

## Integrated Impact Assessment (IIA)

### Part 1 Scoping

#### 1 Details of the Proposal

<b>Title of Proposal:</b>	Guidelines on Continuous Service
<b>What is it?</b>	A new Policy/Strategy/Practice <input type="checkbox"/> A revised Policy/ <del>Strategy/Practice</del> <input checked="" type="checkbox"/>
<b>Description of the proposal:</b>	<p>The guidance has been developed to explain and clarify the Council's statutory obligation with regards to the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999. Under these regulations, employees who are appointed to Scottish Borders Council (SBC) from other Councils or any organisation specified in these regulations, have a right to their previous continuous service to be recognised by SBC for certain purposes.</p> <p>The primary effect is on redundancy payments. The Modification Order ensures that employees' continuity of employment is preserved for statutory redundancy payment purposes when they change jobs between specified employers.</p> <p>Continuous service with relevant previous employers is also taken into account for the purposes of eligibility for annual leave, and entitlement to Occupational Sick Pay and Maternity Pay.</p>

	This assessment is a review of the Council's existing guidance, in order to ensure that the guidance remains relevant and fit for purpose.
<b>Service Area: Department:</b>	Human Resources
<b>Lead Officer:</b>	Iain Davidson Employee Relations Manager
<b>Other Officers/Partners involved:</b>	Simone Doyle Equalities & Diversity Officer (HR)
<b>Date(s) IIA completed:</b>	21 <sup>st</sup> January 2022

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

<b>Yes</b>
<p><b>If yes, - please state here:</b></p> <p>The guidance is associated with the Council's Redundancy, Attendance Management and Family Friendly policies and where applicable this policy should be cross referenced with these policies to gain further detail:</p>

### 3 Legislative Requirements

<b>3.1 Relevance to the Equality Duty:</b>	
<b>Do you believe your proposal has any relevance under the Equality Act 2010?</b>	
<b>Equality Duty</b>	<b>Reasoning:</b>
<b>Elimination of discrimination (both direct &amp; indirect), victimisation and harassment.</b>	Raising awareness of the guidance serves to meet the equality duty of eliminating discrimination and promoting good relations.
<b>Foster good relations?</b>	
<b>Promotion of equality of opportunity?</b>	<p>Although not directly relevant to this arm of the equality duty the guidance should allow promotion of equality of opportunity as it sets out and clarifies the Council's statutory obligation with regards to the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999. The guidance is applicable to all eligible employees regardless of their protected characteristic.</p> <p>Allowing continuous service from previous employers to be taken into account means more employees benefit from provisions based on long service.</p> <p>This extends these benefits to employees who have not worked with the Council for a long period of time.</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)**

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>All protected characteristics including:</b> Age, Disability, Gender, Race, Religion/Belief, Pregnancy/Maternity, Sexual Orientation, Gender Reassignment.	X			There is no specific impact on any of the equality groups as a consequence of this guidance.

**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. This assessment is a review of an internal corporate policy and as such is considered not to be relevant to the Fairer Scotland Duty.

**If No go to Section 4**

**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.**

Given the nature of the Order and SBC's supporting guidance it is felt that the subject is not relevant to the General Equality or Fairer Scotland Duties. There is no likelihood that the guidance will affect people who share protected characteristics differently from other people. The guidance describes actions the Council is obliged to take in terms of the Order; Therefore a full assessment is not required.

The review of the guidance has ensured that it is current, relevant and fit for purpose. However, it is recommended that the guidance be reviewed at least every two years or as legislation requires in order that it continues to remain relevant and fit for purpose.

<b>Signed by Lead Officer:</b>	<b>Iain Davidson</b>
<b>Designation:</b>	<b>Employee Relations Manager</b>
<b>Date:</b>	<b>21/12/2022</b>
<b>Counter Signature Director</b>	<b>Clair Hepburn</b>
<b>Date:</b>	<b>24/01/2022</b>