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) | HR Performance and Planning – HR Administration |
| **Senior Responsible Officer (SRO):** name and job title | Andrea Muirhead, HR Workforce Planning 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) | *Include link to HR Business Partnering EqIA when available* |

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| --- | --- | --- | --- |
| **Approved by:** | **Director of:** | **Date approved:** | **Review date:** |
| Signed: | Human Resources | 31st October 2022 |  |

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

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

At SDS we are ambitious about equality, diversity and inclusion, we’re keen that SDS reflects the people of Scotland and is an environment where people can be themselves. The HR Assistant team with HR Performance and Planning are committed to providing service, systems and processes to all colleagues and to maintaining accurate and quality data in relation to our organisational structure and employee contracts, terms and conditions.

Equality and Diversity is considered within the development of our systems and processes from the outset to ensure they are inclusive and accessible to all.

The key objective of this Equality Impact Assessment is to ensure that the service, systems and processes of the HR Assistants team meets the needs of all employees, including minority groups, identifies and implements best practice in equality throughout the service they offer.

The HR policies which are utilised by the HR Assistants to provide their services will not be included as they will have a separate Equality Impact Assessment. There will also be separate Equality Impact Assessments for the Resourcing Team which also sits within HR Performance and Planning.

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

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

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Older employees may be negatively impacted as we transition to digital services such as employee self service | Evidence shows that older employees have lower digital skills  Age UK Research | Focus on digital skills in recognition of the need to enhance these across the organisation  Involve employees of all ages to inform the development of Employee and Manager Self Services | Specifically involve older employees in development of revised processes, particularly digitally enabled processes |

* 1. **Disability**

**Context:** 7% Colleagues disabled

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| If reasonable adjustments aren’t implemented swiftly at the start of employment, this can negatively impact disabled people ability to access and contribute early in role. | Number of candidates who disclose disabilities after they have concluded the recruitment process/started employment  ACAS | Encourage individuals to disclose disability at earliest stage possible through Display Disability Confident Employer logo on adverts  Provide information on Disability Confident scheme to candidates and new employees during starting work process  Training for recruiting managers so they can explore any requirements for reasonable adjustments during assessment and selection process and prior to start date  If reasonable adjustments identified during recruitment process these can also be utilised during “Starting Work” process  Inform case management team so they can engage with external bodies to provide advice on appropriate reasonable adjustments or involvement of ASN Development Coach | Encourage self-disclosure during employment.  Develop processes to support changes in status, ensuring anonymity, where necessary and appropriate. |
| Services delivered through Self Service must be accessible for disabled employees | Digital Services Survey (is there data on disability?)  Accessibility statement on Website | Accessibility statement on SDS Website  Alternative methods of providing updates to personal records can be used | Ongoing assessment of Self Service to ensure it complies with our Accessibility statement |
| Individuals may disclose disability but do not want colleagues to know, so GDPR risk if this information is disclosed |  | Equality monitoring information is confidential and only accessible by the individual themselves  Mandatory data breach training completed by all employees every 3 years  Development of a health & wellbeing passport which is available to the individuals people manager, including any changes in people manager | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR  Support the creation of a culture where employees feel able to share that they have a disability through the promotion of health & wellbeing passports |
| Legal language of contract of employment may be difficult to understand |  | Summary of contract – contract is legal document with associated legal language which may be difficult to understand and interpret. Verbal offer email provided with summary terms and conditions  Use of Plain English where appropriate  Contract available in different formats if required | Review content and timing of issue of verbal offer to ensure includes pertinent terms and conditions  Provide contact details for queries |

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

**Context: Under 10 employees identify as transgender**

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals may disclose they have undergone/going gender reassignment but do not want colleagues to know, so GDPR risk if this information is disclosed |  | No-one, other than individual has access to Equality monitoring information – all information is anonymised  Trans Webinar available for all employees  Mandatory data breach training completed by all employees every 3 years | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR  All team members to complete Trans Webinar E-learning to raise awareness of the legal implications or requirements in relation to a Gender Reassignment Certificate  Support the creation a culture where employees feel able to share their Transgender status |
| Records may be in a different name and may not be aligned with legal assignment of sex |  | Guidance developed on the legislation regarding gender reassignment  Guidance developed on how to record sex from an employment and payroll PAYE perspective  Trans Webinar available for all employees | All team members to complete Trans Webinar |
| There could be a negative impact if you do not address transgender individuals the way they wish to be addressed |  | Discussions with individuals if they inform you they are transgender  Use appropriate pronouns or name or use gender neutral  Trans Webinar available for all employees | Review template emails and letters to ensure language is gender neutral  All team members to complete Trans Webinar |
| Those who are transitioning may change their name, so this may have an impact on their previous and future employment records/documents  Individuals who have transitioned may wish to change their sex legally and this should be reflected in their employment record |  | Transition guidance has been developed by the Equality Team | Develop guidance documents for managing employment records for Transgender employees to ensure they are legally compliant, including:   * Name changes * Recording of sex and gender * Gender recognition certificates * Instructions for Payroll, HMRC and pensions |
| Individuals going through transition may require time off for medical appointments – these should not be counted as sick leave |  | Use specialist appointments to record absence, no mention of gender reassignment as reason | Develop guidance and making sure that these are easily accessible and understood by HR, Employees and Managers  All team members to complete Trans Webinar |

* 1. **Marriage and civil partnership**

**Context:** HR Assistant services, systems and process are available to all regardless of marital status.

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Name changes as a result of Marriage, Divorce or Civil Partnerships |  | Guidance available | Review and update change of name guidance and procedures to ensure they incorporate Marriage, Divorce and Civil partnerships for HR and employees |

* 1. **Pregnancy and maternity**

**Context:** HR Assistant services, systems and process are available to all regardless of whether someone is pregnant or on maternity leave

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals who are pregnant need to attend anti-natal appointments – these should not be counted as sick leave |  | A policy already exists to record anti natal appointment separately as Special Leave  Special Leave recorded via Employee Self Service and guidance available for recording | Review guidance to ensure accessible and understood by HR, Employees and Managers |
| Access to work equipment and systems needs to be clear and legally compliant |  | Maternity confirmation Letter which clarifies situation regarding access to systems and equipment during maternity leave | Review agreement for individuals in relation to IT equipment and access during maternity leave and KIT Days. |

* 1. **Race**

**Context:**

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals may disclose their ethnicity or race but do not want colleagues to know, so GDPR risk if this information is disclosed |  | No-one, other than individual has access to Equality monitoring information – all information is anonymised  Mandatory data breach training for employees every 3 years | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR |
| As part of the starting work process individual may be positively impacted by the number of Networks and Communities that SDS has | Race Equality Action Plan | Set up of various Networks and Yammer pages, including BAME Network | Investigation on whether a “new starters” guidance/content with all policies, procedures as well as networks and communities available at SDS  For example LGBTI Allies, BAME Networks, Youth Board, range of Yammer Groups – interests, may need to request access. Wider than Terms and Conditions – Life at SDS?  BAME Network – sign post to new employees to information on appropriate Networks and Allies groups as part of the starting work process |

* 1. **Religion or belief**

**Context:**

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals may disclose their religion or beliefs but do not want colleagues to know, so GDPR risk if this information is disclosed |  | No-one, other than individual has access to Equality monitoring information – all information is anonymised | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR  Support the creation a culture where employees feel able to share their religion or beliefs |
| Recognition of religious holidays and religious practices that may require time off, private space |  | Provide guidance to managers on appropriate reasonable adjustments and recording of time off for religious holidays | Being aware of adjustment which may be appropriate in recognition of religious beliefs, such as adjustment in hours during religious festivals |

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

**Context:** Workforce gender breakdown 71% female 29% male

HR Assistant services, systems and process are available to all regardless of someone’s sex (or gender)

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| None |  |  |  |

* 1. **Sexual orientation**

**Context:** 4.3% of SDS employees identify as LGB+

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals may disclose their sexual orientation but do not want colleagues to know, so GDPR risk if this information is disclosed |  | No-one, other than individual has access to Equality monitoring information – all information is anonymised | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR  Support the creation a culture where employees feel able to share their sexual orientation  LGBTI Allies – sign post to new employees to information on appropriate Networks and Allies groups as part of the starting work process |
| As part of the starting work process individual may be positively impacted by the number of Networks and Communities that SDS has |  | Set up of various Networks and Yammer pages, including LGBTI Allies |  |

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:** 1.1% of SDS employees are care experienced

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| Individuals may disclose that they are care experienced but do not want colleagues to know, so GDPR risk if this information is disclosed |  | No-one, other than individual has access to Equality monitoring information – all information is anonymised | Ongoing monitoring of records management procedures to ensure we do not breach confidentiality and GDPR |

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

**Context:**

| Evidence of positive or negative impact | Source of evidence | Activity to date | Further activity required |
| --- | --- | --- | --- |
| One place for all relevant contract of employment policies and guides, including those which would be relevant for those with protected characteristics (for example, inter-faith calendar is in Equality not policies) |  |  | Review content of Connect to ensure all relevant information for new starts is easily identifiable and accessible including policies, procedures, as well as the more social aspects of SDS such as Yammer groups and Networks |

1. **Action Plan**

| **What is the action?** | **Which group(s) does it relate to?** | **What is the anticipated outcome?** | **What method is used to measure it?** | **Timescale** |
| --- | --- | --- | --- | --- |
| Review of records management processes and procedures and implementation of improvements identified | All | Maintain confidentiality as required by GDPR | Number of breaches | Ongoing |
| Review Accessibility of Agresso Self Service | Disability | Compliance with Accessibility Statement measures | Identification of any actions which are required to bring accessibility into line with requirements | June 2022 |
| Implementation of any actions from Accessibility review | Disability | Compliance with Accessibility Statement measures | Compliance with Accessibility Statement | December 2022 |
| Review correspondence templates to ensure Plain English wording used | Disability  Race | Plain English templates for communication | Employee feedback | October 2022 |
| Review correspondence templates to ensure gender neutral language where appropriate | Transgender | Communication templates which have gender neutral language | Employee feedback | October 2022 |
| All HRAs to complete Transgender e:learning | Transgender | Increased knowledge and understanding of Transgender individuals | E:Learning completed | October 2022 |
| Develop guidance for managing employee records for Transgender employees | Transgender | Clear understanding of process for managing Transgender employee records | Records managed correctly | December 2022 |
| Review and update change of name guidance | Transgender  Marriage and civil partnerships | Clear process for all types of name changes | No of queries on name changes | December 2022 |
| Review guidance on Special Leave | All | Documented guidance on the full range of Special Leave, including anti-natal appointments and transgender reassignment appointments | Correct recording of Special Leave | March 2023 |
| Review of My SDS pages on Connect | All | New starts are easily able to find the information they require, including the more social aspects of work, such as Networks and Yammer groups | New start feedback | March 2023 |