

# Equality Impact Assessment

PL Catalogue

December 2022

# Equality Impact Assessment Record

<b>Title:</b>	Education Scotland's PL Cat
<b>Senior Lead Officers</b>	Dragos Leonte / Laura Burman
<b>Directorate:</b> <b>Division: Team</b>	Digital Services
<b>Is this new programme or revision to an existing programme?</b>	This has been implemented via a new programme, to provide a new platform within Education Scotland

# Screening

This Equality Impact Assessment (EQIA) aims to evaluate the impact of Education Scotland's implementation of an updated Professional Learning Catalogue for use by Education Scotland staff. This was introduced via the ES Transformation Programme.

The purpose of this programme was to improve the overall Education Scotland delivery, using digital to support business transformation.

## Who will it affect?

The Transformation Programme generally, and PL Cat specifically, will affect primarily Education Scotland staff members.

## The Scope of the Equality Impact Assessment

In undertaking this assessment, Education Scotland has assessed the impact on each of the protected characteristics and has considered measures against the three needs of the general equality duty as set out in Section 149 of the Equality Act 2010 to:

- eliminate unlawful discrimination, harassment, and victimisation;
- advance equality of opportunity; and,
- foster good relations.

## Key Findings

This impact assessment has identified some potential negative and positive impacts on one or more of the protected characteristics and these have been noted below with appropriate mitigating actions identified and established as described.

It is also important to recognise that during this EQIA we have carefully considered the accessible design of the content of the programme to ensure we support our aim of providing access for all.

## What might prevent the desired outcomes being achieved?

Insufficient resources to implement further changes to the existing system and make targeted improvements or to ensure the successful embedding of the system to support targeted benefits being realised.

# Stage 1: Framing

## Results of framing exercise

As a result of our framing exercise, we identified that there was potential for this PL Cat implementation to have some impacts on some protected characteristic groups, either negatively or positively.

### Protected characteristic: age

Digital technology has only become pervasive in our society in approximately the last 25 years. It is therefore possible to conclude that Education Scotland staff over the age of 40 would not have had the same exposure to digital technology as younger people during their broad general and professional education. This could potentially lead to older staff members being at a disadvantage when accessing our new PL Cat system. Despite this evidence, it is predicted that the impact on older staff will be minor. There is no expectation of access to the PL Cat system for younger users (below 18) therefore no requirement to implement any child friendly version.

### Protected characteristic: disability

The Scottish Health Survey estimates that, in 2018, 33% of adults (and 12% children) in Scotland were disabled, defined as having a limiting long-standing condition, and 46% of adults (and 6% of children) had a non-limiting long-standing illness.

The PL Cat system therefore needs to consider a range of disabilities as it is reasonable to assume that the staff within Education Scotland are representative of the wider population.

### Protected characteristic: gender reassignment

We are aware that the use of the PL Cat system will involve the use of pronouns which may have an impact on this protected characteristic if used incorrectly.

Evidence from the Scottish Transgender Alliance tells us that the workplace is one of the most likely locations for transphobic discrimination and harassment to occur. Whilst it is not considered likely that the PL Cat system will provide any affects on anyone transitioning, this is an area that will require ongoing monitoring.

## Protected characteristic: marriage or civil partnership

We are not aware of any evidence that staff who are married or in a civil partnership will be affected by our new PL Cat system. We will however continue to explore the potential impacts on people who are married or in a civil partnership.

## Protected characteristic: pregnancy and maternity

We are aware that there is a general trend for people to be taking longer periods of leave, with the majority taking between 30 and 52 weeks (81%).

People returning from extended leave, such as parental leave, may encounter issues if left to use a system that is new to them without support. This can be addressed by ensuring the appropriate support processes are in place.

However there may also be benefits as users return from extended periods of leave for any reason, including maternity, and can access relevant professional learning opportunities that have been recorded and stored within PL Cat.

## Protected characteristic: race

We are not aware of any evidence that race will be impacted by the PL Cat platform. We will however continue to explore the potential impacts on people of different racial identity or with English as a second language.

## Protected characteristic: religion or belief

We are not aware of any evidence that religion or belief will be impacted by the PL Cat platform.

## Protected characteristic: sex

We are not aware of any evidence that our PL Cat system will affect this protected characteristic. We will however continue to explore the potential impacts on people with different genders.

## Protected characteristic: sexual orientation

We are not aware of any evidence that our PL Cat system will affect this protected characteristic. We will however continue to explore the potential impacts on people with different sexual orientations

## Interaction with Other Policies (Draft or Existing)

Not applicable

## Extent/Level of EQIA required

The framing exercise has highlighted the following actions:

- The importance of encouraging feedback at all staff engagements to monitor issues of any type but particularly accessibility issues.
- The importance of ensuring those returning to work after a leave of absence such as paternal leave are supported in their use of a new system
- The importance of promoting the correct use of pronouns.

## Stage 2: Data and evidence gathering, involvement and consultation

Characteristic	Evidence Gathered and Strength/Quality of evidence	Source	Data gaps identified and actions taken
<b>Age</b>	The age profile of Education Scotland is: 3.2% = 16 to 29 year olds 17.1% = 20 to 39 year olds 26.7% = 40 to 49 year olds 38.1% = 50 to 59 year olds 14.9% = 60 years +	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	It is considered that age does not define the level of IT literacy in an individual. Instead it is the individuals own experiences and capabilities, although the level of risk for older staff is accepted to be higher.  Next steps are: <ul style="list-style-type: none"> <li>• Monitor staff experiences through feedback from workshops and other engagements</li> </ul>
<b>Disability</b>	20% of Education Scotland staff self-declared as being disabled, having a long-term health condition and/or illness in the past 12 months.	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	It is considered that if the PL Cat system is not fully accessible to all then there will be issues for this protected characteristic  The PL Cat system therefore must target being accessible as per Scottish Government requirements.  Further actions Ensure the system continues to meet such requirements
<b>Gender Reassignment</b>	Around 4% of our overall Scottish Government workforce identify as transgender.	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	Monitor the use of pronouns in the system

Characteristic	Evidence Gathered and Strength/Quality of evidence	Source	Data gaps identified and actions taken
<b>Marriage and civil partnership</b>	<p>42.5% of our Education Scotland workforce is married or in a civil partnership.</p> <p>We are not aware of any relevant existing evidence at this time on marriage and civil partnership in relation to our PL Cat system</p>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	<p>No further action required for this EQIA</p>
<b>Pregnancy and maternity</b>	<p>Over the last 12 months, across the Scottish Government workforce, there has been a general trend in staff taking longer lengths of leave, with the majority taking between 40 and 52 weeks (81%).</p>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	<p>Monitor the usage of the system by those returning to work after periods of absence, including parental leave for both issues and benefits.</p> <p>Monitor also the retention of content so that it is available for those not working at the time of initial offering.</p>
<b>Race</b>	<p>The race profile of the Education Scotland is:</p> <ul style="list-style-type: none"> <li>• 0.6% = minority ethnic background</li> <li>• 66.7% = white</li> <li>• 1.3% = prefer not to say</li> <li>• 31.4% = unknown</li> </ul>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	<p>No further action required for this EQIA</p>
<b>Religion or belief</b>	<p>The religion or belief profile of our workforce is:</p> <ul style="list-style-type: none"> <li>• 23.2% = None</li> <li>• 32.4% = Christian</li> <li>• 1.6% = Other religion</li> <li>• 4.8% = prefer not to say</li> <li>• 38.1% = unknown</li> </ul>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	<p>No further action required for this EQIA</p>



Characteristic	Evidence Gathered and Strength/Quality of evidence	Source	Data gaps identified and actions taken
<b>Sex</b>	<p>The sex profile of the Education Scotland is:</p> <ul style="list-style-type: none"> <li>• 74.6% = women</li> <li>• 25.4% = men</li> </ul>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	No further action required for this EQIA
<b>Sexual Orientation</b>	<p>The sexual orientation of our workforce is:</p> <ul style="list-style-type: none"> <li>• 2.2% = LGBT</li> <li>• 56.5% = Heterosexual/straight</li> <li>• 3.5% = Prefer not to say</li> <li>• 37.8% = Unknown</li> </ul> <p>However, it is likely this undercounts the number of adults self-identifying as LGBT. LGBT respondents may not feel comfortable being open with a survey interviewer, and some respondents might see this question as intrusive and personal.</p>	<a href="#">SG Equality Outcomes and Mainstreaming Report</a>	No further action required for this EQIA

## Stage 3: Assessing the impacts and identifying opportunities to promote equality

### Note of Discussions

Do you think our new PL catalogue impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The PL catalogue should be designed in a way that will not create unlawful discrimination related to age.</p> <p>There could be potential positive and negative impacts on the workforce who are older. The older workforce might require additional materials and resources to support them with using the catalogue which could be difficult if they were working remotely.</p> <p>While the PL catalogue may include a space for demo videos to be uploaded, a further mitigating action could be ensuring regular awareness raising sessions are available as well as ensuring a direct mailing address is visible for individuals to obtain additional support and advice.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on people because of their disability?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The PL catalogue should be designed in a way that will not create unlawful discrimination related to disability.

Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There could be potential positive and negative impacts on the workforce with disabilities. Disabled workers might be more likely to require accessible functions with navigating the PL catalogue, for example; the use of abbreviations, headers, font contrasts, transcripts and screen readers.</p> <p>A potential mitigating action could be ensuring the PL catalogue meets the SG's accessibility requirements.</p>
Promoting good relations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on people proposing to undergo, undergoing, or who have undergone a process for reassigning their sex?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The design of the PL catalogue neither positively or negatively affects the workforce who are or have transitioned from one gender to another. We will however promote the use of pronouns where possible.</p>
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on people because of their marriage or civil partnership?

Marriage and	Positive	Negative	None	Reasons for your decision
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<b>Civil Partnership<sup>1</sup></b>				
Eliminating unlawful discrimination, harassment, and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This protected characteristic is not applicable.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Do you think our new PL catalogue impacts on men and women in different ways?

<b>Sex</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment, and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The design of the PL catalogue neither positively or negatively affects the workforce who are male or female. We will however promote the use of gender neutral language where possible.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on women, who are proposing to take maternity leave, are currently taking maternity leave, and are returning from maternity leave or who are pregnant?

<b>Pregnancy and Maternity</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>

<sup>1</sup> In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The PL catalogue should be designed in a way that will not create unlawful discrimination related to pregnancy or maternity.</p> <p>There could be potential positive and negative impacts on the workforce who are pregnant, on maternity leave or who are returning to work. While positives may include the ability to view PL recordings, consideration may need to be given to the length of time recordings are available for and whether the workforce would have access to a SCOTS laptop during maternity leave.</p> <p>In addition, for workers returning to the work after long periods of leave may require a 'quick guide' to help them with navigating the catalogue.</p> <p>A potential mitigating action could be ensuring the retention policies for recordings etc. considers this protected characteristic group.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The design of the PL catalogue nether positively or negatively affects the workforce because of their race. We will however ensure racial representation is visible across PL content where possible.</p>
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The design of the PL catalogue nether positively or negatively affects the workforce because of their religion or belief. We will however ensure religious representation is visible across PL content where possible.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think our new PL catalogue impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The design of the PL catalogue nether positively or negatively affects the workforce because of their sexual orientation. We will however ensure the LGBTQI+ community is visible across PL content where possible.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

# Stage 4: Decision making and monitoring

## Identifying and establishing any required mitigating action

<p>Have positive or negative impacts been identified for any of the equality groups?</p>	<p>Yes</p> <ul style="list-style-type: none"> <li>• <b>Age</b> – whilst age is not the definition of digital literacy it is considered to increase the risk. The use of PL Cat will be monitored to ensure that those who are less digital literate, regardless of age, are able to use the system in support of their role in Education Scotland.</li> <li>• <b>Accessibility</b> – The system’s alignment with the accessibility standards is in place, the further actions will be to ensure that this continues and any issues highlighted are managed</li> <li>• <b>Gender reassignment</b> – Product Managers for PL Cat will continue to monitor the use of pronouns in the system and address any issues that arise.</li> <li>• <b>Pregnancy and maternity</b> – there are potential issues as people return from extended leave if they are not trained how to use the system although there are also potential benefits of people returning from extended periods of leave being more able to catch up on sessions they may have missed during their absence. There will be a need to monitor people returning so that they receive the support needed and also to establish from them if such benefits are being realised.</li> </ul>
<p>Is the programme directly or indirectly discriminatory under the Equality Act 2010<sup>17</sup>?</p>	<p>No</p>
<p>If the programme is indirectly discriminatory, how is it justified under the relevant legislation?</p>	<p>NA</p>

If not justified, what mitigating action will be undertaken?	NA
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**Monitoring and Review**

This EQIA will be reviewed annually or after any significant change to the PL Cat platform for Education Scotland.



# Stage 5 - Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of our PL Cat platform

Yes

No

Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's diverse needs;
- Encouraging participation (e.g., in public life)
- Fostering good relations, tackling prejudice, and promoting understanding.

Yes

No

If the Marriage and Civil Partnership protected characteristic applies to this programme, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment, and victimisation in respect of this protected characteristic:

Yes

No

Not applicable

## Declaration

**I am satisfied with the equality impact assessment that has been undertaken and give my authorisation for the results of this assessment to be published on the Education Scotland website.**



**Signed:**

**Name:**

**Ollie Bray**

**Position:**

**Strategic Director**

**Authorisation date:**

**26 June 2023**

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