

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

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| Title of Proposal: | Retention & Redeployment Policy and Procedure |
| 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)). | <p>The overall aim of this Policy is to retain employees with valuable skills and experience, who demonstrate appropriate aptitudes. It also aims to meet Scottish Borders Council's (the Council) legal obligations, including offering suitable alternative employment to employees at risk of redundancy.</p> <p>The Policy outlines the Council's approach to the redeployment of staff and provides guidelines on the treatment of staff that are at risk of redundancy, or where individual circumstances mean it is appropriate to consider them for another role. The Policy also sets out to ensure that all staff subject to redeployment are treated in a fair, consistent and transparent manner, consistent with the Council's obligations under the Equality Act 2010, and in particular in respect of employees with disabilities or ill health.</p> <p>Whilst this assessment considers each individual protected characteristic in terms of the Equality Act 2010 it should be noted that the practices and processes included within this Policy aim to positively impact on all of the equality groups as set out below. In</p> |

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| | addition the review has been based on qualitative (as opposed to quantitative) aspects of the Policy itself in order to ensure that the Policy remains relevant and fit for purpose. |
| 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 Equality & Diversity Officer Human Resources |
| Date(s) IIA completed: | 2 nd & 11 th March 2020 |

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

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| Yes | X | No |
| <p>The policy and procedure deals with redeployment situations arising from:</p> <ul style="list-style-type: none"> • disability • discipline (in some cases, usually as an alternative to dismissal) • grievance • health • health and safety • redundancy <p>Consequently this policy should be read in conjunction with the following SBC Human Resources Policies:</p> | | |

- Attendance Management
- Disability (reasonable adjustments)
- Disciplinary Procedures for Misconduct
- Disturbance Allowance Policy
- Grievance Policy and Procedure
- Health and safety
- Managing Work Performance
- Redundancy Policy and Procedures

This policy should also be read in conjunction with the General Health and Safety Risk Assessment Policy.

3 Legislative Requirements

3.1 Relevance to the Equality Duty:

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

(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: |
|---|---|
| Elimination of discrimination (both direct & indirect), victimisation and harassment. <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i> | Raising awareness of this Policy serves to meet the equality duty of eliminating discrimination and promoting good relations. |
| Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i> | 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 |
| Foster good relations? <i>(Will your proposal help or hinder the council s relationships with those who have equality characteristics?)</i> | |

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| | the Policy and the process. These ethical actions will play a part in the fostering of good relations. |
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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)

Preliminary Note: To avoid repetition all of the protected characteristics are considered in this response. This Policy should result in a positive impact on all employees regardless of their protected characteristic. It applies equally to all employees with no group having an advantage over another.

Furthermore the Policy and its associated procedure provides a positive opportunity for employees to remain in employment with the Council. Where aspects are specific to each characteristic this is shown below.

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 | |
| Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring | | X | | <p>The policy provides that the Council will seek advice/guidance from Occupational Health in respect of the employee's ability to work in their existing post and any alternative post which is identified as being potentially suitable.</p> <p>Reasonable adjustments will be made to the working environment or any specific duties of the original post or a potential new post.</p> <p>The policy details that staff with a disability may be given priority in redeployment opportunities, even where other employees are seeking redeployment, as part of the duty to consider reasonable adjustments for employees with a disability.</p> |

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| Pregnancy and Maternity (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 context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth), | | X | | In line with the relevant legislation, this Policy provides particular priority to women who are pregnant or on maternity leave and at risk of redundancy. If a suitable post is available, they will be offered that post. |
| Sex – Gender Identity women and men (girls and boys) and those who self-identify their gender | | X | | The Retention and Redeployment Employee Registration Form asks employees to state restrictions on working patterns, and states that preferred working arrangements will be taken into account where possible. This should benefit those employees who are responsible for arranging/providing childcare and who may find it more difficult to change their working hours. |
| <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> | | | | |

Is the proposal strategic?

Yes No

Whilst this Policy is a Corporate document it is considered that it is not relevant to the Fairer Scotland Duty.

If No go to Section 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 | |
| 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 (rural areas), where you work (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 | | | | |

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