

## Integrated Impact Assessment (IIA)

### Part 1 Scoping

#### 1 Details of the Proposal

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| <b>Title of Proposal:</b>  | Equality, Diversity and Human Rights Policy   |
| <b>What is it?</b>   | A new Policy/Strategy/Practice <input type="checkbox"/><br>A revised Policy/Strategy/Practice <input checked="" type="checkbox"/>   |
| <b>Description of the proposal:</b><br>(Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes (including the context within which it will operate)). | The Policy sets out Scottish Borders Council's (the Council) commitment to the principles of equality, diversity and human rights in employment. The Policy provides an overview of the protection provided to staff who share protected characteristics and remedies which may be taken in the event of discrimination, victimisation or harassment occurring. The Policy also sets out the role and responsibilities of staff employed at the Council, and provides information about the Council's processes to monitor and take action to advance equality, diversity and human rights in practice. |
| <b>Service Area:</b><br><b>Department:</b>   | Human Resources   |
| <b>Lead Officer:</b><br>(Name and job title)   | Iain Davidson Employee Relations Manager  |
| <b>Other Officers/Partners involved:</b><br>(List names, job titles and organisations)   | Simone Doyle Equality & Diversity Officer Human Resources   |

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| <b>Date(s) IIA completed:</b> | 10 <sup>th</sup> & 13 <sup>th</sup> February 2020 |

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

Yes            X    No

**If yes, - please state here:**

This policy is associated to the following key policies and where applicable should be cross referenced to gain further detail:

- Agency Workers
- Attendance Management
- Code of Conduct
- Councillors
- Discipline
- Dignity and Respect in the Workplace
- Equal Pay Policy
- Family Friendly
- Flexible Working
- Flexi Time Scheme
- Grievance
- Homeworking
- Investigation
- Job Allocation
- Leave
- Mentally Healthy Workplace and Stress Management Policy
- Reasonable Adjustments Policy

- Recruitment and Selection
- Redeployment
- Redundancy
- References
- Social Media
- Substance Misuse
- Temporary appointments
- Trade Unions
- Training and development
- Volunteer Policy

### 3 Legislative Requirements

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| <b>3.1 Relevance to the Equality Duty:</b>   |  |
| <p><b>Do you believe your proposal has any relevance under the Equality Act 2010? Yes</b><br/> <i>(If you believe that your proposal may have some relevance – however small please indicate yes. If there is no effect, please enter “No” and go to Section 3.2.)</i></p> |  |
| <b>Equality Duty</b>   | <b>Reasoning:</b>  |
| <p><b>Elimination of discrimination (both direct &amp; indirect), victimisation and harassment.</b> <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i></p>   | <p>This Policy has been designed to positively impact not just on people who share protected characteristics in terms of the Equality Act 2010, but should also positively impact all potential and/ or existing employees. It does this by raising awareness of disadvantages and risks which people may face, and clearly sets out the Council’s commitment to the advancement of equality and the prevention of discrimination, victimisation and harassment.</p> |
| <p><b>Promotion of equality of opportunity?</b><br/> <i>(Will your proposal help or hinder the Council with this)</i></p>  |  |
| <p><b>Foster good relations?</b><br/> <i>(Will your proposal help or hinder the council s relationships with those who have equality characteristics?)</i></p>   |  |

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**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 |   |
| <b>Age</b> Older or younger people or a specific age grouping |           | X               |                 | <p>This Policy should result in a positive impact on all age groups. It acknowledges that people face discrimination because of their age, and that while this can happen at any time, it can particularly affect older and younger people. The Policy should prevent discrimination by noting that there can be negative stereotypes about age. For example, people can make negative judgements about older people's willingness to change, or take on new responsibilities. The Policy takes a wide view of diversity, and shows that being positive about age leads to a wider range of skills and abilities in the workplace.</p> <p>With regards to recruitment and selection, the Policy states that objective criteria will be used. This will lessen the risk of age discrimination happening in this process.</p> <p>The Appendix provides guidance on training and development, and recommends that service areas are aware that there are common assumptions about age limits for training, which can amount to discrimination.</p> <p>A sample scenario includes a situation where a candidate felt that the interview questions had been aimed at sifting</p> |

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|   |  |   |  | <p>out women of child-bearing age who might become pregnant. This practical example is an effective way of demonstrating equality in practice and reflects the Council's commitment to a zero tolerance approach.</p>  |
| <p><b>Disability</b> e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring</p> |  | X |  | <p>This Policy should result in a positive impact on people with a disability. It begins with an acknowledgment of the fact that disabled people face disadvantage and discrimination. The Policy does not just focus on physical barriers, but raises awareness of the social model of disability, where negative attitudes and exclusion are the main barriers for people with a disability.</p> <p>There is reference to the Disability Confident Scheme, which provides guarantees that people with a disability who apply for posts with the Council will be interviewed, provided they meet the essential criteria.</p> <p>The Policy notes that reasonable adjustments will be made for people with a disability during both the application and selection process stages.</p> <p>The objectivity of the selection criteria should also prevent discrimination occurring on the grounds of disability. The Policy assures staff that any information disclosed will be held confidentially. It is anticipated that this will encourage staff to discuss issues in the context of their disability.</p> <p>The Policy has been amended to inform that analysis of the Council's pay gap will include disabled employees. Analysis has been conducted, however due to the small number of employees who have declared a disability (2.6%) the results will not be published as individuals may be identified.</p> |

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|   |  |   |  | The Policy refers to the Attendance Management Policy which has recently been assessed by the Council and steps have been taken to mitigate any risk of discrimination.  |
| <b>Gender Reassignment Trans/Transgender Identity</b> anybody whose gender identity or gender expression is different to the sex assigned to them at birth  |  | X |  | <p>It is anticipated that this Policy will have a positive impact on transgendered staff employed by the Council.</p> <p>The preliminary section of the Policy acknowledges that transgendered people can face disadvantage, victimisation and discrimination. The Policy acknowledges that transgendered/transsexual staff members will be treated with dignity and respect and that privacy will be ensured and respected.</p> <p>In addition the Policy demonstrates sensitivity to people who are undergoing or have undergone gender reassignment by recognising that there can be negative stereotypes connected, and that transgender people can face victimisation and harassment.</p> |
| <b>Marriage or Civil Partnership</b> people who are married or in a civil partnership   |  | X |  | It is considered that the Policy will have a positive impact for this protected characteristic. The Policy makes reference to ensuring that employment policies and practices do not discriminate between those who have entered into marriage and those that have entered into a civil partnership. Furthermore the policy declares that the Council will treat civil partners in the same way as married people for example and not limited to: benefits, employment and vocational training.  |
| <b>Pregnancy and Maternity</b> (Pregnancy is the condition of being pregnant/expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment |  | X |  | It is considered that the Policy should have a positive impact for this protected characteristic. The preliminary section of the Policy explains the differences between pregnancy and maternity and how discrimination may  |

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| <p>context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),</p>                                     |  |          | <p>occur. The Council makes a commitment to ensure that employees are not discriminated against when pregnant or during the period of maternity and that employees are aware of their rights including maternity and paternity leave.</p> <p>Appendix 2 describes a practical scenario raising awareness of appropriate behaviour with reference to Pregnancy and Maternity.</p>  |
| <p><b>Race Groups:</b> including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)</p> |  | <p>x</p> | <p>The Policy has been developed to ensure that ethnic minority groups do not encounter discrimination either during the application and recruitment process or throughout their employment with the Council.</p> <p>In particular, the Council demonstrates a commitment to zero tolerance to harassment, victimisation, and discrimination connected with race.</p> <p>The focus on objectivity in the Recruitment and Selection process should also advance equality for people from different races. Any information regarding race is withheld during the recruitment process which should reduce the risk of bias.</p> <p>The Policy also states that managers should be absolutely sure if a degree or other qualifications are essential to the role. This may assist ethnic minority applicants as they may have qualifications from outwith the UK.</p> <p>The Policy has been amended to inform that analysis of the Council's pay gap will include race groups. Analysis has been conducted, however due to the small number of employees who identify as minority ethnic (0.47%) the</p> |

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|  |  |   |  | <p>results will not be published as individuals may be identified.</p> <p>Appendix 2 describes a practical scenario raising awareness of appropriate behaviour with reference to race.</p>  |
| <p><b>Religion or Belief:</b> different beliefs, customs (including atheists and those with no aligned belief)</p> |  | X |  | <p>The Policy recognises that people can face disadvantage and discrimination as a result of their religion, faith, belief or non-belief. The Council makes a commitment to support employees to practice a religion or belief in accordance with work life balance and to have their beliefs treated with respect.</p> <p>Appendix 2 describes a practical scenario raising awareness of appropriate behaviour with reference to religion or belief.</p>   |
| <p><b>Sex – Gender Identity</b> women and men (girls and boys) and those who self-identify their gender</p>        |  | X |  | <p>It is anticipated that this Policy will have a particularly positive impact on women employed by the council.</p> <p>The preliminary section of the Policy explains the meaning of sexism and the fact that women may face harassment, hatred and violence.</p> <p>Particular focus is given to ensuring equal pay for work of equal value. The Council conducts equal pay audits. The analysis of the gender pay gap and occupational segregation demonstrates the Council's commitment to fairness and transparency in reward.</p> <p>The focus on objectivity during the Recruitment and Selection process should mean that women are not treated detrimentally as the focus on the job (as opposed to the person) should help to eliminate any form of bias.</p> |





**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 |                              |
| <b>Low and/or No Wealth</b> – 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.                       |           |                 |                 |                              |
| <b>Material Deprivation</b> – 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 |           |                 |                 |                              |
| <b>Area Deprivation</b> – where you live (rural areas), where you work (accessibility of transport)   |           |                 |                 |                              |
| <b>Socio-economic Background</b> – social class i.e. parents' education, employment and income  |           |                 |                 |                              |
| <b>Looked after and accommodated children and young people</b>  |           |                 |                 |                              |
| <b>Carers</b> paid and unpaid including family members  |           |                 |                 |                              |
| <b>Homelessness</b>   |           |                 |                 |                              |
| <b>Addictions and substance use</b>   |           |                 |                 |                              |
| <b>Those involved within the criminal justice system</b>  |           |                 |                 |                              |

#### 4 Full Integrated Impact Assessment Required

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

Yes

No

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

This is a review of the existing Equality, Diversity and Human Rights Policy. It is deemed that this policy is not subject to the Fairer Scotland Duty. This policy applies to all those who work within or apply to work within the Council regardless of employment status.

The overall impact of the Policy is positive. The Policy applies to all those who work or apply to work within the Council regardless of employment status. Therefore the Policy is beneficial to all including permanent and fixed-term employees, members of staff on zero-hours contracts, supply or relief staff, those working within the Council on behalf of other agencies, and those on secondment to the Council,

The Policy will be reviewed in accordance with the Council’s HR Policy Review Programme or as required by legislative requirements in order to ensure that the Policy and Procedure remain relevant and fit for purpose. As a minimum an Integrated Impact Assessment will be carried out every two years.

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| <b>Signed by Lead Officer:</b>            | Iain Davidson                  |
| <b>Designation:</b>                       | Employee Relations Manager     |
| <b>Date:</b>                              | 13 <sup>th</sup> February 2020 |
| <b>Counter Signature Service Director</b> | Clair Hepburn                  |
| <b>Date:</b>                              | 27 <sup>th</sup> February 2020 |