

Equality Impact Assessment – Export Control in Research Policy

Please refer to the guidance for each question.

1. What is the overarching practice being made, amended or reviewed? [Click for guidance](#)

A new Oxford University policy for Export Control procedures, advice and licencing.

2. What is the aim of the new or revised practice? [Click for guidance](#)

The University does not currently have a policy specific to export control. The new policy aims to enable researchers (including students), departments and the central University to meet their obligations under Export Control legislation by the implementation of appropriate procedures. Advisory support and guidance is available from the Trusted Research team within Research Services.

3. What is the brief background to the practice, including any evidence and any consultation which has already taken place to initiate it (stating how the evidence / data gathered has been used to assess the impact of the practice)? What further evidence might be required to support the assessment? [Click for guidance](#)

UK export controls restrict the export of goods or technology, with the aim of preventing proliferation of weapons of mass destruction and countering terrorism. The controls apply to the physical movement of goods or the transfer of software, data, technology or know how, or provision of technical advice, by any means (including by email, cloud server, and telephone) from the UK to a destination outside the UK, or within the UK where the materials may be used outside of the UK.

Where an export falls under one or more of the controls, a licence may be required before any transfer can be made. There is no automatic exemption for academics and researchers. Failure to obtain an appropriate licence to export controlled goods is a criminal offence and may result in substantial fines.

Trusted Research team has worked with researchers and departments to understand and apply export control processes to the University's research agenda on a case by case basis, and in doing so has amassed a substantial volume of evidence in this field.

In 2023-24, export control processes were piloted by Trusted Research with 6 University departments to understand how researchers and Departments might best be supported in assessing research for potential export control obligations. The draft policy is informed by the findings of that pilot work.

In 2023-24 Security in International Collaboration Group (SICG), a University advisory group with a remit to consider operational and policy issues relating to international research and education collaborations, requested this policy to be drafted. SICG is chaired by the Pro-Vice-Chancellor for Research and its members include representatives of Divisions and teams which bear the greatest volume of international research collaboration and therefore the clearest awareness of the risks involved and the need for sound policy and process to mitigate those risks. SICG approved the draft policy, subject to final modifications since made by the Head of Trusted Research, at its meeting in MT2024. SICG also approved the draft policy's route to General Purposes Committee for formal approval.

US export control legislation may also apply to University research activities, with severe fines imposed for non-compliance. US export controls apply to transfers of US-origin items to anyone: inside the University who is a foreign or dual national (a 'deemed re-export'); or outside the University, either in the UK or overseas. The University therefore may, in some circumstances, be legally required to treat staff, students, and visitors differently based on their nationality.

The risks of discriminatory impacts, or perceived discrimination relating to protected characteristics in equalities law, are assessed as being low following mitigations, as set out in the sections below. Trusted Research's work advising departments and researchers has been informative in reaching this conclusion. No additional evidence is felt to be necessary to support the current assessment at this policy approval stage, but a commitment to review the assessment in light of evidence of the policy's implementation is made in submitting the paper to General Purposes Committee for approval.

4. Who is likely to be affected by the practice? [Click for guidance](#)

Staff	☐
Students	☐
Staff and students	☒
Other Group(s)	☒ (please specify): Visitors

5. Could the practice affect people with different protected characteristics in different ways? Please indicate whether the practice is likely to have a positive or negative impact (or potentially both) on equality for the following groups by checking all boxes that apply. [Click for guidance](#)

	Positive impact	Negative impact	No impact
Protected Characteristics			
Age	☐	☐	☐
Disability or long-term health condition	☐	☐	☐
Gender reassignment	☐	☐	☐
Marriage or civil partnership (employment only)	☐	☐	☐
Pregnancy and maternity	☐	☐	☐
Race (including colour, nationality and ethnic or national origins)	☐	☒	☐
Religion or belief	☐	☒	☐
Sex	☐	☐	☐
Sexual Orientation	☐	☐	☐
Other groups			
Parenting responsibilities	☐	☐	☐
Caring responsibilities	☐	☐	☐
Socio-economic background	☐	☐	☐
Part-time staff	☐	☐	☐

6. Where a positive or negative impact has been identified in Question 5, please describe the likely equality impact(s) on each of the identified groups, including the number of people affected and the significance of that impact ([Click for guidance](#))

Race (including colour, nationality and ethnic or national origins); Religion or belief

Trusted Research's work advising researchers and departments has identified a negative impact concerning the above two protected characteristics. This can be described as the potential that researchers engaged in export control activities might be treated differently – for example, additional scrutiny, greater caution in decisions around export control obligations – owing solely to their race and/or religion (where religion is closely aligned with a particular nation). Trusted Research has anecdotal evidence that some University researchers or staff from particular nations or races feel additional pressure or concern along these lines, and that, occasionally, inappropriate levels of unequal treatment has arisen due to misunderstanding of export control requirements. In some cases, this additional pressure can be extremely distressing to and stressful for individuals concerned. A related risk is that this is how our export control work might be perceived, whether correctly or not.

In addition, the University is required to treat international partners differently when handling research collaborations and the sharing of sensitive items/goods, depending on their country location. The UK Government states that the environments in some countries (e.g. legislation, autocracy) increase the risks of collaborating with those countries, and require that we take extra steps in handling research proposals relating to those countries. This would include, for example, collaborating with a country on which UK Government had imposed trade sanctions or other restrictions.¹ Equally if material is not controlled, but is technological in nature, then the University may be required to apply for a licence if the material is going to a partner of concern, which is more likely to be the case in a country that is subject to sanctions and/or embargoes.

Differential treatment in line with Government advice is likely to result in unequal impacts on some researchers based on their national origin / ethnicity, as a greater proportion of their existing collaborations may be with partners in countries considered to be higher risk. This will require them to undertake more administration to ensure that their collaborations are secure, delay research for regulatory review, and may mean that some of their planned collaborations are refused.

US export controls may prohibit or require a licence before making a 'deemed re-export' US items or technology with individuals from some nationalities. This legally requires the University to treat people differently based on their nationality. This could result in some individuals not being permitted to, or facing delays to, access and use research materials of US origin.

Other equalities risks

Two other areas of potential negative impacts on protected characteristics were identified in making this assessment. Both have been judged as minor risks, but are noted here for completeness.

Other groups: part-time staff

The potential is recognised that export control training, processes and other activities could fall disproportionately on part-time staff if it were too burdensome. The policy's approach – clear setting of responsibilities, a training offer of varying levels of detail and a commitment to 'hand-holding' by Trusted Research team – will ensure that this risk is minimised.

Other groups: socio-economic background

Similar to the risk around race or religion, the potential is noted that export control policy and process could see researchers, staff or international partners treated differently owing to conscious or unconscious perceptions about those from 'lower' socio-economic background. This could include

¹ <https://www.gov.uk/guidance/current-arms-embargoes-and-other-restrictions#countries-subject-to-arms-embargo-trade-sanctions-and-other-trade-restrictions>

those from countries deemed to be 'third world' or similar labels. Trusted Research has no evidence of this risk manifesting in current export control activities but the potential is noted.

7. If there are any negative impacts, how can these be mitigated against? If a negative impact has been identified which cannot be fully mitigated, can the practice be changed to remedy negative impact(s) entirely? Is any residual negative impact justifiable, lawful and unavoidable? ([Click for guidance](#))

Addressing the risk above around actual and potential negative impacts on the protected characteristics of race or religion, mitigation depends on several factors:

- That all Trusted Research staff routinely undertake relevant equalities training
- That export control policy is clear on the need for even, risk-based intervention and advice
- That relevant procedures, forms and systems support the policy in that way
- That evidence of export control activities enables monitoring to help identify any bias
- That communications around Trusted Research guard against discrimination

The first point above is embedded in Trusted Research staff induction and management processes.

The second and third bullets are evidenced in the draft policy, where responsibilities of researchers, departments, central University and Trusted Research are set out as responding to the requirements of export control legislation rather than any other motivation. The legitimate differentiation in treatment of partner countries based on UK Government advice is noted here again. This objectivity will be emphasised in communications about the policy e.g. online or in training materials, including if necessary explanation of why different handling based on assessed risks is not discriminatory.

The fourth bullet is expanded on in the section below.

The fifth bullet is addressed by, where appropriate, drawing colleagues' awareness to the risk of discrimination and reminding them not to treat staff and students differently as a result.

The provision of sufficient support services for Trusted Research both within Departments and centrally, is also material to delivery of the Export Control Policy, though is not included here as a mitigation as its control is outside the policy's scope.

Trusted Research are working with the Divisional EDI leads to assess EDI impacts of the breadth of the Trusted Research agenda, which may lead to further specific actions.

Despite our efforts, there are likely to be residual negative impacts. These will be further ameliorated via University plans outside of the immediate scope of this policy including

- The Charter and Concordat for the Career Development of Researchers;
- The University Action Plan for Equity and Inclusivity in Research Funding; and
- The Race Equality Strategy.

8. How will the impact of the practice be monitored and reviewed, especially where a negative impact has been identified and cannot be mitigated? ([Click for guidance](#))

The section above states that evidence of export control activities will enable monitoring to help identify any bias. This will be assessed from the policy's implementation onwards, beginning with awareness of the risk and openness to evidence of it materialising, and potentially moving to more data-based monitoring in due course as the policy beds in and matures. Implementation of data-based monitoring will be dependent on access to relevant data, and the capacity to link this to research project data.

Security in International Collaboration Group have asked for at least an annual review of the policy, in which equalities issues will be included and scrutinised by the Group.

A new risk in the risk register (either in Trusted Research or SICG) will maintain awareness and support any action which might be needed.

9. What are the next steps for the practice? ([Click for guidance](#))

The policy will be considered for approval by General Purposes Committee at its meeting on 24 February 2025 and, if approved, will be included in GPC's next report to Council.

Subject to GPC approval, the policy will be implemented, including with provision of appropriate guidance and training for researchers and departmental staff as needed.

Ensure that a copy of this completed screening form is appropriately retained in your department or Division, together with any associated data or evidence.

Equality Impact Assessment carried out by:	Steven Fairhurst Jones and Sarah Eichhorn for Trusted Research
EIA Approved by: (manager/committee)	Jennifer Gladstone
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