

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

<p>Title of Proposal:</p>	<p>Overtime Policy and supporting briefing notes.</p>
<p>What is it?</p>	<p>A new Policy/Strategy/Practice <input type="checkbox"/></p> <p>A revised Policy/Strategy/Practice <input checked="" type="checkbox"/></p>
<p>Description of the proposal:</p>	<p>This is a review of an existing policy and guidance.</p> <p>Essentially the Policy refers to the Scottish Joint Council for Local Government Employees arrangement for a standard working week of 37 hours however there is a local agreement for certain employees (previously APT & C staff to to work a 35 hour week.</p> <p>The Policy informs that any hours worked between 6.00am and 10.00pm will be classified as normal working hours and paid at the basic hourly rate, including hours worked on a Saturday or Sunday.</p> <p>Work in excess of these normal hours is classed as overtime. This policy sets out the conditions for the payment of overtime for employees.</p> <p>Work in excess of normal hours of duty is normally discouraged, and in particular employees should not be required to consistently work overtime.</p>

	<p>However, SBC recognises that there are occasions when overtime is unavoidable and in such cases conditions shall apply.</p> <p>The Policy affirms that alternatives to overtime, such as Time Off in Lieu (TOIL) should be considered before payment of overtime.</p> <p>Additionally overtime is not usually compulsory and staff are able to choose not to work overtime..</p>
Service Area: Department:	Human Resources
Lead Officer:	Iain Davidson Employee Relations Manager
Other Officers/Partners involved:	Simone Doyle Equalities & Diversity Officer (HR)
Date(s) IIA completed:	3 rd December 2019, 23 rd January 2020

2 Will there be any cumulative impacts as a result of the relationship between this proposal and other policies?

No
If yes, - please state here:

3 Legislative Requirements

3.1 Relevance to the Equality Duty:	
Do you believe your proposal has any relevance under the Equality Act 2010?	
Equality Duty	Reasoning:
Elimination of discrimination (both direct & indirect), victimisation and harassment.	Given this policy focusses on the payment of overtime rather than the necessity to undertake it, it is considered that the policy is not relevant to the General Equality Duty, namely the advancement of equality, elimination of discrimination and promoting good relations.
Foster good relations?	
Promotion of equality of opportunity?	

3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal? (You should consider employees, clients, customers / service users, and any other relevant groups)				
Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
Protected characteristics including: Age, Disability, Race, Sexual Orientation and Gender Reassignment	X			

<p>Gender (Males, Females, Transgender or Transsexual people)/ Carer responsibilities</p>			<p>X</p>	<p>As stated in an earlier Equality Impact Assessment this can impact on both men and women especially those with caring responsibilities. It may be that for some women and men they may find it more difficult to work later and/or longer hours due to childcare. Overtime is not usually compulsory and staff would be able to choose not to work overtime. This policy focusses on the payment of overtime rather than the necessity to undertake it.</p>
<p>People with Religious or other Beliefs: different beliefs, customs (including atheists and those with no aligned belief)</p>			<p>X</p>	<p>Specific overtime working days may affect some people from certain religions. For example Sundays for Christians, Saturdays for Jews. Other religions may be affected by evening working and specific times such as Ramadan and fasting during daylight hours. However as above overtime is not usually compulsory and staff would be able to choose not to work overtime This policy focusses on the payment of overtime rather than the necessity to undertake it.</p>
<p>Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),</p>			<p>X</p>	<p>Pregnant women or those on maternity leave may find it more difficult to work overtime but his policy covers the payment of overtime when worked rather than the necessity to undertake overtime.</p>
<p>Poverty</p>	<p>X</p>			<p>There is no supporting data to suggest that employees are facing poverty and using overtime payments to supplement financial income. As stated above this Policy focusses on the payment of overtime rather than the necessity to undertake it.</p>

3.3 Fairer Scotland Duty

This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making strategic decisions.

The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.

Is the proposal strategic?

No (*please delete as applicable*)

This Policy is not subject to the Fairer Scotland Duty, however as indicated above the aspects of poverty and carers have been considered in this assessment as indicated above.

If No go to Section 3.4

If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:

	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
Carers paid and unpaid including family members				
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.				
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken				

electrical goods, warm home, leisure and hobbies				
Area Deprivation – where you live (e.g. rural areas), where you work (e.g. accessibility of transport)				
Socio-economic Background – social class i.e. parents' education, employment and income				
Looked after and accommodated children and young people				
Homelessness				
Addictions and substance use				
Those involved within the criminal justice system				

4 Full Integrated Impact Assessment Required

Select No if you have answered “No” to all of Sections 3.1 – 3.3.

Yes/ No (please delete as applicable)

If a full impact assessment is not required briefly explain why there are no effects and provide justification for the decision.

With the exception of that mentioned above, the potential impact of this Policy is not directly relevant to the aspects of General or Fairer Scotland Duty, The Policy, applied fairly and consistently, should ensure that it is applicable to all employees irrespective of protected characteristic or social economic factors. More specifically the consideration of both Duties is more relevant to public facing services as opposed to internal HR Policies.

However, it is recommended that the policy is reviewed every two years or as legislation and/or changes to the Scheme of Pay and Conditions are made in order to ensure that the Policy remains relevant and fit for purpose.

Signed by Lead Officer:	Iain Davidson
Designation:	Employee Relations Manager
Date:	23 rd January 2020
Counter Signature Service Director	Clair Hepburn
Date:	7 th February 2020