Equity Impact Assessment Guide

Office of Equity and Anti-Racism

NOVA SCOTIA

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 well-being of Nova Scotians.

The OEA was created in 2021 and is guided by the *Dismantling Racism and Hate Act*. Our role is to lead and support equity and anti-racism efforts across the province — but we're not the first to do this work, and we won't be the last.

We believe in the principle of *"nothing about us without us"* — meaning community voices, especially first voice, must be central. This principle is built into the Equity Impact Assessment (EIA) tool, which is about intentionally including those most affected by policies.

The *Dismantling Racism and Hate Act*

This Act, proclaimed in 2022, is the first of its kind in Canada because it addresses both equity and anti-racism. The Act focuses on all underrepresented and underserved communities, giving our work an intersectional lens. It helps us recognize how identities overlap and how policies affect people differently. The EIA tool builds on this by tracing those layered impacts.

The Act requires government, with leadership from OEA, to develop and implement a province-wide equity and anti-racism strategy.

The Equity and Anti-Racism Strategy

Released in 2023, the Strategy is a five-year roadmap for how government will address systemic racism and inequity.

Section 1 of the Strategy highlights how OEA supports departments to identify and address systemic hate, inequity, and racism within government policies and programs. The Equity Impact Assessment tool is central to this work.

Equity does not happen through intention alone — it requires deliberate planning and structure.

Underrepresented and Underserved

Throughout this guide and in our related materials, you will see the terms *underrepresented* and *underserved*. This choice is intentional. Through ongoing community engagement, we have asked how people prefer to be described in our work.

Whenever possible, it is best to use the names specific communities use for themselves — for example, *Gender Diverse*, *Mi'kmaq*, or *African Nova Scotian*. But when referring to communities collectively, we have consistently heard that *underrepresented* and *underserved* are the most respectful and widely accepted terms.

The most important thing is to get to know the communities you serve. Listen to how they describe themselves and use that language. There is no one-size-fits-all answer — but respectful, intentional language is a critical first step.

Examples of underrepresented and underserved groups in Nova Scotia include (not exhaustive):

- Mi'kmaq and Persons of Indigenous Descent
- African Nova Scotians and Persons of African Descent
- Persons of Colour/Racialized Persons
- Women
- Newcomers (Immigrants and Refugees)
- 2SLGBTQIA+
- Persons with Disabilities
- Faith-based Groups
- Persons who are Neurodivergent

What is an Equity Impact Assessment?

An Equity Impact Assessment (EIA) is one of the tools the OEA developed to support an all-of-government approach to identifying and addressing systemic inequity and racism.

The tool helps government to:

- Change how we design policies, programs, and services to better meet the needs of underrepresented and underserved communities; and
- Review and improve existing policies, programs, and services that may be perpetuating systemic inequity and racism.

Quick note on terminology: when we say policy, we mean it in a broad way. It does not just mean laws or regulations. It includes anything that helps guide decisions or actions, like programs, guidelines, or strategies. In short, policy refers to any formal or informal directive, tool, or approach that helps shape how decisions are made, how resources are allocated, and how services are designed and delivered.

The EIA guides departments through a process that:

- Encourages meaningful engagement with affected communities; and

- Asks critical questions to uncover potential impacts.

Systemic inequity and racism are entrenched in society — in written and unwritten policies, laws, public practices, beliefs, and systems that can produce and perpetuate unfair treatment and oppression. Understanding this systemic nature is essential. While some discriminatory policies were created with conscious bias (e.g., the Indian Act, Japanese internment camps, Africville demolition), inequities today often come from policies made without considering underrepresented and underserved communities, shaped instead by unconscious bias.

Because new policies are created within existing systems — many rooted in colonialism, racism, and exclusion — we must actively acknowledge and address those legacies, or risk repeating harm.

This is why the EIA tool exists: to help challenge those patterns and guide us toward policies that are equitable, inclusive, and just.
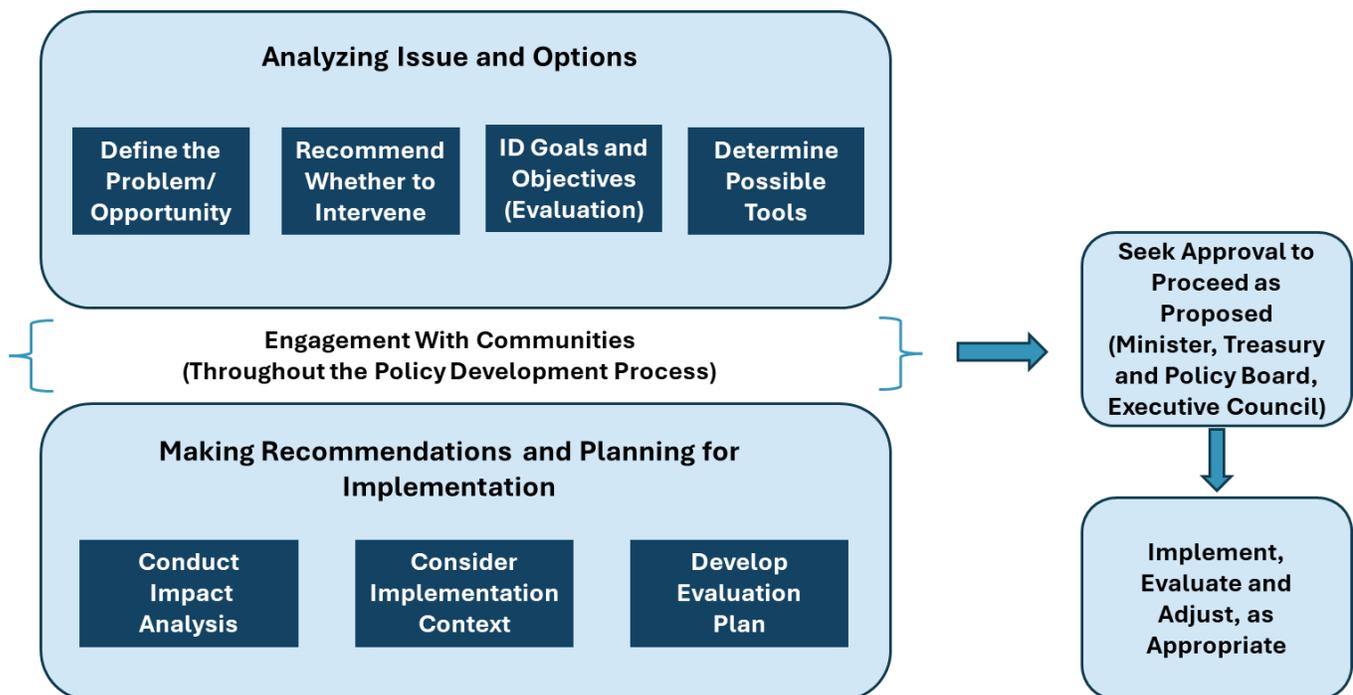
When Should an EIA be Used?

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 helps departments:

- Analyze how policy design and implementation may affect underrepresented and underserved communities;

- Identify and remove barriers; and

- Find opportunities to strengthen equity and inclusion.

The EIA follows a typical policy development cycle — defining the problem, considering government's role, identifying objectives, exploring solutions, assessing impacts, planning implementation, and evaluation.

The diagram below illustrates a standard policy development process. While it is often presented as a linear sequence, in practice the steps often overlap. Policy development frequently requires revisiting earlier stages as new evidence emerges, or circumstances evolve.

Analyzing Issue and Options

| Define the Problem/ Opportunity | Recommend Whether to Intervene | ID Goals and Objectives (Evaluation) | Determine Possible Tools |

Engagement With Communities (Throughout the Policy Development Process)

Seek Approval to Proceed as Proposed (Minister, Treasury and Policy Board, Executive Council)

Making Recommendations and Planning for Implementation

| Conduct Impact Analysis | Consider Implementation Context | Develop Evaluation Plan |

Implement, Evaluate and Adjust, as Appropriate

Community engagement is intentionally woven throughout the process. Incorporating *first voice*—the direct perspectives of those most affected—is fundamental to ensuring equitable and inclusive outcomes. This does not always require engagement at every stage, but it does mean that lived experience must meaningfully inform decisions across the cycle.

Policy Tool Spectrum

When government considers how to respond to an issue, there are a range of policy tools available to shape outcomes. These tools vary in terms of the level of government involvement, from lighter-touch approaches like awareness campaigns to more directive measures such as regulation or direct service delivery. The Policy Tool Spectrum helps illustrate these options and highlights the strengths, limitations, and equity considerations of each approach.
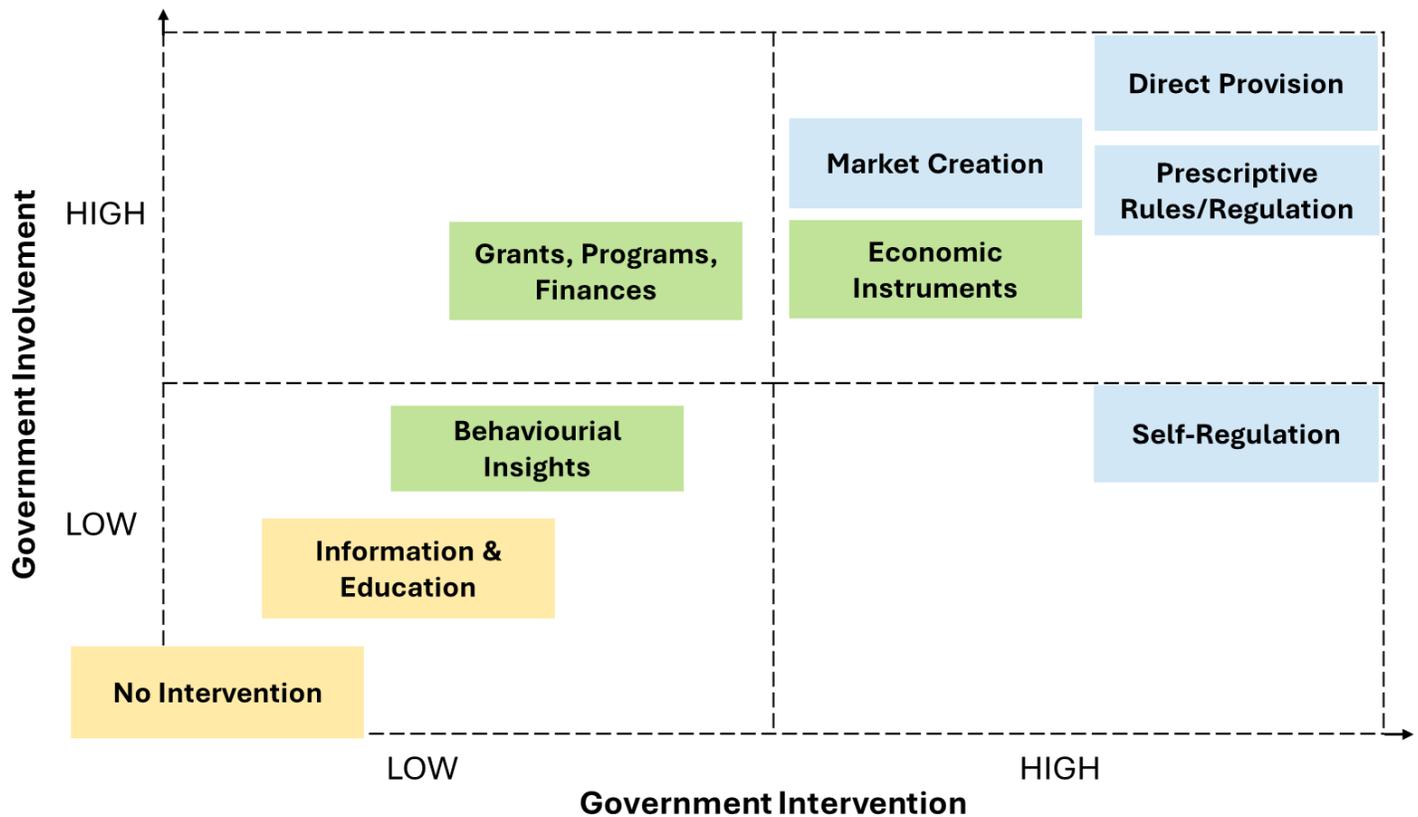
At one end of the spectrum are tools such as no intervention, public awareness campaigns, and behavioral nudges. These involve lower levels of government involvement and are often used to encourage voluntary behavior change without heavy regulation. However, these approaches can have equity limitations, for example, they assume that everyone has equal access to information or the same capacity to respond to a "nudge."

In the middle of the spectrum are tools like grants, financial supports, and market incentives. These represent moderate government involvement and can help reduce barriers and promote access. Their effectiveness, however, depends on whether they are designed and delivered in ways that actually reach underserved communities.

At the highest end of the spectrum are prescriptive rules and direct government provision of services. These tools reflect strong government action and may be necessary to address systemic harms or ensure rights are protected. At the same time, they carry risks such as overregulating certain communities or creating one-size-fits-all solutions that overlook diverse needs.

The EIA can assist in selecting policy tools by asking:

- What are the equity risks?

- Who benefits, and who might be excluded or harmed?

- Are we unintentionally over-regulating some communities while ignoring others?

Sometimes, using a lighter tool like education is better because it avoids unintended consequences. Other times, especially in cases of systemic harm, stronger tools like regulation are necessary.

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](#)

Equity Impact Assessment Tool Questions

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 Completion 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

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.

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.