

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

Title of Proposal:	Guidelines on conducting investigations
What is it?	A new Policy/Strategy/Practice <input type="checkbox"/> A revised Policy/Strategy/Practice <input checked="" type="checkbox"/>
Description of the proposal: (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 aim of these Guidelines into Conducting Investigations is to : <ul style="list-style-type: none"> • Give guidance on the handling of Investigations into Disciplinary and Grievance cases. • Ensure that Investigations are conducted in a fair and timely manner and are factual and sufficiently thorough. • To minimise the operational impact on service delivery.
Service Area: Department:	Human Resources
Lead Officer: (Name and job title)	Iain Davidson Employee Relations Manager
Other Officers/Partners involved: (List names, job titles and organisations)	Simone Doyle HR Equality & Diversity Officer

Date(s) IIA completed:	19 th February & 9 th March 2020
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2 Will there be any cumulative impacts as a result of the relationship between this proposal and other policies?

Yes
<p>If yes, - please state here:</p> <p>These guidelines should be read in conjunction with the following policies :</p> <ul style="list-style-type: none"> • The Disciplinary Procedure • The Grievance Procedure

3 Legislative Requirements

3.1 Relevance to the Equality Duty:

Do you believe your proposal has any relevance under the Equality Act 2010?

(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.)

Equality Duty	Reasoning:
<p>Elimination of discrimination (both direct & indirect), victimisation and harassment. <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i></p>	<p>These guidelines are not relevant to the General Equality Duty.</p> <p>There is no likelihood that these guidelines will affect people who share protected characteristics differently from other people.</p>
<p>Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i></p>	

<p>Foster good relations? <i>(Will your proposal help or hinder the council's relationships with those who have equality characteristics?)</i></p>	<p>The documentation used is accessible and in clear and plain English.</p> <p>Where impacts have been identified specific to a characteristic this is noted below:</p>
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<p>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)</p>				
<p>Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.</p>				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
<p>All characteristics including: Age, Disability, Gender, Race, Religion/Belief, Pregnancy and Maternity, Sexual orientation and Gender Reassignment</p>		<p>X</p>		<p>Overall this policy is seen as positive in that it has a clear and fair mechanism and process for handling investigations into Discipline and Grievance cases.</p> <p>In relation to Equalities issues, guidance is given on :</p> <ul style="list-style-type: none"> • Questioning to avoid potential discriminatory questions. • Recording conversations only where it is a reasonable adjustment for employees with a disability • in cases of alleged discrimination or harassment, consideration will be given to matching the gender of the Investigating Officer with the gender of the complainant. • Interviewing staff who may be on sickness leave.

				Furthermore the policy gives general equalities advice in relation to interviewing witnesses, which is that “Any questions which could be viewed as discriminatory on the grounds of sex, religion, disability, sexuality, faith, gender, etc must be avoided.”
Age Older or younger people or a specific age grouping		X		The policy gives guidance on interviewing children as witnesses, for example if a pupil is interviewed in relation to allegations about a member of staff.
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring		X		Under normal circumstance the recording of interviews is now allowed, however the policy offers flexibility whereby recording is allowed if the request relates to a disability
<p>3.3 Fairer Scotland Duty</p> <p>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 <u>strategic</u> decisions.</p> <p>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.</p>				
<p>Is the proposal strategic?</p> <p>No <i>(please delete as applicable)</i></p> <p>If No go to Section 3.4</p> <p>Whilst this is corporate guidance it is deemed that it is not relevant to the Fairer Scotland Duty.</p>				
<p>If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:</p>				
	Impact			State here how you know this
	No	Positive	Negative	

	Impact	Impact	Impact	
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				
Carers paid and unpaid including family members				
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.

The Guidelines are written in accordance with Employment Law requirements, ACAS guidelines and the Data Protection Act. They also advise to avoid any bias or discrimination including potential conflicts of interest.

The Guidelines are not relevant to the General Equality Duty or the Fairer Scotland Duty. Furthermore there is no likelihood that these guidelines will affect people who share protected characteristics differently from other people.

However to ensure that these guidelines remain relevant and fit for purpose the guidelines will be reviewed at least every two years or if there are any changes to Employment Law requirements.

Signed by Lead Officer:	Iain Davidson
Designation:	Employment Relations Manager
Date:	9 th March 2020
Counter Signature Service Director	Clair Hepburn
Date:	11 th March 2020