SDS Employee Relations 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 policy or product. 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) | HR Employee Relations - Policy Development and Review EqIA |
| **Senior Responsible Officer (SRO):** | Luke Hopkin, HR Employee Relations Manager |
| **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) |  |

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| **Approved by:** | **Director of:** | **Date approved:** | **Review date:** |
| Signed: | Human Resources | 11th May 2022 | 11th May 2025 |

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

Provide details of what is being impact assessed below, including the target audience for this project:

Skills Development Scotland (SDS) People Strategy shares our vision that “SDS is an employer of choice, committed to enabling fulfilling working lives, through our exemplar demonstration of fair, innovative and transformative work”. The Employee Relations (ER) team in our Human Resources (HR) Directorate contributes to this vision through development of our employer framework, ensuring our Fair Work and Wellbeing Intent is enabled through Employee Relations, Pay and Policy, Health, Safety and Wellbeing and Equality, Diversity and Inclusion.

SDS publish an Equality, Diversity and Mainstreaming Report (EDMR) on a 4-year cycle, with updates on a 2-year cycle. The EDMR includes an analysis of our workforce data by protected characteristics. This provides the evidence to inform our work to further embed and mainstream equality in all that we do, informing the EDMR outcome and through this the work of the ER team in relation to equality and diversity inclusion for SDS as an employer.

The EDMR also includes our Equal Pay Statement and Audit, which inform the work of the team in relation to our pay and grading framework. SDS follow the Scottish Government’s Public Sector Pay Policy and associated processes, which includes an equality impact assessment of our annual pay review in line with Scottish Government processes.

This EQIA therefore focusses on the work of the ER team in relation to SDS policies on employment-related matters, including health and safety. The team’s approach to policy development follows wider SDS guidance on policy review and development. In addition, employment related policies are consulted and negotiated as appropriate with our recognised trade unions, Unison and PCS, in line with our trade union recognition and procedure agreement.

Policy development follows an annual workplan agreed by business and trade union representatives. We aim to review policies every three years or where required by legal or organisational change. We use this EqIA to inform our approach and will create specific EqIAs where appropriate for reviews which propose major revisions to policy or changes to terms and conditions of employment. Research gathered or stakeholders involved are proportionate to the intended change. Policies and guidance are published on our intranet to be accessible to all workers within SDS and externally in line with SDS Publication Scheme.

1. **Evidence and Impact**
   1. **Age**

**Context:** SDS Age profile (2021) 5% under 24, 38% over 50

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Colleagues at different ages may feel they are not being represented or be at risk of detriment or discrimination if their needs are not considered during the development of relevant policies. | Equality Evidence Review 2021 | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  The SDS Youth Board were engaged during the development of our Wellbeing Strategy and it’s supporting action plans. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Engage with the SDS Youth Board to inform inclusive approaches. This would allow us to gather views of younger colleagues during policy development and related action plans where appropriate. This might be, for example, where a new policy or procedure is likely to affect younger colleagues either directly or indirectly. |

* 1. **Disability**

**Context: :** 7% of SDS employees are disabled (2021)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Colleagues with sight loss are less likely to be able to read policies in a small font. Those using assistive technology such as screen readers cannot identify the content of images/ graphics. | n/a | All of our materials are written in an accessible font: arial 12 and we have published guidance about this on our intranet.  We add electronic signatures to policies rather than scanned images of paper signatures to ensure accessibility. | Engage with internal and external stakeholders where appropriate to inform best practice around all our communications and policies being inclusive for all colleagues. An example of this would be to ensure we apply alt text for individuals with sight loss to ensure they can identify the content of images or graphics included. |
| Disabled colleagues may feel they are not being represented or be at risk of detriment or discrimination if their needs are not considered during the development of relevant policies.  Colleagues with additional learning needs, including autistic spectrum disorder, dyslexia or dyspraxia, may not understand policies, information on pay, health and safety guidance or equality procedures which are too complex. | Disability Rights UK (for policies specifically), <https://www.disabilityrightsuk.org/social-model-disability-language> | SDS adopts the social model of disability, focusing on impairments rather than disabilities, and barriers caused by society.  We write in plain English and have published guidance on our intranet to ensure best practice.  We consult with TU partners to ensure policy development is informed by effective voice and best practice. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Engage with internal and external stakeholders and examine related EqIAs to inform inclusive approaches where appropriate. This could be, for example, if we require more guidance on how to continue to support the social model of disability. |

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

**Context:** SDS aims to ensure that our policies are inclusive for all transgender colleagues. Wherever possible, we use gender-neutral language in policies. Under 10 employees identify as transgender (2021)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Transgender colleagues may feel they are not being represented or be at risk of detriment or discrimination if their needs are not considered during the development of relevant policies. | Stonewall (specifically for policies), n/a for wider activities | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  We participate in the Stonewall Workplace Equality Index (WEI) to regularly review our approach against best practice.  We have published guidance for supporting transgender colleagues on our intranet.  Relevant policies have been reviewed to ensure they include gender-neutral language. These include: maternity, paternity, adoption and shared parental Leave; parental leave, dependants leave and childcare; special leave; whistleblowing; hours of work and flexible working; retirement; annual leave; code of conduct.  We provide free sanitary products for colleagues within gender-neutral toilets so colleagues who menstruate feel included. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Continue to engage with internal and external stakeholders and examine relevant EqIAs to inform best practice. This could include, for example, continuing to assess our approach against best practice by participating in Stonewall’s Workplace Equality Index (WEI). |
| Transgender individuals may feel unable to reveal their gender identity at work or that they may be at risk of detriment if they do. | CIPD evidence from 2021, referenced in SDS Equality Evidence Review | We have set up an LGBTI+ Allies Network Group for LGBTQ+ colleagues to discuss issues they face in the workplace.  We participate in the Stonewall Workplace Equality Index (WEI) to regularly review our approach against best practice.  We encourage colleagues to include their preferred pronouns in their email signatures. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Engage with SDS’ LGBTI+ Allies Network Group as appropriate to inform inclusion in our policies.  Continue to engage with Stonewall to inform best practice. |

* 1. **Marriage and civil partnership**

**Context:** We have reviewed this and do not believe there is a potential impact on this group.

* 1. **Pregnancy and Maternity**

**Context:** SDS aims to ensure that our policies are inclusive for all colleagues who are pregnant or who utilise any kind of family leave. We offer a range of leave including maternity, paternity, adoption, surrogacy, shared parental, special or dependents leave. Contractual leave and pay arrangements exceed statutory minima.

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Colleagues on maternity or other kinds of leave may feel they are not being represented or be at risk of detriment or discrimination if their needs are not considered during the development of relevant policies. | n/a | We consult with TU partners to ensure policy development is informed by effective voice and best practice. | Continue to consult with TU partners to ensure that policy development continues to be informed by effective voice and best practice.  Engage with internal and external stakeholders where appropriate and examine relevant EqIAs to inform best practice and inclusive approaches. |
| Colleagues on maternity or other kinds of leave may feel they cannot participate in any business-related activities. | n/a | We care for colleagues’ health, safety and wellbeing at all times. Colleagues on maternity leave can attend keeping in touch (KIT) days. This creates inclusion as colleagues can find out important information about the business, especially if it may affect the colleague directly upon their return. | No specific actions required. |

* 1. **Race**

**Context:** SDS aims to ensure that our policies are inclusive for all colleagues from minority ethnic communities.

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| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| Colleagues from minority ethnic backgrounds are more likely to experience discrimination or harassment at work compared to others.  Colleagues from minority ethnic backgrounds may feel they are not being represented or be at risk of detriment or discrimination if their needs are not considered during the development of relevant policies. | Scottish Household Survey, referenced in Equality Evidence Review 2021 | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  We have set up a BAME+ Allies Network Group for minority ethnic colleagues and other representatives in the business to discuss ideas and raise awareness of factors affecting minority ethnic colleagues. | Continue to consult with TU partners to ensure policy development is informed by effective voice and best practice.  Engage with the BAME+ Allies Network Group and external stakeholders where appropriate. This could be, for example, where there is a particular area of SDS policy which has implications for members of minority ethnic communities. |

* 1. **Religion or belief**

**Context:** SDS aims to ensure that our policies are inclusive for colleagues of all religions and beliefs.

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Similar to race, colleagues of certain religions or beliefs are more likely to face discrimination and harassment at work than others, especially those from minority ethnic backgrounds. | Scottish Household Survey, referenced in Equality Evidence Review 2021 | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  SDS’ policies, pay strategies, representation through TU partners, HS&W strategies and equality activities ensure colleagues do not face any discrimination or harassment from other colleagues. We want to ensure that all colleagues can be open about their religion at work. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Consult related EqIAs which relate more specifically to religious practices where appropriate. This may include, for example, when designating the layout of premises, e.g. to ensure there are quiet areas for colleagues of certain religions to pray. |

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

**Context:** SDS aims to ensure that our policies are inclusive for colleagues regardless of their gender or sex**.** Workforce gender breakdown 71% female 29% male (2021)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| In the labour market out-with SDS, the proportion of men and women in relation to employment grades is significantly disproportionate. Men are more likely to be employed in senior roles compared with women, who are more likely to work in lower bands. In SDS, women are under-represented in more senior roles, even though the vast majority of the workforce are women. | SDS Equality Evidence Review 2021, citing evidence from Engender (2020). Also SDS 2021 Equality Mainstreaming Report | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  For all protected groups, SDS has adopted a recruitment practice around anonymising job applications. This means recruiting managers cannot identify protected characteristics applicants may have, including sex or gender. Men and women can therefore be more fairly represented across all grades and roles in SDS.  Between 2017 and 2021, SDS have reduced the gender pay gap in terms of its colleagues, so the pay for men and women is becoming more equal.  SDS also increased representation of women among senior leadership roles between 2017 and 2021. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Engage with internal and external stakeholders as to how to further reduce gender pay gap and encourage women to apply for more senior posts. This would help SDS to ensure inclusion as far as possible. |

* 1. **Sexual orientation**

**Context:** SDS aims to ensure that our policies are inclusive for colleagues regardless of their sexual orientation. Wherever possible, we use LGBTQ+ friendly language in policies. 4.3% of SDS employees identify as LGBO+ (2021)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| LGBTQ+ individuals are more likely to experience abuse and discrimination because of their sexuality in the workplace than other colleagues. | Stonewall evidence from 2020, found in the Equality Evidence Review 2021 | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  SDS adopts a zero-tolerance approach to bullying, harassment and discrimination as laid out in the Code of Conduct.  We have set up an LGBTI+ Allies network Group for LGBTQ+ colleagues and other representatives in the business to discuss issues and raise awareness of factors affecting LGBTQ+ colleagues.  We participate in the Stonewall Workplace Equality Index (WEI) to regularly review our approach against best practice. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Engage with our LGBTI+ Allies Network Group and examine relevant EqIAs to inform best practice as appropriate. This would inform us not only what the best language to use in our policies should be, but also help us eliminate inequality and promote inclusion amongst the LGBTQ+ community and continue to promote a culture of inclusion.  Continue to consider best practice as advised by Stonewall WEI. |

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).

* 1. **Care experience**

**Context:** We have reviewed this and do not believe that there will be a potential impact on this group. If evidence emerges in terms of impact, we anticipate this would be addressed in line with activity noted at age.

* 1. **Carers**

**Context:** At SDS, we are committed to supporting carers through our policies and procedures as required under the Carer Positive scheme. This ensures carers are not at risk of detriment due to their caring responsibilities.

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Carers often end their employment early as they find they cannot sufficiently balance their role with their caring responsibilities. | [Carer Positive Website](https://www.carerpositive.org/) | We consult with TU partners to ensure policy development is informed by effective voice and best practice.  SDS provides colleagues with the ability to take time away from work to care for dependants. We allow annual leave, special leave or career breaks through our policies if colleagues care for dependents on a longer-term basis.  We have published information on our intranet about supporting carers and how managers can help with this.  We have signed up to the Carer Positive Scheme and are an engaged employer in terms of this. This means we are aware of what it means for a colleague to be a carer and allow carers to be identified. We provide workplace support and access to external resources for carers. We also allow carers to engage with each other. | Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice.  Where appropriate, engage with internal stakeholders such as carers themselves and examine relevant EqIAs to inform best practice. This could be, for example, where we perceive there to be a significant issue where carers feel they find it hard to strike a life-work balance. |

1. Island Community Impact Assessment

This section covers our commitments under the Islands (Scotland) Act 2018. This follows the same process as the rest of the form. 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:** SDS are committed to ensuring everything we do is inclusive to island communities and compliant with the Island (Scotland) Act 2018.

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Colleagues living in island communities may have “poor digital connectivity” compared to colleagues living in mainland Scotland. | Island Communities Impact Assessments: Guidance and Toolkit, <https://www.gov.scot/publications/island-communities-impact-assessments-guidance-toolkit/> | We consult with TU partners to ensure policy development is informed by effective voice and best practice. | Continue to consult with TU partners to ensure our policy development continues to be informed by effective voice and best practice.  Where appropriate, engage with internal stakeholders such as colleagues who work in island communities and examine relevant EqIAs to inform best practice. |

1. **Action Plan**

The SRO of this EqIA is responsible for all actions detailed in the Action Plan below:

| **What is the action?** | **Which group(s) does it relate to?** | **What is the anticipated outcome?** | **Timescale** |
| --- | --- | --- | --- |
| Continue to consult with TU partners to ensure policy development continues to be informed by effective voice and best practice. | Age, disability, gender reassignment, pregnancy/maternity, race, religion, sex (or gender), sexual orientation, carers, island communities | SDS will ensure all policies created by the ER team continue to be inclusive and informed by effective voice. | Ongoing |
| Engage with internal and external stakeholders where appropriate and examine relevant EqIAs to inform best practice and inclusion amongst relevant protected groups. | Age, Disability, gender reassignment, pregnancy/maternity, race, religion, sex (or gender), sexual orientation, carers | To ensure we continue to be as informed as possible about how to ensure our policies impact all protected groups and can take appropriate steps to promote inclusion as required. | Ongoing |