Equality Impact Assessment

Education Scotland Professional Learning and Leadership Programmes

July 2020

Equality Impact Assessment Record

Title of policy/ practice/ strategy/ legislation etc.	Education Scotland Professional Learning and Leadership Programmes
Senior Lead Officers	Gillian Hamilton, Head of Corporate Services and Governance, and Professional Learning and Leadership.
Operational Leads	Professional Learning and Leadership Lead Specialists
Directorate: Division: Team	Professional Learning and Leadership Directorate
Is this new policy or revision to an existing policy?	This is a revision to existing programmes.

Screening

This Equality Impact Assessment (EQIA) aims to equality assess the delivery of Education Scotland's professional learning programmes that has evolved as part of both the sectoral developments and the impact of COVID-19.

In March 2020, the Professional Learning and Leadership Directorate (PLL) took the decision to pause all face-to-face delivery of professional learning in the 20/21. As a result, the PLL Team developed plans to introduce more online engagement to enable practitioners to continue to engage in the current programme offers through a blended learning approach. This included alterations to the delivery of all professional learning programmes.

Alterations included the use of live and recorded online sessions, webinars, and increased use of online platforms such as Microsoft Teams, Google Meets, as well as the PLL Online Resource.

The PLL Team also agreed plans with partner organisations including Universities regarding programmes that were due to commence after the summer; utilising blended models for delivery. It is important to note that other aspects of the PLL Programmes such as recruitment remained unchanged.

In response to COVID-19, the PLL Team also reviewed and made additions to professional learning activities on the Professional Learning online resource so that educators from across the system could engage in online professional learning on a variety of themes. These included but were not limited to -

- Cyber-security awareness
- Resonant Leadership
- Role of HT in Policy
- HT Book Group
- HT Health and Wellbeing
- HWB Responsibility for All
- Aspiring to Middle Leadership

Who will it affect?

The activities outlined as part of the programmes were for those from across the education system (including headteachers, school leaders and school staff, but not the public). It is important that the activities outlined above were accessible to all from the education workforce who wish to access them, taking into account the protected characteristics detailed in the Equality Act.

We acknowledge that while the programmes may positively affect one or more of the protected characteristics, they may have a disproportionate negative impact on one or more of the protected characteristics. Where we identify negative impacts, we will try to mitigate or, where possible, eliminate these.

Our equality duty is not limited to negating or mitigating negative impacts however, and we have a positive duty to promote equality.

The Scope of the Equality Impact Assessment

In undertaking this assessment, Education Scotland has evaluated 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 potential indirect discrimination of three of the protected characteristics, which has resulted in greater consideration of the communication of activities and online delivery of activities.

A review and analysis regarding the communication strategies utilised will take place to ensure our events continue to be as accessible as possible and limit exclusion. While specific data is not currently available on the prevalence of disability among the education workforce, we will base assumptions on available population level data.

What might prevent the desired outcomes from being achieved?

There is a wide range of issues that might still affect the online delivery of professional learning programmes and prevent us from achieving the desired outcomes. However, as the majority of the activities outlined are online delivery, the main barrier is if the online delivery is not accessible to all who wish to access it.

Stage 1: Framing

Results of framing exercise

The approach taken by the PLL Team provided the opportunity to consider all impacts on each protected characteristic. Because of our framing exercise, we identified that there was potential for our online delivery to have a moderate impact on more than one protected characteristic.

Protected characteristic: age

While there is no direct data to support this, it is possible that the move to online delivery assumes a level of digital skills and confidence that some teachers may not have. It is possible that age influences the levels of skills/ confidence, potentially excluding a proportion of the teaching population.

However, the PLL Team provides opportunities for the education workforce at stages of their careers to come together to provide peer support, that may not be possible in traditional professional learning offerings.

Protected characteristic: disability

There is currently no data available on disability that relates to the education workforce. However, population level data indicates that there is a likelihood that a proportion of the education workforce is disabled. Therefore, in developing activities for the programmes, we will consider potential impact. In particular:
- The accessibility of Microsoft Teams and Google Meet – including use of screen readers, subtitling/ transcribing, the accessibility of any resources used e.g. PowerPoints.
  - Education Scotland has recently conducted an accessibility audit on our online services. For that reason, Microsoft Office 365 and G Suite will not be included in the delivery of activities because we would not be able to implement any recommendations specific to these platforms.
- The accessibility of all Professional Learning Activities developed.
- Incorporation of rest breaks into sessions.
- Ensuring there is a Code of Conduct, so all participants have equal opportunity to engage.

The activity of PLL programmes may also make professional learning more accessible to some in the education workforce including; those who are disabled and who may face barriers in accessing traditional, face-to-face professional learning. Advantages include accessing our events from home and/or the workplace with no need to attend a venue in a different location.

The alterations to programme delivery may make professional learning more accessible to some teachers who are disabled and who may face barriers in accessing traditional, face-to-face professional learning.

Protected characteristic: race

There is expectation that the alterations to programme content, development, and delivery will positively affect people with different racial identities. The aims of the changes are to promote increased participation, engagement and programme relevance for minority ethnic educators, including increasing the extent of the offer to support anti-racist education and understanding. There is also hope that these changes will have a positive impact on advancing equality of opportunities more widely within the education sector.

In addition, the Professional Learning and Leadership Directorate are working to increase participation, engagement, and programme relevance for minority ethnic educators, including increasing the extent of the offer to support anti-racist education and understanding. This involves working with SAMEE (Scottish Association of Minority Ethnic Educators) as well as other organisations and individuals (including Khadija Mohammed from the University of the West of Scotland). This includes but is not limited to -
- Raising awareness and exploring issues that BAME children and school staff face.
- Develop Professional Learning Activities with a focus on diversity, anti-racist education, and culturally responsive pedagogy.

Interaction with Other Policies (Draft or Existing)

The delivery of Education Scotland's professional learning programmes interacts with our Accessible Events Policy, which requires realignment to enable professional learning programmes to utilise both during online and face-to-face engagements.

Extent/Level of EQIA required

The Framing exercise has highlighted the following actions:
- Making a commitment to include diversity as a theme for conferences;
- Ensure equality and diversity is reflected in programme content;
- Review the Endorsement process with a focus on equality and diversity;
- Review the programme application process to make it more accessible and inclusive;
- Develop an 'Accessible Events Policy' that will cover both online and face-to-face delivery of events;
- Review and optimise the accessibility of the online platforms used for delivery;
- Encourage participants to communicate any access issues on sign-up so that, where possible, they can be mitigated;
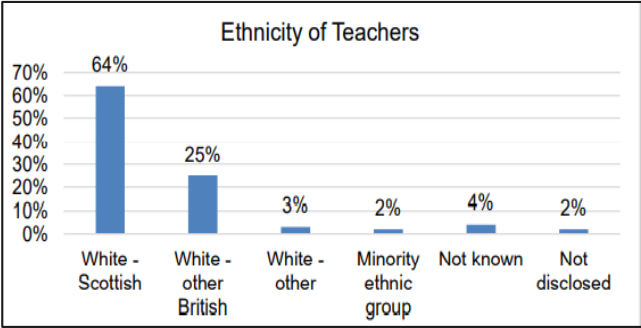- Encourage feedback at all events to monitor issues.

Stage 2: Data and evidence gathering, involvement and consultation

Characteristic[1]	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
Age	The age profile of the teaching practitioner workforce in Scotland is illustrated below: Age of teachers in Scotland 20 - 30: 22% 31 - 40: 29% 41 - 50: 25% 51 - 60: 19% 61 - 70: 4% 71+: 0% Promotion of the online Blethers series has focused primarily on social media (Twitter and Facebook). While engagement has been positive, an estimated 16% of Twitter users are 55 and over highlighting that, it is slightly more popular among younger people. This may mean that some teachers are not receiving messaging/ communications about the online support available. Additionally, digital literacy and confidence using digital tools varies across the workforce and age can influence this.	Scottish Government teacher census: Teacher census supplementary statistics - gov.scot (www.gov.scot) Scotland's digital strategy: evidence discussion paper: Scotland's digital strategy: evidence discussion paper - gov.scot (www.gov.scot) Enhancing learning and teaching through the use of digital technology: Enhancing learning and teaching through the use of digital technology - gov.scot (www.gov.scot) Consultation on the development of a digital learning and teaching strategy for Scotland: Supporting school years education: Consultation on digital learning and teaching strategy consultation document.pdf	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.

---

[1] Refer to Definitions of Protected Characteristics document for information on the characteristics

	While 81% of adults in Scotland reported having basic digital competency (competent in all five basic digital skills areas, including: managing information, problem solving, communicating, creating, and transacting) feedback from teachers suggests varying levels of skills and confidence in using digital tools. Conclusions from the consultation on the development of a digital learning and teaching strategy for Scotland suggested at the time "many teachers have limited access to appropriate training and as such the full benefits of digital learning and teaching often remain unrealised. Work needs to be done to ensure that all teachers in Scotland have the opportunity to realise their skills and confidence in this area".		
Disability	There is no data available on the proportion of disabled teachers within the education workforce. However, available population level data indicates that there is a likelihood that some teachers are disabled. It is important that the workforce consider the impact of the activities on those who have one or more disabilities given the online delivery of many of the activities. Additionally, equality and diversity monitoring data gathered by the Professional learning and Leadership Directorate suggests 6% of	Education Scotland	Ongoing monitoring required.

	participants on professional learning programmes identify as being disabled.		
Sex	Data from the Teacher Census states that 77% of teachers in Scotland are women. Equality and Diversity Monitoring data gathered by the Professional learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests 72% of participants in Professional Learning and Leadership Programmes are female.	Scottish Government teacher census: Teacher census supplementary statistics - gov.scot (www.gov.scot) Education Scotland	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.
Pregnancy and maternity	No data available specifically related to education workforce. Equality and Diversity Monitoring data gathered by the Professional learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests 5% of participants in Professional Learning and Leadership programmes are pregnant/ have been in the last year.	Education Scotland	No other relevant data was available on the teaching support workforce.
Gender reassignment	No data available specifically related to the education workforce.		No other relevant data was available on the teaching support workforce.

Sexual orientation	No data available specifically related to the education workforce. Equality and Diversity Monitoring data gathered by the Professional Learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests 86% of participants on Professional Learning and Leadership Programmes identify as heterosexual/ straight.	Education Scotland	No other relevant data was available on the teaching support workforce.
Race	The ethnic profile of the teaching practitioner workforce in Scotland is illustrated below: Equality and Diversity Monitoring data gathered by the Professional learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests that 94% of participants on Professional Learning and Leadership programmes are white with other ethnicities making up 6% of participants.	Education Scotland	No other relevant data was available on the teaching support workforce.

Ethnicity of Teachers: White - Scottish 64%, White - other British 25%, White - other 3%, Minority ethnic group 2%, Not known 4%, Not disclosed 2%.

	The Teaching in a diverse Scotland: increasing and retaining minority ethnic teachers' 2018 report highlighted that: "Scottish national data show that the makeup of the teacher workforce is not reflective of the Scottish population". Additionally, the report added, "CRER's research into the 2017 Public Sector Equality Duties outcomes demonstrated that public bodies need to do far more to take action on race equality and to do so beyond provision of English language support". While this particular programmes does not considered to have either a positive or a negative impact on race all involved are aware of the issues and recommendations raised in the report and the importance of reflecting these issues in all activities.		
Religion or belief	There is no data available specifically related to the education workforce. Data from Scotland's Census 2011 shows the population of Scotland have the following religion/belief: • Church of Scotland (32.4%) • Roman Catholic (15.9%) • Other Christian (5.5%) • Not religious (36.7%) • Islam (1.4%) • Other religion (1.2%) • Not stated (7%	Scotland's population census 2011: Scotland's census: 2011 - GOV.UK (www.gov.uk) Education Scotland	No other relevant data was available on the teaching support workforce.

	Equality and Diversity Monitoring data gathered by the Professional learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests that participants in Professional Learning and Leadership programmes have the following religion/belief: • Church of Scotland 34% • None 29% • Other Christian 14% • Prefer not to say 1% • Roman Catholic 16% • Sikh 1%		
Marriage and civil partnership	We are not aware of any relevant existing evidence at this time.		No other relevant data was available on the teaching support workforce.

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

Do you think that the recovery programmes affects people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The activity of the programmes neither positively nor negatively affects this.
Advancing equality of opportunity	☐	☒	☐	While there is no direct data to support this, it is possible that the focus of promotional activities related to the programmes on social media excludes part of the teaching population.
Promoting good relations	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.

Do you think the recovery programmes impacts on people because of their disability?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☒	☐	
Promoting good relations	☒	☐	☐	

Do you think the recovery programmes 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	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the recovery programmes impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership[2]	Positive	Negative	None	Reasons for your decision

---

[2] 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. This is because the parts of the Act covering services and

	Positive	Negative	None	
Eliminating unlawful discrimination, harassment, and victimisation.	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the recovery programmes impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment, and victimisation.	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the recovery programmes 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?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

public functions, premises, education etc. do not apply to that protected characteristic. 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.

Do you think the recovery programmes impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the recovery programmes on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the recovery programmes impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The alterations to programme delivery neither will positively nor negatively affect upon this.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Are there any positive or negative impacts?	Yes.
Is the policy directly or indirectly discriminatory under the Equality Act 2010[3]?	No.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/a
If not justified, what mitigating action will be undertaken?	N/a

Monitoring and Review

Lead Specialists will regularly review alterations by to drive improvement and positive developments.

Stage 5 - Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of the Professional Learning and Leadership Programmes:

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 different 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 policy, 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.

Name:

G. Hamilton

Gillian Hamilton, Strategic Director

Position: *Professional Learning and Leadership*
Authorisation date: *8 July 2020*

Education Scotland
Denholm House
Almondvale Business Park
Almondvale Way
Livingston EH54 6GA

T   +44 (0)131 244 4330
E   enquiries@educationscotland.gsi.gov.uk

www.education.gov.scot