

# Scottish Borders Council

## Equality Impact Assessment

3.1	<b>Title of Proposal:</b>	Disciplinary procedures for misconduct	
3.1b	<b>What is it?</b>	A new Policy/Strategy/Practice <input type="checkbox"/>	A revised Policy/Strategy/Practice <input checked="" type="checkbox"/>
3.2	<b>Service Area:</b> <b>Department:</b>	Human Resources Employee Relations	
3.3	<b>Description:</b>	<p>The aim of this Procedure is to help to maintain the required standards of conduct by employees throughout Scottish Borders Council's ("SBC") activities and to ensure that any disciplinary action is applied consistently and fairly. The Policy and associated Procedure should encourage employees to achieve and maintain standards of behaviour and performance while providing comprehensive information about the process itself and how disciplinary matters should be handled.</p> <p><b>Summary Note:</b> The employee data referred to throughout this Assessment has been derived from data gathered from April 2016 until October 2017.</p>	

**Impact Assessment**

Equality Characteristic	Impact			Description	Mitigation & Recommendations
	No Impact	Positive Impact	Negative Impact		
<b>All employees covering the protected characteristics of Age, Disability, Gender, Race, religion and or belief and Sexual Orientation</b>		X		<p>In terms of overall gender demographics, 73% of employees at the Council are female. 23% male.</p> <p>An analysis of disciplinary data indicates that more female than male employees at SBC are involved in disciplinary proceedings. 56% female 44% male.</p> <p>The qualitative data itself does not necessarily suggest a form of male bias as the overall numbers are low.</p> <p>With regards to age 60% of employees involved in disciplinary proceedings are aged over 45-59 years, which almost reflects the percentage of employees of this age range of 53.22%,</p> <p>For younger employees the procedure allows greater flexibility whereby if required they may be accompanied at hearings.</p> <p>2.37% of employees have declared a disability. Data regarding involvement in disciplinary proceedings by those with a disability has been reviewed but is not being reproduced in this assessment as there are low numbers involved and individuals may be identified</p> <p>In addition for those employees with a disability the Policy</p>	

				<p>has been amended to specifically express that reasonable adjustments will be made (where required) to the procedure.</p> <p>SBC does not currently cross refer staff regarding religion/belief or sexual orientation and whilst data is cross referred against ethnic origin during the time span of this assessment no minority ethnic employee has been disciplined. This is not surprising as only 0.37% of staff identify as Black Minority Ethnic. 24.12% of employees have not declared their ethnicity.</p> <p>It should be noted that the procedure requires that employees be asked if they need assistance with understanding language used in the proceedings. This should remove the risk that minority ethnic employees for whom English is a second language do not understand the procedure.</p> <p>Overall, there is no evidence to date that the Policy or its associated Procedure has had a negative or disproportionate impact on people as a result of their protected characteristic.</p> <p>Therefore it is considered that the Policy and Procedure should result in an overall positive impact on all employees as it should maintain high levels of conduct.</p>	
--	--	--	--	---	--

3.5	<b>Relevance to the Equality Duty in Summary:</b>
	<b>What impact will your proposal have on the following :</b>

	<b>Equality Duty</b>	<b>Reasoning:</b>
	<b>Elimination of discrimination (both direct &amp; indirect), victimisation and harassment.</b>	Raising awareness of this Policy serves to meet the equality duty of eliminating discrimination and promoting good relations.
	<b>Promotion of equality of opportunity?</b>	Although not directly relevant to these 'arms' of the equality duty the Policy should allow promotion of equality of opportunity as it sets out a clear procedure that is applicable to all regardless of the protected characteristic identified with. In addition the Policy is widely publicised and promoted in order to ensure that all staff are aware of the Policy and the process.
	<b>Foster good relations?</b>	

3.6	<b>Recommendations &amp; Mitigation</b> Please summaries all recommendations and mitigations for approval by the decision makers who will approve your proposal		
	<b>Characteristic</b>	<b>Mitigation/Recommendation</b>	<b>Approved Yes/No</b>
	All	Review the Policy in two years from the date of publication of the revised Policy (Oct 2017) or as a requirement due to legislative changes.	
		Continue to gather and monitor equality characteristic data of employees	

<b>EIA Completed By</b>			
Name/Post	Iain Davidson Employee Relations Manager	Service /Directorate.	Human Resources
Name/Post	Simone Doyle Equality & Diversity Officer (HR)		
Name/Post	Emily Elder Student HR		
Date:	26 <sup>th</sup> October 2017		

<b>Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)</b>			
Name:	Clair Hepburn Service Director Human Resources	Directorate: Chief Executive	Date: 6 <sup>th</sup> November 2017

