Equality and Human Rights Impact Assessment Publication Document

This template summarises the key decisions/actions taken in the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

Background

Title of the Policy	MyLo) (Virtual Learning Environment)
EHRIA Lead (role)	Head of Professional Development, leadership
Date EHRIA completed	20.03.2019
Review date and frequency	October 2019
Is this a new or revised policy/practice?	New ☐ Revised ☒

Scoping

What are the aims of this policy/practice?

Currently SPS College, utilises a Learning Management System (LMS), Study IT, provided through an external supplier, MediaCorp.   This is used to host room bookings, host e-learning, and manage the Learning Resource Centre and the majority of course booking.

While providing functionality for college staff the current system is not 'learner friendly' and does not provide an engaging learner experience. To support professionalization and the continuous development of the service SPS need a more advanced Virtual Learning Environment (VLE) with greater functionality and customisation than the current system allows.

The current system does not support the use of accessibility plug-ins which is a key weakness in equality compliance.

WHO did you consult with?

Early consultation was undertaken through supplier site visits. This included extended conversations between the developers of the new systems and users including:
• 	Staff training managers
• 	Officers

Staff who will be working closely with the new platform (SPS College Training Managers / SPS College Administrators / Staff training Managers) participated in a demonstration and training session in Dec 2017 which provider further user input.

The project has been managed through the Corporate Service Steering Group which includes representation form all business areas and TUS. Additional consultation has taken place with Phil Thomas, TUS secretary.

Prior to launch a 'mock-site' with real data was available to a small group of users and this tested usability and accessibility.

WHAT did you learn?

The British Dyslexia association highlighted that specific changes can be made which impact on accessibility including font, colour scheme and contrast. Critically there is not a universal best practice but it is instead better to provide options and choices.

The RNIB again pointed to WCAG guidance as best practice.

HOW will this shape your policy/practice?

On review of the data above consideration of age, gender and social class were not considered significant in the design of the project for the following reasons:

•	The differences between these protected characteristics relates to basic digital skills. The expectation is that all our employees have these basic skills and/or opportunity to develop them.

•	The most significant factor in social class is access to technology. This system will only be accessible and used on SPS terminals decreasing this disadvantage.

•	The system is specifically designed to be more intuitive decreasing the level of digital skills needed to operate effectively.

Primary area of concern should therefore be access to those with a disability.

It was therefore concluded that accessibility should be a primary consideration in:

•	Procurement and selection of the platform software

•	Site Design.

During the procurement process how a new platform we would meet with accessibly standards was a considered factor as part of supplier selection.

During the design phase, accessibility has remained one of the primary drivers leading to the positive commendations above.

What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?

Only limited specific external academic evidence was found with relation to use of digital learning environments and inequalities or inclusion. One paper 'The Nexus of Accessibility and Pedagogy: What Every Online Instructional Designer Should Know (2018) provided comprehensive guidance including recommending captioning, changing colour schemes and fonts amongst other aspects.

JISC, a membership body for use of technology in higher educations, in Enhancing the student digital experience: a strategic approach present information on delivering an inclusive digital student experience. In particular they highlight that use of digital technology can challenge inequality in learning. They recognise the following areas may require a student to use technology to support learning:

•	dyslexia: you would understand the text if only you could figure out the words;

•	visual impairment or blindness: print size may be too small or you may be unable to see the text;

•	physical difficulty: handling books and turning pages is difficult.

•	Language background: you may struggle to access written information because of the unfamiliar lettering. Or signing may be your first language;

•	Concentration difficulties may make it easier to read by listening.

JISC also recommend the learning environment can adjust colours and font. However, the research in this area considered widening participation and society outreach which is not relevant to this internal data. Similar results were found considering non-academic research.

The search was then widen to consider areas of 'digital' inequality more generally. Scotland's Equality Evidence finder was reviewed for evidence of inequality between groups with use of digital technology and no evidence was found.

Evidence of some differences in basic digital skills dependant on age, gender and social class was provided in the UK Basic Digital Skills Report. (https://www.ipsos.com/ipsos-mori/en-uk/basic-digital-skills-uk-report-2017).

Full access to digital services by people with a disability was recognisable as a critical areas. Information was also gathered from the UK Government Digital Service. Again information was limited but the user profiles below were useful:
https://www.gov.uk/government/publications/understanding-disabilities-and-impairments-user-profiles

UK Government (https://www.gov.uk/service-manual/helping-people-to-use-your-service/making-your-service-accessible-an-introduction#meeting-the-accessibility-standard) also provided the following guidance for ensuring accessibility requirements:
To meet government accessibility requirements, digital services must:
• meet level AA of the Web Content Accessibility Guidelines (WCAG 2.0) as a minimum
• work on the most commonly used assistive technologies - including screen magnifiers, screen readers and speech recognition tools
• include people with disabilities in user research

Keys areas are those with disabilities impact on their eye-sight and those with learning difficulties such as dyslexia (which impacts on approx. 10% of the population). In both cases effective use of technology can be used to support these areas.

Additional source list
Realising Scotland's full potential in a digital world: a digital strategy for Scotland
Building digital skills in the Further Education Sector
Enhancing learning and teaching through the use of digital technology – A digital learning and teaching strategy for Scotland.

Staff support networks and user with dyslexia
On the 29th of March 2018, the product was discussed with a representative of staff support networks. The individual also currently uses assistive technology to aid with dyslexia. Feedback to product demonstration was very positive with particularly positive feedback for clean, icon based design and usability of interface. Usability for the whole system was met with positive reception. No negative impacts were identified.

Testing was conducted on accessibility tools and this was of benefit to the user. Further development could by that accessibility settings could move with the user across to different SPIN terminals although this was not considered vital. Use of font, contrast and overlays was on particular benefit. The visibility of accessibility tool-bars on all screen was commended. Overall this system was felt to be a considerable improvement for those with specific learning difficulties.

Disability Equality Scotland

The product was reviewed by disability equality Scotland who recognised the good practice in the main design and use of accessibility toolbar.

'The design, content and layout in my opinion, is very accessible, using bold colours with good colour contrast, the size and type of font is ideal, with being a minimum of size 14. I very much liked the introduction video and the video was very clear in how to use the website. On reflection, I'm wondering if all users / visitors to the site would know to click on the banner image to watch the video, I'm not sure if the instruction is clear enough.'

Impact
Will the impact and outcomes of the new/revised policy/practice:

Contribute to eliminating discrimination, harassment and victimisation? E.g. • Raise awareness of our SPS vision and values for equality and diversity • Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity	**POSITIVE:** It will contribute to eliminating discrimination, harassment, victimisation ☐
	NO EFFECT: It will have no effect on discrimination, harassment and victimisation ☒
	NEGATIVE: It will make discrimination, harassment and victimisation worse ☐
Advance equality of opportunity between those who share a protected characteristic and those who do not? E.g. • Remove or minimise disadvantage • Meet the needs of equality groups that are different from the needs of others participation in public life	**POSITIVE:** It will advance equality of opportunity ☒
	NO EFFECT: It will have no effect on equality of opportunity ☐
	NEGATIVE: It will reduce equality of opportunity ☐
Foster good relations between those who share a protected characteristic and those who do not? E.g. • Tackle prejudice • Promote understanding	**POSITIVE:** It will foster good relations ☐
	NO EFFECT: It will have no effect on good relations ☒
	NEGATIVE: It will cause good relations to deteriorate ☐
Ensure Human Rights Compliance?	It will uphold human rights articles. ☒
	It will breach human rights articles. ☐

Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.

Positive Impacts
Detail the positive impact here: Disability (e.g. people with visible or non-visible disabilities, physical impairments): Inclusive Communications. Consideration of accessibility was included in the contract specification and the successful proposal included the following statement: **Inclusivity, accessibility and assistive technologies** Our visual design approach embraces diversity. We are committed to eliminating marginalisation of any user in the design of all of our products, and maximising inclusivity, engagement and ease-of-use. As an example, any images used within the platform, especially those which show staff, will be carefully selected to ensure they reflect the diverse nature of SPS' employees. We will also avoid using colours or colour combinations which can impair usability. Other inclusive design approaches can also be explored with SPS. One major aspect of this inclusive approach is the automatic provision of an accessibility plug-in with Totara Learn. This can be made available on each screen. This allows the users to changes text size and screen contrast. An example of this functionality can be seen below: - Totara Learning themselves recognise that providing an inclusive platform for learning is essential for organisations who are providing development opportunities to people who have a need for assistive technologies or sites designed with accessibility in mind. Accordingly, they are committed to developing products that meet web accessibility guidelines and reporting this compliance openly. They continuously evaluate Totara Learn against guidelines and make necessary improvements during the development and design process. Totara has been fully assessed against VPAT guidelines and has far greater functionality and compatibility with accessible access software then the current system. A full review of performance of the system can be found here: https://help.totaralearning.com/display/TPD/VPAT+for+Totara+Learn+10 The standards outlined in the VPAT are based against the American Section 508 which is broadly similar to WCAG 2.0 and as such are considered to meet these standards. The virtual learning environment was designed with accessibility features built in as standard, so learners can change the colour of the screen, size of font and layout to suit their requirements. The tool bar includes options for coloured over-lays, text to speech, font changes, contrast and other aspects. The inclusion of the accessibility plug-in will be readily available to user on each page. Settings remain fixed for that user on that SPIN terminal.   The clean intuitive design was also built with consideration for ease of use. Collectively this system offers considerable advantages over the current system with regards accessibility.

Owner: Equality & Diversity Team, HQ

Negative Impacts	
Protected characteristics affected: Does not cause any barriers for any equality groups. The child's safety is paramount and some concerns raised could be influenced by the poor socio-economic group of the parent.	

Impact	Mitigation
No negative impacts have been identified however there is some evidence that age, gender and socio-economic background can all be correlated to digital competence. The project group discussed if this would create a differential in usage and accessibility. The project group concluded this was not a significant issue as: • The revised system is easier to use and more intuitive than the current package and therefore access is improved for those with lower digital skills. • Any employee of SPS is expected and supported to have the very basic digital skills required to operate with this process. • Use of digital learning actually increase digital confidence and use of the system will therefore increase skills (Building digital skills in the Further Education Sector).	

Recommended course of action

Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	☒
Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	☐
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	☐
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	☐

Summary of Outcome decision and Recommendations

There are no negative outcomes and overall the system improves access to learning especially for those with visual difficulties or SpLLDs.

Next steps

What:	A full review of usage will be undertaken 6 months after launch. This will include a user survey, analysis of usage (to identify any groups with less access) and consultation with staff support networks.
Why:	To ensure continual systems improvements and address any unidentified consequences.
Who:	Training Manager (E Learning) IT Development
When:	October 2019
Lead	Head of Professional Development, leadership
Date:	21.03.19

If you require this document in an alternative format, please contact
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Owner: Equality & Diversity Team, HQ