Equality Impact Assessment (EqIA)

## Skills Development Scotland has a legal duty to consider the impact of any new ‘policy’ on equality groups. A ‘policy’ in this context is taken to mean any new activity, function, policy or product, essentially anything that SDS does. Assessing impact includes considering relevant evidence, including evidence received from equality groups and the likelihood of a positive or negative impact on equality groups of introducing that new product, project or policy. The final section of this form requires us to think about how negative consequences can be mitigated against or removed, and how potential positive impacts can be encouraged. Equality impact assessment helps SDS meet its obligations under the Equality Act 2010. In addition, SDS took the decision to use the impact assessment process to make progress as a Corporate Parent in relation to care experienced young people, which is a component part of the Children and Young People (Scotland) Act 2014. The process might also be used to consider other groups that SDS has evidence of experiencing discrimination or underrepresentation.

For more detailed information about equality impact assessment, please see EHRC guidance here:

<https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities>

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| --- | --- |
| **Name of EqIA** (e.g. directorate, large project or service) | Voluntary Severance and Voluntary Early Retirement Programme |
| **Senior Responsible Officer (SRO):** name and job title | Linsay Lochans |
| **Does your project link to any other** [**published EqIAs**](https://www.skillsdevelopmentscotland.co.uk/publications-statistics/publications/?page=1&topic%5b%5d=3-6&order=date-desc)**?**  If so please provide the name of the EqIA (e.g. WBL) | N/A |

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| --- | --- | --- | --- |
| **Approved by:** | **Director of:** | **Date approved:** | **Review date:** |
| Signed: | Carolyn Anderson | 7th June 2023 | n/a |

1. **Purpose of project, policy or product**

SDS recognises Scottish Government’s commitment to Public Sector Reform through Sustainable and Impactful services. In order to sustain SDS delivery of public services within budget allocations for 2023/24, and in future years, the organisation is taking forward a series of measures to reduce overall headcount and staffing costs. As we progress into the next operating year (2023/24), and with a strong focus on sustainability within budget allocations anticipated in future years, these measures are considered essential to working within budget allocations and in seeking to continue the commitment to no compulsory redundancy.

For 2023/24, SDS will have a programme of cost neutral voluntary severance and early retirement on grounds of efficiency scheme, funded entirely via our 2023/24 staffing budget with no additional funds required.

Voluntary Severance (VS)

A compensation payment equivalent to the outstanding actual salary due the individual up to 31 March 2024, effective from leave date e.g., leave date 28 April 2023 would receive a compensation payment equivalent to 12 payroll periods (11 months’ salary), and in full and final settlement of notice periods and accrued leave. Payments under this option will be capped at £95k.

Early Retirement (ER) on Efficiency Grounds (over 55s only)

Access to pension benefits immediately with no reduction for early payment. SDS would be required to pay the strain costs associated with early payment to the pension fund directly. Note these costs are for strain for early payment only not added years.

- individuals would need to be 55 and over and must have 2 years membership in pension -

- no further compensation to be paid to those leaving under ER

- SDS will at all times act within LGPS requirements

All employees will be given the opportunity to decide which offer (providing they are eligible for both) they want to be considered for and will request the exit date on which they wish to leave the business. Due to the design of this offer we anticipate more colleagues applying at the beginning to maximize the benefit to them.

This VS/VER programme intends to balance maximum attractiveness for the employee against affordability for SDS in relation to total employment costs for individual employee in the financial year 2023/2024. Approval to exit under the scheme will be based on two tests; affordability and, whether the applicant’s role could be removed as an efficiency saving.

The programme will be open to all employees with effect from end of February 2023, with the first leavers exiting the business from 21 April 2023. Individuals will require to have two years continuous service at exit date to be eligible under this scheme. The programme will remain open throughout 2023/2024, however SDS will reserve the right to withdraw the offer at any time.

Employees would request a quote and be provided with a calculation using exit date for either VS or ER. To formally apply the employee must then complete an application form and send to HR. SDS will then undertake a business impact assessment to understand the impact of removing the position from the organisation. Applicants’ names will not be divulged during this process to enable Directors to ensure the focus is on the position and impact of removing this. HR will only provide details of applications once decisions have been made. SDS Executive Board will review the recommendations of Directors and ratify this into a decision. Executive Board have the opportunity to change the decision and will do so to ensure SDS prioritises our service delivery now and in the future whilst demonstrating good financial stewardship.

SDS retains the right to remove the programme at any time.

**Evidence and Impact**

* 1. **Age**

**Context:** SDS Age profile (2023) 3% under 24, 42% over 50

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Younger employees may be less likely to access this service offer as they may be less likely to have two-year’s service. | HR Data | 2 years’ service criteria has been applied as this is consistent with statutory redundancy terms and applies irrespective of age.  VS pay out is based on months of pay to end of financial year rather than length of service, hence for younger employees will receive no lesser entitlement | An ongoing analysis on the breakdown of applications to take place to ensure no unintended consequences of the programme. |
| Older Colleagues may feel they are less likely to be successful for VS if they are closer to or passed retirement age. |  | Age will not form part of the decision-making process.  Decisions are based on the role in question not the person in post, applications will be anonymous, where possible, although some unique job titles will mean this is not always achievable. A robust business impact assessment will offer mitigation to ensure the focus is on impact of removing the role and not the person.  Applicants have the option to get a quote for both offers and allow them to make an informed decision on which is better for their personal circumstances. |

* 1. **Disability**

**Context:** 8% of SDS employees are disabled (2023)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| If colleagues who are on longer-term sick aren’t promptly notified of the offer, they may not have fair access to the scheme. | N/A | All managers of those on maternity or paternity leave, or long-term sickness absence have been advised to contact their team to ensure they have all the information about the VS/VER scheme | n/a |
| If application process is not accessible, this could impact disabled colleagues |  | Application form has designed with accessibility in mind, with detailed guidance and FAQs available on Connect. Additional help and guidance offered for colleagues through Voluntary Exit mailbox. | n/a |

* 1. **Gender reassignment** (sometimes under heading of Transgender)

No impact identified

* 1. **Marriage and civil partnership**

No impact identified

* 1. **Pregnancy and maternity**

**Context:** SDS’s Maternity, Paternity, Adoption & Shared Parental Leave Policy offers enhanced maternity provision. This consists of 26 weeks full pay, 13 weeks of statutory maternity pay and 13 week unpaid leave. For the period 1st April 2022 – 31st March 2023, there were 34 employees who went on maternity leave (2.1% of the workforce). For those who returned from maternity leave within this period (39), 77% returned to their substantive post and hours, and the rest returned on flexible working arrangements

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| If colleagues who are on pregnancy or maternity leave aren’t promptly notified of the offer, they may not have fair access to the scheme |  | All managers of those on maternity or paternity leave, or long-term sickness absence have been advised to contact there team to ensure they have all the information about the VS/VER scheme | N/A |

* 1. **Race**

**Context:** 3% of SDS colleagues are from a minority ethnic community (2023)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Unconscious Bias could occur when assessing who is accepted for Voluntary Severance |  | Applications will be anonymous, where possible, although some unique job titles will mean this is not always achievable. A robust business impact assessment will offer mitigation to ensure the focus is on the role and not the person. | An ongoing analysis on the breakdown of applications to take place to ensure no unintended consequences of the programme. |

* 1. **Religion or belief**

No impact identified

* 1. **Sex** (or gender)

**Context:** Workforce breakdown is 72% female 28% male (2023)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| As men are paid higher than women on average, men may be more likely to be successful for applications of VS if higher cost savings is one of the criteria for assessing applications.  This could also have positive impact on gender pay gap. | Gender pay Gap, SDS 2021 | During the business impact assessment recommendations and decisions, overall costs for VS or gender are not divulged to decisions makers. Overall, the main driver for decision making is can the role be removed from organisation without impacting service delivery. | An ongoing analysis on the breakdown of applications to take place to ensure no unintended consequences of the programme. |

* 1. **Sexual orientation**

No impact identified

1. Assessing impact on other groups

This section is the same as above only considers the impact of groups not covered in the Equality Act (2010), e.g. care experience, carers, socio-economic disadvantage). Add sections as required.

* 1. **Care experience**

No impact identified

* 1. **Add additional factors as needed**

**Context:** No impact identified

1. Island Community Impact Assessment

This section covers our commitments under the Islands (Scotland) Act 2018. Please see [Scottish Government Toolkit](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.scot%2Fpublications%2Fisland-communities-impact-assessments-guidance-toolkit%2F&data=04%7C01%7CJordon.Gorevan%40sds.co.uk%7Ced2dcd52cc474134145d08d8c9e79135%7C33ca6d475e4f477484f1696cbb508cbe%7C0%7C0%7C637481343690991575%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=9NJwzexZG%2BaGREDjlY74Av%2BP6deY2Z0NC2uORMZa16M%3D&reserved=0) for more information.

**Context:** No impact identified

1. **Action Plan**

The SRO is responsible for all actions.

| **What is the action?** | **Which group(s) does it relate to?** | **What is the anticipated outcome?** | **Timescale** |
| --- | --- | --- | --- |
| An analysis of the breakdown of applications to take place to inform any future schemes | All (particularly in relation to gender and age) and full time / part time | Understanding of any barriers, particularly in relation to gender and age. | Full analysis can be done September 2023 to consider impact of the programme in greater detail. |
| Include positive message with decline outcome emails to ensure colleagues feel valued and engaged | All applicants with request to leave declined | To maintain employee engagement | Completed |