, and other explicit forms of racism and discrimination towards various groups of individuals is a direct consequence of systemic discrimination, which includes systemic inequity and racism. Although, in some cases, laws have been changed and official practices have been dissolved, the underlying ideology that was originally built into the system and institutional structures persists. The systems, structures, and government institutions that we live work and play in, during their inception, in many cases, had a deliberate agenda to oppress underrepresented and underserved groups or at best were not created with meaningful involvement of underrepresented and underserved communities.

We all have gaps in our thinking, and implicit biases in our judgement and the decisions we make each day. It is crucial to use this tool when creating new policy tools, programs or services or when amending them.

The EIA will support government in providing equitable distribution of public services to a diverse population by integrating equity considerations in the formation and implementation of public policy, programs and services.

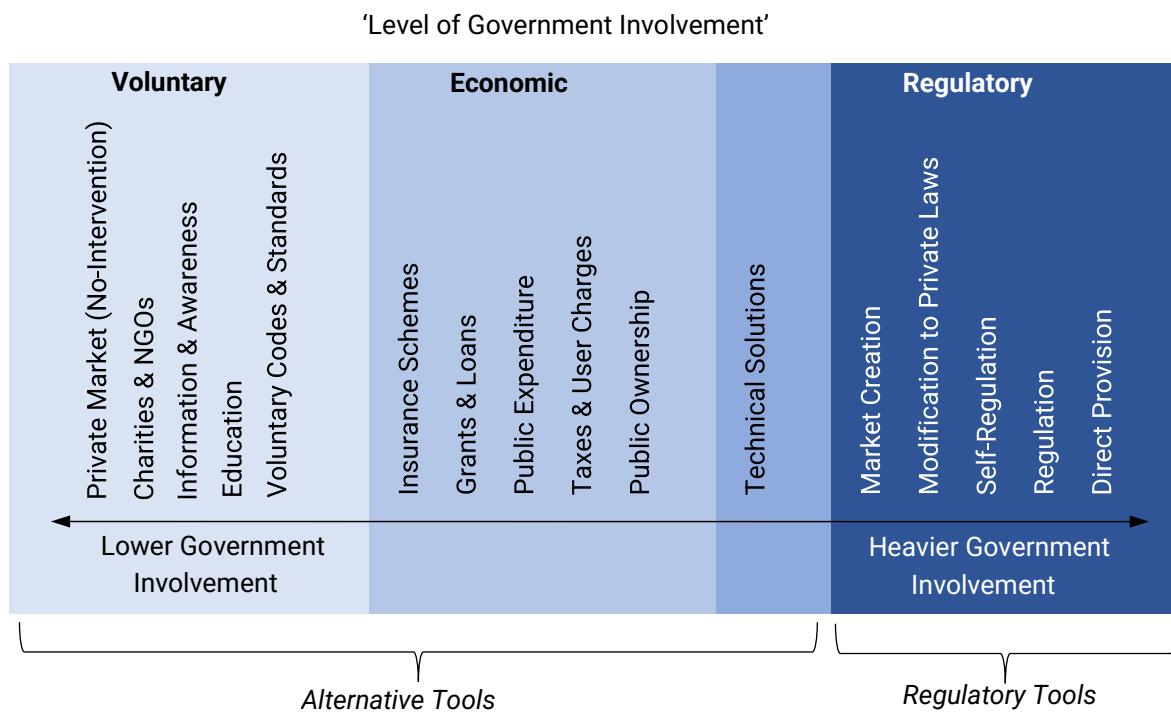
## When should an EIA be used?

It is recommended that departments use the EIA when developing any new policy tools (legislation, regulations, policies, guidelines, etc.) or when making amendments or changes to existing policy tools, programs or services.

### *Something to keep in mind—how deep do I need to go?*

The following diagram is called the policy tool spectrum. This includes a broad list of potential policy interventions and indicates where they fall in terms of the how much government is involved in a particular activity or action. For example, when government decides to regulate an activity, this requires much more government involvement, oversight, and responsibility, than if we conduct an education and awareness campaign. The extent to which an EIA is needed will depend on the type of policy intervention that is proposed. For policy tools that require heavier government involvement (e.g., legislation and regulation), a more extensive equity assessment should be undertaken. For policy tools on the other end of the spectrum, such as education and awareness, a less extensive assessment will be needed.

The importance of broadly applying the EIA is to capture unintended consequences of policy interventions and to ensure that underrepresented and underserved communities are appropriately involved in developing and implementing the policy intervention. Data has shown us that government tends to over-regulate underrepresented and underserved communities. In addition to understanding and eliminating or mitigating negative unintended consequences for underrepresented and underserved communities, it is important to consider whether a policy or piece of legislation is necessary or if there is a lighter approach that can be taken.



## How will OEA work with departments on this work?

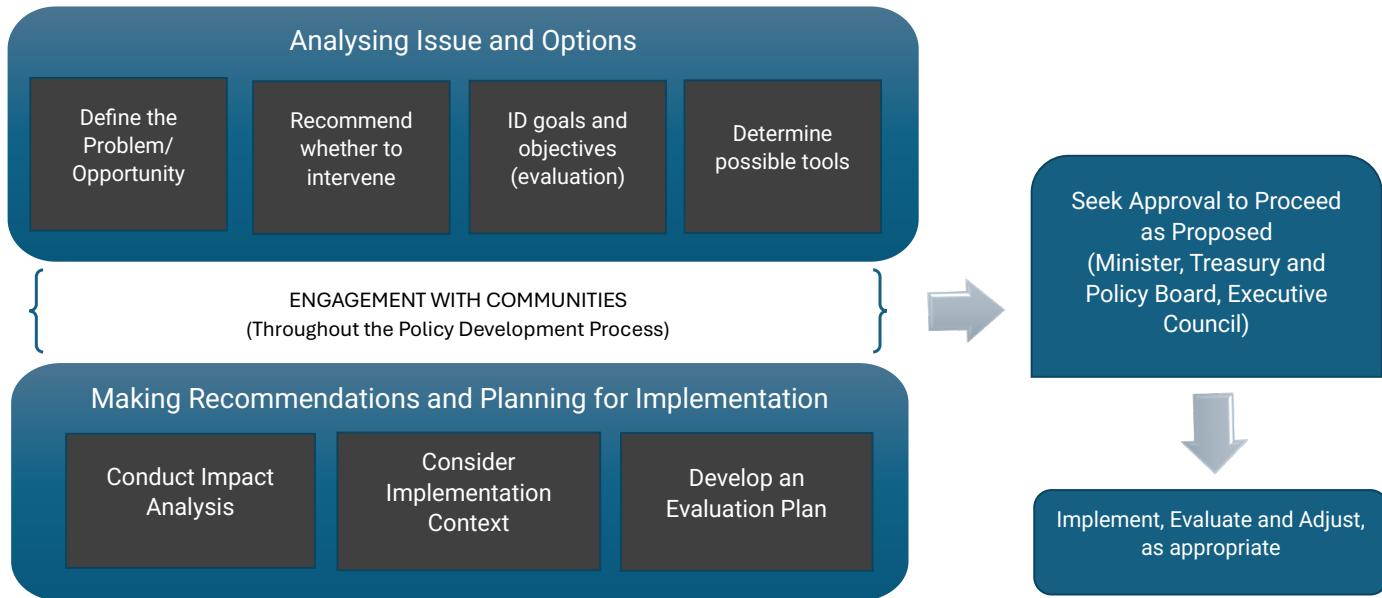
OEA will provide assistance and advice to departments when completing an EIA. OEA can also help connect departments with training and resources to support their understanding of how to assess impacts of policy on underrepresented and underserved communities.

Departments can either complete an EIA on their own and submit to OEA for review or the department can work collaboratively with OEA to complete the EIA. Departments should incorporate findings EIA findings to submissions to Executive Council where applicable.

## How to complete an EIA

To ensure that a policy intervention effectively recognizes and tackles the needs of underrepresented and underserved communities, it is crucial to consider the impacts on equity and anti-racism from the outset and throughout the entire policy process. The EIA is a tool for analyzing the impact of the design and implementation of policies and legislation on underrepresented and underserved individuals and communities with the aim of identifying and hopefully reducing or eliminating any barriers. And more than simply removing barriers, the EIA can help departments find ways to support and bolster underrepresented and underserved communities by identifying opportunities for growth.

## Policy Development Process



Addressing and assessing the potential equity impacts of policy interventions throughout the policy process will help government avoid unintended consequences and will support meaningful engagement with underrepresented and underserved communities. Where and how communities are engaged will depend on the policy problem to be solved or opportunity to be seized. OEA can work with departments to determine what is appropriate in any given circumstance. In instances where public engagement will be undertaken, departments are encouraged to use the Public Engagement Guidebook and Planning Template – these are separate complementary resources that can help ensure engagement includes underrepresented and underserved communities.

## Two Examples of Why Incorporating Equity in the Policy Process is Important

### Example #1

During the COVID-19 pandemic, schools across Nova Scotia switched to online learning for periods of time so that students could continue learning while schools were closed. Early in the transition from in-class to online learning, it became clear that many students, particularly students from underrepresented and underserved communities did not have access to the internet or their own laptops. This made it difficult for them to continue their schoolwork at home. The Department of Education and Early Childhood Development (EECD) recognized this need and worked with an interdepartmental/agency committee to help education entities redistribute existing devices that weren't being fully utilized and ensure continuity of learning.

Other options were also developed including:

- the distribution of newspaper learning packages (and ensuring they were available at key community areas, like grocery stores); and
- schoolwork preloaded onto USB sticks and teleconference lines at every school.

Early in 2021, EECD took another step and purchased 32,000 new devices to ensure that all students who required a device to participate in virtual learning had one. EECD also allocated \$11M for upgrading Wi-Fi and networks in schools across the province, with many schools providing an ability for students without internet at home to access Wi-Fi signals from outside the school building.

### Example #2

In 2018, the federal government acknowledged that the federal *Immigration Act* was having detrimental impacts on individuals living with disabilities. Changes were made to this piece of legislation so that it would no longer be ableist.

Before these changes were made, immigration applicants could be found medically inadmissible to Canada based on a set of criteria that was not aligned with the current approach to persons with disabilities. This meant that individuals were being denied immigration who would otherwise be approved in the economic immigration class and selected for the benefit their skills would bring the Canadian economy. The result of the previous policy was applicants, or their children being denied immigration even though their health condition or disability was already accommodated in Canadian society.

The changes that went into creating the new/current policy included:

1. Increasing the cost threshold for medical inadmissibility to three times the previous level; and
2. Amending the definition of social services by removing references to special education, social and vocational rehabilitation services and personal supports.

You can read more about the changes here: [Government of Canada brings medical inadmissibility policy in line with inclusivity for persons with disabilities - Canada.ca](https://www.canada.ca/en/immigration-refugees-citizenship/corporate-responsibilities/immigration/immigration-act/changes-medical-inadmissibility.html)

# Equity Impact Assessment Tool

The EIA tool asks the following questions and more to guide analysis.

## 1. Problem Definition

- What is the problem?
- What are the reasons government should solve this problem?

## 2. Defining Solutions and Actions to Take

- What are we trying to accomplish by solving this problem?
- What is the proposed solution(s) to this problem?
- What are the current policy responses to the problem? How do existing policies address, maintain, or create inequities between different groups?
- How does this proposal address equity gaps in current policy responses?

## 3. What are the expected impacts of our actions?

- What are the expected impacts?
- Who has been involved in assessing what the impacts will be?

## 4. Implementation

- Who is going to be involved in the implementation of this program/policy (internally and externally)?
- If this program/policy is approved, how will the changes and their impacts be made transparent and fully accessible to the community or communities this policy will affect?

## 5. Evaluation & Accountability

- What evaluation and monitoring mechanisms are going to be included in this project?
- What has been done to ensure that this policy is adaptable and open to change and experimentation to meet the historic, current, and emerging needs of underrepresented and underserved communities?

## EIA Submission Process

1. Read through the EIA guide.
2. Ask OEA any questions you have prior to beginning (if necessary).
3. Thoroughly complete the EIA (collaborate with OEA if desired) throughout the policy development process.
4. Once the EIA is completed, OEA can meet to discuss or review, if desired.
5. Submit the completed EIA to OEA, as well as any feedback you have on your experience using the EIA

## Annual Reporting

Annually, in a report to the Legislature, OEA will report on how the EIA is being used and how it is being used to support departments to identify and address issues, concerns and opportunities for underrepresented and underserved communities.

Receiving completed EIAs and supporting departments in using the EIA will help OEA identify improvements that need to be made to the tool, guide or associated processes.

