



Equality Impact Assessment

Education Scotland's return to offices plan

August 2021

For Scotland's learners, with Scotland's educators

Equality Impact Assessment Record

Title:	Education Scotland's return to offices plan
Senior Lead Officers	Gillian Hamilton, Depute Chief Executive and Strategic Director Maureen Hamilton, Head of Operations
Directorate: Division: Team	Corporate Services and Governance; Return to Offices Workstream; Operations; Human Resources
Is this new policy or revision to an existing policy?	This is a new plan in response to the COVID-19 pandemic.

Screening

This Equality Impact Assessment (EQIA) aims to evaluate the impact of Education Scotland's return to offices plan on the safety and wellbeing of our staff, particularly on staff with one or more protected characteristics.

On 13 March 2020, before the closure of schools, Education Scotland took the decision to pause all inspection and professional learning and leadership activity to ensure that colleagues across the system were able to focus on the immediate impact of closure of school buildings and other education provision such as colleges.

In line with [Scotland's COVID-19 Strategic Framework](#), the majority of Education Scotland's staff has been working from home since 19 March 2020. This decision is in line with public health advice, was made with the objective of protecting staff, visitors, and the wider population by reducing the opportunity for the virus to spread.

Since then, for the small number of essential workers who have needed to attend an Education Scotland office for work, introduction of new measures across the estate took place to provide a safe workplace. As we look to re-open offices, these measures extend across all of our estates to limit the spread of the virus and ensure compliance with the latest public health guidance.

Who will it affect?

Our return to offices plan will affect directly on Education Scotland staff, contractors, agency workers, and visitors to our offices.

The Scope of the Equality Impact Assessment

With most Education Scotland staff and stakeholders working from home, there has been limited opportunity to gather evidence on the possible impacts of the measures put in place. Where evidence and information exists, we have used emerging analysis of the impact of COVID-19 to inform decisions taken.

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.

Our return to Education Scotland offices workstream aims to plan and prepare for the re-opening of our Education Scotland offices to facilitate a safe return for staff to

work from the offices again. The Leadership Team developed a set of principles (see Annex A) which governs the approach being taken to prepare for the return to our offices. Two of the key principles are:

- That our plan will align with Scottish Government and clinical policy and advice.
- That consideration to the individual circumstances of all staff with nobody required to return to an office if they do not feel it is safe for them to do so.

The workstream comprises three projects:

- Practical preparation - cleaning, desk allocation, signage. Support and advice from Scottish Government will be utilised in this project.
- Development of advice and guidance for staff on travelling to and attending meetings outside of Education Scotland offices, e.g. schools, local authorities etc.
- Staff wellbeing. This project will focus on providing wellbeing support and advice for staff while working from home, but also as they transition back to the Education Scotland offices.

Key Findings

The safe and secure measures Education Scotland has put in place for staff is designed to reduce the public health risks posed by COVID-19 by limiting the spread of the disease, and are therefore designed to prevent harm to individuals in Scotland.

This impact assessment has identified some potential positive impacts on one or more of the protected characteristics. In general, reductions in the spread of COVID-19 are to reduce risk of health harm to the whole population, with a particular focus on the health of those people who are most at risk of serious harm from COVID-19.

While the measures in place may positively affect one or more of the protected characteristics¹, they may have a disproportionate negative impact on one or more of the protected characteristics within Education Scotland staff. Where identification of negative impacts apply, we will ensure to mitigate and, where possible, eliminate these.

We recognise that there may be some potential indirect and disproportionate negative impacts of the measures we have taken on one or more of the protected characteristic groups within our Education Scotland workforce. These are set out and explored further in this impact assessment, with mitigating actions identified.

What might prevent the desired outcomes being achieved?

¹ [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Education Scotland acknowledges returning to offices is a significant logistical operation that required complex planning to ensure the safety and wellbeing of our staff, contractors and visitors maintain at all times.

However, there are a wide range of issues that might delay our return to offices and prevent the desired outcomes from being achieved. These issues include but are not exclusive to:

- The continued prevalence of COVID-19
- Further outbreaks either locally and/or nationally
- The lack of sufficient suppression of the virus

Although the factors above are out with our direct control, we will continue to follow Scottish Government guidance and adapt our plans accordingly.

It is also important to recognise that during this EQIA we have also given careful consideration to the physical design of the workplace to ensure we support our aim of providing inclusive and accessible workplaces.

Stage 1: Framing

Results of framing exercise

The plan associated with our return to offices is managed and led by a small team with the necessary skills and experience to ensure our staff are able to return to our offices safely.

The approach taken by this team provided the opportunity to consider the impact of preparing for our return to Education Scotland offices and ensuring all staff may travel and attend external meetings and support the delivery of our essential services safely.

Throughout the development of our plan, several consultations have taken place with a number of our stakeholders, which have informed our thinking, including:

- Our staff
- Leadership Team
- Partnership Board
- Health & Safety Committee

As a result of our framing exercise, we identified that there was potential for our return to offices plan to have moderate impact on most protected characteristic groups, with some groups being more disproportionately impacted, either negatively or positively than others.

Protected characteristic: age

Evidence tells us that older people are at higher risk of serious illness or death from COVID-19². Working from home reduces the risk of exposure to COVID-19 and the design of the workplace will need to comply with government guidelines to help ensure that the risk of transmission at work is low. We will continue to review measures in line with the developments of the pandemic and the interventions to manage it, such as the vaccination programme.

The age profile of Education Scotland staff is at stage 2 of this assessment. A significant number of our staff over 50 years old and therefore at higher risk of mortality and/or morbidity from COVID-19.

The vaccine programme now allows all age groups vaccinations if they wish to be so. Receiving the vaccine is to reduce health impacts in the short term and reduce the number of preventable deaths.

² [Report \(nrscotland.gov.uk\)](https://www.nrscotland.gov.uk)

Protected characteristic: disability

Evidence³ tells us that some disabled people are more likely to experience exacerbation of already poor physical and mental health because of COVID-19 restrictions. The support available to staff needs to consider both physical and mental health of all colleagues, with particular care given to ensuring the range of support and the design of new workplace measures considers the needs of disabled colleagues.

The overall disability and/or long-term health condition and/or illness profile of our workforce is detailed at stage 2 of this assessment. Around 3.2% of our workforce self-declared disabled and therefore could experience exacerbated symptoms due to the pandemic⁴.

Protected characteristic: gender reassignment

Evidence from the Scottish Transgender Alliance⁵ tells us that the workplace is one of the most likely locations for transphobic discrimination and harassment to occur. Because of the pandemic, many NHS and third-sector mental health services have less capacity to offer support with many operations postponed.

Overall, the transgender profile of Scottish Government staff is at stage 2 of this assessment. We do not have a breakdown of this protected characteristic at an Education Scotland level.

Protected characteristic: marriage or civil partnership

We are not aware of any relevant existing evidence at this time on marriage and civil partnership in relation to our return to Education Scotland offices plan.

We will however, continue to explore the potential impacts of COVID-19 on people who self-declare as being married or in a civil partnership using any evidence or feedback from our workforce that becomes available to us. The marriage and civil partnership profile of Education Scotland staff is detailed at stage 2 of this assessment, with nearly half of our workforce either married or in a civil partnership 42.5%⁶.

Protected characteristic: pregnancy and maternity

³ [Inequalities by disability in the context of COVID-19 \(slide-pack\) - gov.scot \(www.gov.scot\)](#)

⁴ [SG mainstreaming-report-2021](#)

⁵ <https://www.gov.scot/publications/scottish-government-equality-outcomes-lesbian-gay-bisexual-transgender-lgbt-evidence-review/pages/8/>

⁶ [SG mainstreaming-report-2021](#)

NHS guidance states that pregnant women are in the moderate risk (clinically vulnerable) group as a precaution. This is because they can sometimes be more at risk from viruses like flu if they are pregnant. It emphasises the importance for pregnant women to follow advice to avoid catching and spreading COVID-19 throughout pregnancy, especially when women are more than 28 weeks pregnant. If women are from an ethnic minority group, evidence suggests they are more likely to be admitted to hospital if they get COVID-19.

Some women returning to work after a period of maternity leave will be experiencing working from home or in a hybrid model for the first time. This compares to their colleagues who may now be comfortable working from home, therefore, consideration to help them reintegrate into teams is required.

Over the last year, there has been a general trend in staff taking longer lengths of maternity leave, with the majority taking between 40 and 52 weeks (81%)⁷.

Protected characteristic: race

Minority ethnic people are more likely to fall into the 'vulnerable health groups' classification of the population, and have a higher risk of serious illness from COVID-19. Prevalence of some of these health conditions is higher in certain ethnic groups. For example, Type 2 diabetes is six times more likely in people of South Asian descent and three times more likely in African and African-Caribbean people⁸.

The race profile of Education Scotland staff is at stage 2 of this assessment. A small number of our staff are from minority ethnic backgrounds and therefore could be at a higher risk of serious mortality and/or morbidity from COVID-19.

Protected characteristic: religion or belief

Consideration of suitable prayer and reflection spaces at work needs considered as part of any new measures and changes introduced in workplaces with regards room capacity and available space.

The religion and belief profile of Education Scotland staff is at stage 2. A large number of our staff identifies as either no religion or religion is unknown and therefore consideration is required to enable our staff to practice their faith safely within the workplace.

Protected characteristic: sex

Women represent the majority of Education Scotland's workforce (74.6%)⁹.

⁷ [SG mainstreaming-report-2021](#)

⁸ [Type 2 diabetes in migrant south Asians: mechanisms, mitigation, and management - The Lancet Diabetes & Endocrinology](#)

⁹ [SG mainstreaming-report-2021](#)

We also know that women in Scotland have a disproportionate level of caring responsibilities in the home environment and the COVID-19 pandemic has exacerbated this. Reports indicate that women spent around 10% to 30% more time than father's home schooling their children¹⁰. With schools and other caring facilities closed during most of 2020, it is likely that this will affect women more than men having to balance working from home whilst caring for others.

Evidence¹¹ from Violence Against Women and Girls organisations indicates that since the outbreak of COVID-19, domestic violence has intensified. The range of support and criteria for a return to the office therefore needs consideration.

The overall profile of staff with caring responsibilities is detailed in stage 2 of this assessment. While 31% of our staff indicated they had caring responsibilities, 8% preferred not to say.

Protected characteristic: sexual orientation

There may be an increased risk of exposure to challenging domestic situations with prolonged remote working leading to heightened reporting levels of anxiety and other mental health issues within this category¹². The range of support and criteria for a return to the office therefore needs consideration.

The majority of the sexual orientation of our workforce is heterosexual/straight; however, we rely on staff self-declarations.

Interaction with Other Policies (Draft or Existing)

Scottish Government - Accessibility and Inclusion Workspace strategy

The aim of the strategy is to have a strategic approach for Workplace Division to deliver its functions in a manner that considers all aspects of making the Scottish Government core estate offices as accessible and inclusive as possible for all from design to delivery. Education Scotland shares office space with the Scottish Government and will link into this policy for our wider estate.

Education Scotland - Estates strategy/Home working policy

Whilst the work from home decision and the changes to workplace to ensure safe environments for staff is the current priority, this needs to be done within the context of a wider need to ensure accessible and inclusive workplaces for all staff and those with a need to visit our buildings.

Extent/Level of EQIA required

¹⁰ [CG \(closethegap.org.uk\)](http://CG.closethegap.org.uk)

¹¹ [issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf \(unwomen.org\)](#)

¹² <https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/>

The framing exercise has highlighted the need for our return to offices workstream to continue to consult with our staff and wider stakeholders as we move forward with our return to office plan, ensuring that consideration of equalities issues continue in the decisions that affect our workforce whilst COVID-19 remains prevalent.

Stage 2: Data and evidence gathering, involvement and consultation

The evidence referenced herein informs by emerging publicly available analysis about the impact of COVID-19 in the community. While there is a growing evidence base for the impact of COVID-19 on protected characteristic groups and the measures to limit the spread of the virus in the community, we have less data on the direct impact COVID-19 has had on Education Scotland staff.

Where evidence cited in relation to staff surveys the survey questions are [here](#). Further engagement across all stakeholder groups continues to take place.

During the implementation phase of our plan, we will continue to gather feedback and adapt our approach to meet the needs of our Education Scotland workforce. We will review this Equality Impact Assessment and update it as and when required.

Characteristic ¹³	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	The age profile of Education Scotland is: 3.2% = 16 to 29 year olds 17.1% = 20 to 139 year olds 26.7% = 40 to 49 year olds 38.1% = 50 to 59 year olds 14.9% = 60 years +	Equality outcomes and mainstreaming report 2021: https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/	Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.
	Health <ul style="list-style-type: none"> Older people are at higher risk of ill health or death from COVID-19. People over the age of 55 are also more likely to have a long-term health condition and/or illness than not and more likely to be disabled 	Impact of COVID-19 on Equality Groups: https://www.gov.scot/publications/inequalities-by-age-in-the-context-of-coronavirus-slide-pack/	Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current

¹³ [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

	(have a limiting long-term health condition) than not to be (75+).		protected characteristic profile of our workforce.
	<p>Anxiety</p> <ul style="list-style-type: none"> Older people (60+) are experiencing some aspects of the lockdown situation differently from younger people, worrying less about finances but worrying more about access to essentials. 	<p>Coronavirus and the social impacts on older people in Great Britain: 3 April to 10 May 2020: https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/ageing/articles/coronavirusandthesocialimpactsolderpeopleingreatbritain/3aprilto10may2020</p>	<p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p> <p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p>
	<p>Wellbeing</p> <ul style="list-style-type: none"> Results from our recent People Survey indicated that 27% of our workforce reported occasional loneliness regardless of age. More generally, adults over the age of 60 were reported to have a higher average score on the Warwick-Edinburgh Mental Wellbeing Scale (52.0 for 65-74 year olds and 50.4 for 75+, compared to 49.8 overall in 2019), which indicates better wellbeing, while younger populations were observed as having a lower overall mean score (49.3 for 16-24 year olds and 49.1 for 25-34 years old). Older people have increased levels of social isolation caused by the impacts of COVID-19. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p> <p>Impact of COVID-19 on Equality Groups: https://www.gov.scot/publications/inequalities-by-age-in-the-context-of-coronavirus-slide-pack/</p> <p>Coronavirus Health and Social Impact Assessment: https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	<p>Mitigating actions identified at workshop:</p> <p>Increased hygiene measures, reduced capacity, staggered start and finish times, phased return, return to the office handbook, considerate colleague campaign, regular review of Scottish Government’s COVID-19 guidance ensuring ES approach is adapted to meet any new or reducing</p>

	<p>Caring</p> <ul style="list-style-type: none"> • In 2020, regardless of age, 31% of our workforce reported caring responsibilities while 8% preferred not to say. • Evidence also suggested 69% of staff felt they had the correct support in place to balance their work and caring responsibilities. • However, only 40% knew how to access information within Education Scotland with 25% of caring responsibilities directly related to the impact of the pandemic. • As Education Scotland staff are able to use the Scottish Governments People Advice and Wellbeing Teams services it is important to note that the service reported staff were specifically concerned about: <ul style="list-style-type: none"> • Additional caring demands meant less time to apply for roles or to take on developmental work. • Managers might view them as less committed because they needed greater flexibility to cope with caring responsibilities • Unable to take on high profile/high demand pieces of work due to time pressures associated with additional caring demands, and concern that this in turn would impact on longer term career progression. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p> <p>People Advice and Wellbeing Team.</p>	<p>restrictions, regular communication, new wellbeing template.</p>
	<p>Economic consequences</p>	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p>	

	<ul style="list-style-type: none"> • In 2020, 60% of our overall workforce reported they had not experienced any financial impact in related to the pandemic. • However, it is important to note that a recent study by Turn2Us reported the majority of young people in the UK, aged 16 to 24, are now frequently running out of money each week and/or month compared to 12% of people aged 55 or over. • Younger people in Scotland were more likely to already be financially vulnerable and in unmanageable debt before the pandemic (50% and 6.3% respectively of households where the highest income earner was aged 16-34, compared to 34% and 2.9% overall). Initial UK surveys suggest they may already have resorted to using up savings, relying on overdrafts, borrowing from family and friends, or accessing a new loan or credit card (Ipsos, 18-34 year olds). 	<p>Turn2Us: Weathering-the-storm-How-COVID-19-is-eroding-financial-resilience-Full-Report-Final.pdf (turn2us.org.uk)</p> <p>Impact of coronavirus on Equality Groups - Inequalities by age in the context of Covid-19 (slide-pack) - gov.scot (www.gov.scot)</p>	
	<p>Career learning and development</p> <ul style="list-style-type: none"> • 56% of Education Scotland staff felt they could access the right learning and development opportunities throughout 2020 when they wanted, regardless of their age. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p>	
<p>DISABILITY</p>	<ul style="list-style-type: none"> • 20% of Education Scotland staff self-declared as being disabled, having a long-term health condition and/or illness in the past 12 months. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than</p>

	<ul style="list-style-type: none"> • Health • While working from home, the majority of our staff with disabilities reported their condition and/or illness did not reduce their ability to carry out work-related activities. • However, a study investigating the impact of COVID-19 on equality groups found that long-term health conditions and/or illnesses were associated with higher rates of mortality and morbidity from COVID-19 and reported that disabled people were more likely to experience exacerbated symptoms if they contracted the virus. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p> <p>Impact of COVID-19 on Equality Groups: https://www.gov.scot/publications/inequalities-by-disability-in-the-context-of-coronavirus-slide-pack/</p>	<p>Education Scotland specifically.</p> <p>Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.</p> <p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p>
	<p>Mental Health</p> <ul style="list-style-type: none"> • Disabled people living in Scotland are also more susceptible to experience exacerbated mental health difficulties due to loneliness from isolation and restrictions in their ability to participate in physical activity. • We recognise that 6% of our workforce felt they experienced poor mental health in 2020. This figure was independent of whether staff self-declared any disability, health condition, and/or illness. 	<p>Impact of COVID-19 on Equality Groups: https://www.gov.scot/publications/inequalities-by-disability-in-the-context-of-coronavirus-slide-pack/</p> <p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p>	<p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p>
	<p>Access to essentials</p> <ul style="list-style-type: none"> • Disabled people are also encountering difficulties with accessing essential supplies such as food in shops and affording food. 	<p>Impact of COVID-19 on Equality Groups: https://www.gov.scot/publications/inequalities-by-disability-in-the-context-of-coronavirus-slide-pack/</p> <p>Education Scotland People Survey 2020:</p>	<p>Mitigating actions identified at workshop:</p> <p>Orientation visits, keeping up to date with Scottish Government COVID-19 guidance, phased return,</p>

	<ul style="list-style-type: none"> While we are not aware of any of our staff having trouble with accessing essential supplies, we acknowledge 19% of our workforce reported COVID-19 had a negative impact on their household finances during 2020. 	https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf	<p>personal approach, fire marshal and first aider roles filled / trained, increased hygiene, ventilation, desk positions considered, considerate colleague approach, links to networks to be included in staff handbook, mental health first aiders, return to office discussions promoted in handbook, new COVID-19 wellbeing conversation template.</p>
	<p>Face coverings</p> <ul style="list-style-type: none"> Education Scotland is following the Scottish Government advice on the wearing of face coverings in workplaces. Staff carrying out essential business that cannot be completed from home continue to follow the Scottish Government’s guidance on the wearing of face coverings in workplaces. Staff who self-declare as being disabled or who may experience distress because of wearing a face covering could possibly increase the risk of transmission by not wearing a face covering. They may also be at a higher risk of catching the virus as face coverings provide some protection to the wearer (if worn correctly and of good quality). Face coverings in addition to further measures such as social distancing, hygiene and ventilation to reduce the risk of COVID-19. 	<p>Wearing face coverings in our buildings: http://saltire/my-workplace/buildings-and-environment/coronavirus-and-our-buildings/Pages/Supply-of-face-coverings-to-essential-staff.aspx</p>	
	<p>Accessible workplaces</p>	<p>Equality Act 2010: https://www.legislation.gov.uk/ukpga/2010/15/contents</p>	

	<ul style="list-style-type: none"> We have a duty to put in place workplace adjustments for disabled people.¹⁴ This includes the digital workplace to support home working. In 2020, 67% of Education Scotland staff felt their manager supported them with ensuring reasonable adjustments were in place to reduce the barriers they faced because of being disabled. 	<p>Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf</p>	
GENDER REASSIGNMENT	<ul style="list-style-type: none"> Around 4% of our overall Scottish Government workforce identify as transgender. 	<p>Equality outcomes and mainstreaming report 2021: https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.</p>
	<p>Mental Health</p> <ul style="list-style-type: none"> Increased levels of mental health problems including depression, anxiety and self-harm, which are already prevalent amongst the transgender community. In the current crisis, these problems likely exacerbate as well as the general stress of the crisis. Lack of access to gender-affirming health care potentially deemed non-essential, which could lead to negative mental health outcomes for those intending to use it. 	<p>Scottish Government Equality Outcomes: Gender Evidence Review: https://www2.gov.scot/Publications/2013/04/8765</p> <p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus: https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	<p>Although some evidence exists on the impact of COVID-19 on our workforce / wider Scottish Government workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.</p>

¹⁴ Equality Act 2010

	<p>Access to prescriptions</p> <ul style="list-style-type: none"> Hormone prescriptions, some of which require administration by a practice nurse, may not be readily available. This can lead to anxiety and unwanted side effects of hormonal changes, and could potentially contribute to unsafe self-injection or use of unverified drugs. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus: https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	<p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p>
	<p>Domestic Abuse</p> <ul style="list-style-type: none"> Abuse from unsupportive families or partners who some transgender people may be required to spend time with due to the ‘lockdown’. This could contribute to increased stress or distress, and increased risk of abuse or exacerbation of existing abuse, with less likelihood that others will identify the abuse or be able to intervene. 	<p>Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p>	<p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p>
	<p>Workplace Discrimination</p> <ul style="list-style-type: none"> The Scottish Transgender Alliance observes that the workplace is one of the most likely locations for transphobic discrimination and harassment to occur. The three key issues identified by the Scottish Transgender Alliance for Transgender people in employment are: The risk of transphobic workplace gossip, bullying and harassment occurring if their work colleagues or managers find out they are Transgender. For employees undergoing gender reassignment, arranging with their employer to get the necessary time off for medical appointments and any surgery. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus: https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p> <p>Scottish Government Equality Outcomes: Lesbian, Gay, Bisexual, and Transgender (LGBT) Evidence Review: https://www.gov.scot/publications/scottish-government-equality-outcomes-lesbian-gay-bisexual-transgender-lgbt-evidence-review/pages/8/</p>	<p>Mitigating actions identified at workshop– Considerate colleague campaign, promote equality and diversity training, increase staff awareness around pronouns.</p>

	<ul style="list-style-type: none"> 26% of LGBT young people in employment had experienced verbal abuse at work 22% had experienced rumours and 21% had been ignored, 5% had been physically assaulted, 5% had their belongings stolen. These figures were similar for transgender young people. 		
MARRIAGE AND CIVIL PARTNERSHIP	<ul style="list-style-type: none"> 42.5% of our Education Scotland workforce is married or in a civil partnership. We are not aware of any relevant existing evidence at this time on marriage and civil partnership in relation to our return to Education Scotland offices plan. 	<p>Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p>	No further action required for this EQIA.
PREGNANCY AND MATERNITY	<ul style="list-style-type: none"> 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>Guidance</p> <ul style="list-style-type: none"> On 16 March, the UK government classed pregnant women, particularly those over 28 weeks, as ‘vulnerable’ to severe illness if infected with COVID-19. Official UK government advice is that all pregnant women should ‘carefully’ adhere to social distancing rules. 	<p>Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p> <p>NHS Inform - https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/parents-and-families/coronavirus-covid-19-pregnancy-and-newborn-babies</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.</p> <p>Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current</p>

	<p>Mental Health</p> <ul style="list-style-type: none"> • More than 1 in 10 women develop a mental illness in the perinatal period. 	<p>Maternal Mental Health Alliance - https://maternalmentalhealthalliance.org/about/the-issue/</p>	<p>protected characteristic profile of our workforce.</p> <p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p> <p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p> <p>Mitigating actions identified at workshop Considerate colleague campaign, LM communication, monthly conversations, flexible working options, phased return, staggered start / finish times, new COVID-19 Wellbeing Conversation Template.</p>
	<p>Workplace changes</p> <ul style="list-style-type: none"> • Many colleagues returning to work after a period of maternity leave may be experiencing working from home for the first time. This compares to their colleagues who may now be comfortable working from home, and therefore consideration and support to help them reintegrate into teams. • Returning to offices will also look very different due to risk mitigation measures against the transmission of COVID-19. 	<p>Returning to our workplaces - http://saltire/my-workplace/buildings-and-environment/coronavirus-and-our-buildings/Pages/Returning-to-our-workplaces.aspx</p>	

RACE	<p>The race profile of the Education Scotland is:</p> <ul style="list-style-type: none"> • 0.6% = minority ethnic background • 66.7% = white • 1.3% = prefer not to say • 31.4% = unknown 	<p>Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p> <p>Data sets - http://www.equalityevidence.scot/</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.</p> <p>Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.</p> <p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate</p> <p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p>
	<p>Risk of infection</p> <ul style="list-style-type: none"> • Minority ethnic groups are more likely to have multi-generational families which might increase the risk of infection. Therefore, there might be a need for further advice on self-isolation or shielding in these circumstances. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	
	<p>Health</p> <ul style="list-style-type: none"> • Higher mortality and morbidity rates from diabetes and cardiovascular disease are more likely to occur in some minority ethnic groups. Meaning a higher number of minority ethnic people might need to remain shielded for longer, with the need for specialist advice and support. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	
	<p>Communication and cultural differences</p> <ul style="list-style-type: none"> • Inability to communicate adequately because of language, stigma, prejudice or other cultural differences in health and social care settings are likely to lead to negative outcomes. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	

	<p>Housing</p> <ul style="list-style-type: none"> • Considerations around the housing context for ethnic minorities especially around relationships between tenants and property owners. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	<p>Mitigating actions identified at workshop</p> <p>Considerate colleague campaign, monthly conversations, and the new COVID-19 wellbeing conversation template.</p>
<p>Attainment</p> <ul style="list-style-type: none"> • Attainment issues which may arise both for those ethnicities with tradition of high attainment (in terms of anxiety and sense of loss) and those who tend to be more disadvantaged (in terms of staying motivated, access to resources and remaining on track). 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>		
<p>Hate Crime</p> <ul style="list-style-type: none"> • Increases in racially motivated hate crime. • Monitoring of hate crime data to ensure that any spikes racially aggravated crime due to COVID-19. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>		
<p>Support for minority groups</p> <ul style="list-style-type: none"> • Ethnic minorities might be unable to access traditional community spaces due to COVID-19. Meaning a greater need to ensure that routes are open for people to provide and receive culturally appropriate support. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>		
<p>RELIGION OR BELIEF</p>	<p>The religion or belief profile of our workforce is:</p> <ul style="list-style-type: none"> • 23.2% = None • 32.4% = Christian • 1.6% = Other religion 	<p>Equality outcomes and mainstreaming report 2021 – equality-outcomes-mainstreaming-report-2021-mainstreaming-report (2).pdf</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than</p>

	<ul style="list-style-type: none"> • 4.8% = prefer not to say • 38.1% = unknown 		Education Scotland specifically.
	<p>Places of worship</p> <ul style="list-style-type: none"> • The COVID-19 pandemic has impacted religion in various ways, including the cancellation of the worship services of various faiths and closure of Sunday Schools. Religious groups have been forced to sacrifice major festivals that punctuate their practice over the year. Christians were unable to attend Holy Week services; Muslims have experienced Ramadan without communal Iftar meals each day. The Jewish community experienced Passover without extended Seders, and Sikhs were unable to mark the festival of Vaisakhi. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p> <p>The Health Protection (Covid-19) (Restrictions) (Scotland) Regulations 2020 require that places of worship are closed for the duration of this emergency period, with effect from 26 March.</p>	<p>Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.</p> <p>Next Steps -</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p>
	<p>Multi-faith and contemplation facilities</p> <ul style="list-style-type: none"> • Consideration to the availability of safe facilities and prayer rooms. 		<p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p> <p>Mitigating actions identified at workshop</p> <p>Review office plan and where possible with the restrictions allocate a room for prayer, considerate</p>

			colleague campaign, phased return, staggered start / finish times, new COVID-19 wellbeing conversation template.
SEX	The sex profile of the Education Scotland is: <ul style="list-style-type: none"> • 74.6% = women • 25.4% = men 	Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/	Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.
	Part time lower paid work <ul style="list-style-type: none"> • Some women are overrepresented in part time lower paid work and COVID-19 will have increased their workplace risk 	Impact of coronavirus on Equality Groups - https://www.gov.scot/publications/inequalities-by-gender-in-the-context-of-coronavirus-slide-pack/	Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.
	Caring responsibilities <ul style="list-style-type: none"> • Caring responsibilities may make it harder to maintain or take on employment. The vast majority of lone parents are also women, and three-quarters of lone parent households were already financially vulnerable in 2016-18 (73%), and more likely than average to be in unmanageable debt. • Mothers also spend 10% to 30% more time than father’s home schooling their children. • In 2020, regardless of age, 31% of our workforce reported caring responsibilities while 8% preferred not to say. 	Impact of coronavirus on Equality Groups - https://www.gov.scot/publications/inequalities-by-gender-in-the-context-of-coronavirus-slide-pack/ Education Scotland People Survey 2020: https://education.gov.scot/media/u4lnj4tt/people-survey-2020.pdf	Next steps – (1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate

	<ul style="list-style-type: none"> Evidence also suggested 69% of staff felt they had the correct support in place to balance their work and caring responsibilities. However, only 40% knew how to access support with 25% of caring responsibilities directly related to the impact of COVID-19. 		(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.
	<p>Domestic abuse</p> <ul style="list-style-type: none"> In 2018-19, 82% of all incidents of domestic abuse recorded by the Police in 2018-19 the victim was a woman and the accused was a man (where gender information was recorded). Over the period of lockdown and Phases 1 to 3 many organisations observed significant increases in crisis work with victims, with many people experiencing suicidal ideation, depression and anxiety, increasing substance misuse as a coping mechanism, and/or increased levels of fear, both of the perpetrator and the virus. 	<p>Impact of coronavirus on Equality Groups - https://www.gov.scot/publications/inequalities-by-gender-in-the-context-of-coronavirus-slide-pack/</p>	<p>Mitigating actions identified at workshop</p> <p>Consider menopause support, flexible working, new COVID-19 wellbeing conversation template, monthly conversations, employee assistance programme and considerate colleague campaign, promote support for carers, mental health first aiders.</p>
	<p>Wellbeing</p> <ul style="list-style-type: none"> Women are experiencing significant mental health impacts from the pandemic and women in the UK continue to be more lonely than men. 	<p>The impacts of coronavirus on equality in Scotland - https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2020/09/the-impacts-of-coronavirus-on-equality-in-scotland/documents/full-report/full-report/govscot%3Adocument/coronavirus%2Band%2BInequalities%2BFinal%2BReport%2BFor%2BPublication%2B-%2BPDF.pdf</p>	

SEXUAL ORIENTATION	<p>The sexual orientation of our workforce is:</p> <ul style="list-style-type: none"> • 2.2% = LGBT • 56.5% = Heterosexual/straight • 3.5% = Prefer not to say • 37.8% = Unknown • 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>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p> <p>Equality outcomes and mainstreaming report 2021 – https://www.gov.scot/publications/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/</p>	<p>Evidence available is predominantly relevant to the impact in the community, rather than Education Scotland specifically.</p> <p>Although some evidence exists on the impact of COVID-19 on our workforce, we acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce.</p> <p>Next steps –</p> <p>(1) Continue to review this EQIA regularly and update to take into account any new evidence / emerging evidence as appropriate.</p> <p>(2) Take into account the mitigating actions identified at our EQIA workshop and where possible, incorporate these into the return to offices plan.</p> <p>Mitigating actions identified at workshop</p>
	<p>Mental health and Wellbeing</p> <ul style="list-style-type: none"> • 42% of the LGBT groups have suggested they would like to access mental health support but have not done so yet, with the number rising to 66% for Black and Minority Ethnic LGBT people. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	
	<p>Domestic abuse</p> <ul style="list-style-type: none"> • Due to the collapse of employment opportunities and closure of colleges and universities, some LGBT people need to return home to self-isolate with family opposed to their sexuality. 	<p>Equality and Fairer Scotland Duty. Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	
	<p>Health and Social Care</p> <ul style="list-style-type: none"> • LGBT groups were already experiencing inequalities such as restricted healthcare that might have deepened as a result of the health crisis. 34% of LGBT groups also reported as having had a medical appointment cancelled, 	<p>Assessment of the Health and Social Impacts of coronavirus - https://www.gov.scot/publications/coronavirus-health-and-social-impact-assessment/</p>	

	and 23% have either worried or unable to access medication when needed.	COVID-19 – How LGBT-Inclusive organisations can help: stonewall.org.uk	Identify Scottish Government networks that can support colleagues such as LGBT network and include this in the handbook / wider messaging, encourage people to update HR record, considerate colleague campaign, monthly conversations and new COVID-19 wellbeing conversation template.
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Stage 3: Assessing the impacts and identifying opportunities to promote equality

Do you think that Education Scotland’s return to offices plan affects people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to age.
Advancing equality of opportunity	x	x		There are potentially positive and negative impacts on older and younger people. Working from home allows everyone to limit contact with others out of the home and shield if necessary. This helps older

				<p>people who are at a higher risk of ill health due to COVID-19, and all ages with underlying health conditions to maintain existing working patterns.</p> <p>Those across age groups have identified in the people survey as having feelings of isolation and loneliness, returning to the office may have a positive impact.</p> <p>Younger people in Scotland are more likely to be financially vulnerable and in unmanageable debt before the pandemic. They may therefore struggle to afford the costs of travel and other work related costs they may not have incurred by working from home. In turn, working from home may add additional costs such as heating, electricity and broadband costs. Although there are, measures in place to try to support this, colleagues may not feel comfortable seeking or discussing financial difficulties.</p> <p>There may be an increased impact to the sandwich generation (women who are caring for older relatives and likely to also have children). For example, increase worry about catching the virus and spreading it to elderly relatives. Increase caring responsibilities making a return to office more challenging.</p> <p>People with childcare responsibilities, including grandparents, may have additional caring responsibilities due to school closures, periods of home schooling and wider childcare facilities being closed such as after-school clubs and hobbies. This can mean staff with caring responsibilities need greater flexibility, may be unable to take on additional or time pressure work and have less time to apply for new roles or take on</p>
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				<p>development opportunities. There is concern from some that this could affect longer-term career progression.</p> <p>We need to remember those who are carers but are vulnerable themselves or live with someone who is vulnerable and therefore more susceptible to complications of the virus.</p>
Promoting good relations among and between different age groups	x	x		<p>Whilst working from home may help reduce the gap between older and younger people because interactions are [‘invisible’], it may also lead to more prejudice due to the lack of workplace interactions and friendships, which can break down misconceptions.</p> <p>Working from home creates less opportunity for informal workplace interactions, risks of isolation by tech generation (typically younger) as they stick to their own networks and little opportunity to socialise across Education Scotland and Scottish Governments diverse workforce.</p>

Do you think that Education Scotland’s return to offices plan affects people because of their disability?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to disability.
Advancing equality of opportunity	x	x		There could potentially be positive and negative impacts on people with disabilities.

				<p>Disabled people are more likely to experience exacerbation of already poor physical health due to COVID-19 so home working allows for less interaction with others (e.g. during the commute, in the workplace, etc.) to minimise exposure.</p> <p>With no commute, home working may better support the needs of some disabled people.</p> <p>However, with no physical workplace interactions disabled people may be more likely to experience exacerbation of already poor mental health due to loneliness and reduced mental wellbeing and restrictions in the ability to undertake physical activity.</p> <p>Home working and relaxed flexible working policies may make it easier to access essentials at a time that better suits some disabled people.</p> <p>On returning to buildings, all new safe and secure building protocols will need to be inclusive to ensure all users of our buildings can access the areas they need to unimpeded.</p>
Promoting good relations among and between disabled and non-disabled people	x	x		<p>Whilst working from home may help reduce the gap between disabled and non-disabled people because interactions are ['invisible'], it may also lead to more prejudice due to the lack of workplace interactions and friendships, which can break down misconceptions.</p> <p>Working from home creates less opportunity for informal workplace interactions between disabled and non-disabled people.</p>

Do you think that Education Scotland’s return to offices plan affects people proposing to undergo, undergoing, or who have undergone a process for reassigning their sex? (NB: the Equality Act 2010 uses the term ‘transsexual people’ but ‘trans people’ is more commonly used)

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to gender reassignment.
Advancing equality of opportunity	x	x		<p>COVID-19 has exacerbated already increased levels of mental health problems for trans people.</p> <p>The workplace is one of the most likely locations for transphobic discrimination and harassment to occur, and therefore working from home limits discrimination from peers. A comfortable and supportive home environment can also provide more privacy and security</p> <p>However, longer periods at home can mean greater abuse from unsupportive families or partners, contributing to increased stress or distress, and increased risk of abuse.</p> <p>During COVID-19, many non-essential operations had been put on hold. Colleagues going through the process may start to receive their appointments and a flexible approach to returning to the office would be beneficial.</p>

Promoting good relations	x			Digital home working could enable a more inclusive environment for all where all colleagues are treated equally with no labels.
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Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership ¹⁵	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to marriage or civil partnership.
Advancing equality of opportunity			x	We are unaware of any relevant and existing evidence, at this time, on the marriage or civil partnership protected characteristic in relation to the policy.
Promoting good relations			x	The policy is unlikely to impact on the promotion of good relations between married people and those in a civil partnership, and those not in a similar relationship.

¹⁵ 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 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 that Education Scotland's return to offices plan affects men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to gender.
Advancing equality of opportunity	x	x		<p>Women are more likely to be balancing part-time, caring and/or schooling if working from home for sustained periods, which can have a negative impact on wellbeing.</p> <p>Home working reduces the opportunities for networking and potentially career-progression. However, flexibility around hours of work and location can be positive to opening up opportunities for both existing and new employees.</p> <p>At a UK level, over the period of lockdown Violence Against Women and Girls organisations observed significant increases in crisis work with victims. Home working and reduced interactions with others can increase the risk of domestic abuse for both genders with more time spent indoors.</p> <p>Some women may have started going through the menopause while working from home. This could lead to increased anxiety about returning to the office. Guidance and support should be provided.</p>
Promoting good relations between men and women			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and

				secure workplaces for a return are unlikely to impact on the promotion of good relations between men and women.
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Do you think that Education Scotland’s return to offices plan 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			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should in such a way that it will not create unlawful discrimination related to pregnant or maternity.
Advancing equality of opportunity	x	x		<p>Home working supports pregnant women to continue working fully whilst adhering to social distancing rules.</p> <p>It can also provide greater flexibility for any appointments that may be needed and the home may provide a more comfortable physical working environment.</p> <p>With more than 1 in 10 women developing a mental illness in the perinatal period, home working and a lack of social interaction with peers could exacerbate mental health.</p> <p>Returning to the office on a flexible basis could allow pregnant women to socialise and seek peer support.</p> <p>For women who return to work after a period of maternity leave, the physical office environment may look very different</p>

				<p>because of the new safe and secure building protocols. This may increase levels of anxiety about returning to work and uncertainty of what to expect.</p> <p>New parents may struggle more with separation anxiety than they would have in a pre-COVID-19 landscape. There could be issues securing childcare and disruption to childcare due to people self-isolating.</p> <p>Pregnant colleagues or those planning to have children may not have received the vaccination and may have more anxiety about a return to the office.</p>
Promoting good relations			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces are unlikely to impact on the promotion of good relations between pregnant women and other people.

Do you think that Education Scotland's return to offices plan affects people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to race.
Advancing equality of opportunity	x	x		Higher rates of underlying illness may mean higher numbers in shielded groups and therefore home working will limit social interaction and can help existing working patterns to continue.

				There could be a positive impact on returning to the office for those living in overcrowded or multigenerational households.
Promoting good race relations	x	x		Continued working from home may lead to greater isolation in communities and limited societal integration. More visibility of different race and cultures can promote a more inclusive diverse workplace. However, digital home working could enable a more inclusive environment for all where all colleagues are treated equally with no labels.

Do you think that Education Scotland's return to offices plan affects people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to religion or belief.
Advancing equality of opportunity			x	We are unaware of any relevant and existing evidence, at this time, on the religion or belief protected characteristic in relation to the policy.
Promoting good relations			x	The policy is unlikely to affect the promotion of good relations between those who follow a religion or belief and those who do not.

Do you think that Education Scotland's return to offices plan affects people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The measures introduced to support staff continuing to work from home and the new building protocols to ensure safe and secure workplaces for a return should be designed in such a way that it will not create unlawful discrimination related to related to sexual orientation.
Advancing equality of opportunity	x	x		<p>A recent LGBT Foundation survey showed that 42% of LGBT people would like to access support for their mental health. That number rises to 66% of Minority Ethnic LGBT people. Home working during COVID-19 has already shown to exacerbate existing mental health issues and therefore continued home working can further affect mental health with longer periods of social isolation and no contact with colleagues.</p> <p>Long periods at home can mean greater abuse from unsupportive families or partners, contributing to increased stress or distress, and increased risk of abuse.</p> <p>Colleagues who have changed their sexual orientation during COVID-19 and while working from home may feel anxious about a return to the office.</p>
Promoting good relations	x			Digital home working could enable a more inclusive environment for all where all colleagues are treated equally with no labels.

Stage 4: Decision making and monitoring

Education Scotland's return to offices plan will affect anyone who has a need to enter an Education Scotland office, for work or any other reason.

Identifying and establishing any required mitigating action

<p>Have positive or negative impacts been identified for any of the equality groups?</p>	<p>The return to offices can have both positive and negative impacts to varying degrees for most protected characteristic groups.</p> <p>The impact on mental health and wellbeing requires careful consideration, particularly for people with underlying mental health issues where fear and uncertainty around COVID-19 can exacerbate previous health concerns.</p> <p>Returning to offices can, however, increase collaborative networking and could reduce the feelings of isolation and loneliness for those across age groups who have reportedly experienced reduced socialisation as part of our 2020 people survey.</p> <p>Whilst returning to offices is seen as positive for many groups, particularly for some disabled colleagues, if the return to office environment is not conducive to social distancing measures then challenges remain.</p> <p>Some groups may also have a higher prevalence of caring responsibilities and therefore balancing returning to offices with caring for others can be difficult. This is particularly the case for women and older people.</p> <p>Longer periods at home can mean greater abuse from unsupportive families or partners for many protected groups, contributing to increased stress or distress, and increased risk of abuse.</p> <p>However, home working can reduce the prevalence of discrimination and harassment from colleagues.</p>
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	<p>Although counter to this, working from home could increase cyber bullying¹⁶.</p> <p>Digital home working can also enable a more inclusive environment where colleagues are treated equally in the absence of 'labelling'.</p>
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ¹⁷ ?	Indirectly. As we progress through Scotland's COVID-19 Strategic Framework and more staff return to buildings these measures will continue to be reviewed in recognition of this EQIA.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	The organisation has a duty of care to protect staff and not put them at unnecessary risk
If not justified, what mitigating action will be undertaken?	N/A

Describing how Equality Impact analysis has shaped the return to office process

The impact assessment recognises the wide and differing impacts that COVID-19 has on all individuals. A range of measures were introduced to support staff returning to office working and to help mitigate its impact.

People

The importance of health and wellbeing support in the workplace has become even more visible during COVID-19. Although it applies to all, health issues are more prevalent in some protected characteristic groups. It is therefore important that adequate provision is in place to support colleagues better manage their mental and physical health and wellbeing, and controls designed to provide opportunities for early intervention where it may be required.

A range of measures has been introduced to support colleagues returning to offices safely and effectively. As we return to offices, care must be taken to help ensure that the decisions we take are cognisant of the findings presented here and of the importance of creating an inclusive culture at Education Scotland.

1. Wellbeing conversations with line managers will be required as part of preparations for any return and wellbeing forms will guide the conversation and capture actions, supported by the use of the COVID-19 occupational risk assessment form. Where

¹⁶ <https://www.shoosmiths.co.uk/insights/articles/cyberbullying-and-remote-working-what-employers-need-to-know>

additional HR support or workplace adjustments are required, professional support will be provided through the HR People Advice and Wellbeing Team¹⁸.

2. A return to buildings handbook will help provide reassurance that buildings are safe and take people through the changes that have been made prior to any actual return.
3. HR colleagues are working closely with line managers across Education Scotland to support those staff new into the organisation who has never visited one of our buildings due to being on-boarded during the pandemic.
4. Revised home working arrangements¹⁹.
5. Guidance on homeworking while caring for others²⁰.
6. Employee Assistance Service (EAS) factsheets on managing anxiety / mental health²¹.
7. Corporate Communications, key messages on managing well-being / directing colleagues to Employee Assistance and Support.
8. Increased resource to Scottish Government well-being counsellors, which Education Scotland staff can utilise.
9. Well-being = 'mindfulness moment' blogs on Saltire²².
10. COVID-19 guidance and support²³.
11. New learning offer to support professional and personal development.
12. Staff with challenging home situations will be considered priority for returning.
13. Refresh of the Scottish Government's Transgender Equality and Inclusion Policy, to contribute to building a supportive environment for transgender colleagues.
14. Orientation visits to allow people to come into the office informally and familiarise themselves with the new building protocols may help ease some anxieties around a return.
15. Education Scotland's considerate colleague campaign will help encourage colleagues to think about others.

Workplace

1. Increased hygiene measures.
2. Staggered start and finish times, orientation visits.
3. Ensuring there is a plan to cover fire marshal and first aider roles and recruit / train colleagues as appropriate.
4. Review of office plan to see if it is possible with the restrictions to allocate a room for prayer.
5. Air conditioning circulating fresh air.
6. Our considerate colleague campaign.
7. Engagement with other agencies we share offices with

¹⁸ <http://saltire/my-workplace/Wellbeing-and-staff>

¹⁹ <http://saltire/my-workplace/attendance-and-flexi/flexible-working/Pages/Working-from-home-COVID-19.aspx?pageid=dc189269-7b1a-4dce-b34e-a264f46ae782>

²⁰ <http://saltire/my-workplace/attendance-and-flexi/flexible-working/Pages/Working-from-home-COVID-19.aspx?pageid=dc189269-7b1a-4dce-b34e-a264f46ae782>

²¹ [Employee Assistance Service \(EAS\)](#)

²² <http://saltire/our-organisation/blogs/Pages/Beyond-words.aspx>

²³ <http://saltire/my-workplace/communications-and-engagement/Resilience/Pages/COVID-19-guidance-and-support.aspx>

8. Redesign of our workplaces in collaboration with Trade Unions to seek to ensure the measures being put in place are suitable for all colleagues.
9. A full suite of COVID-19-safe protocols for all of our buildings has been prepared to highlight the new arrangements that are in place across the estate, to include e.g. one-way signage, how to access and move around the building, open facilities and spaces, etc.
10. To help reduce anxiety about returning, a package of induction material will help staff familiarise themselves with the changes that are in place and the support available, as well as their responsibilities to protect themselves and colleagues.
11. Guidance on how to create a comfortable and healthy working environment²⁴
12. Home working to allow the ordering and delivery of essential equipment
13. Additional specialised equipment delivered to those that need it.

Technology

1. Testing of new space management solutions to support the safe booking of workspaces, ensuring the preferred supplier can meet required accessibility.
2. Introduction of new accessible meeting room technology to improve collaborative working.
3. Enhanced communication tools, including video conferencing, which may alleviate some feelings of anxiety and isolation²⁵.
4. Early introduction of Microsoft Teams to better support collaborative working and engagement with colleagues and plan expedited for the introduction of Office 360.

Monitoring and Review

This impact assessment has highlighted the impacts that COVID-19 can have on Education Scotland staff of protected characteristic groups. These findings have informed the decisions taken by Education Scotland for supporting staff to return to offices.

²⁴ <http://saltire/my-workplace/attendance-and-flexi/flexible-working/Pages/Working-from-home-coronavirus.aspx?pageid=1b7d52ec-32e0-4072-b496-3071bb64df66>

²⁵ <http://saltire/my-workplace/meetings/Audio-and-video-conferencing/Pages/Using-conferencing-tools.aspx>

Stage 5 - Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of our return to offices plan.

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 for Return to Offices and new safe and secure workplace arrangements in response to COVID-19 and give my authorisation for the results of this assessment to be published on the Education Scotland website.

Name: Gillian Hamilton

Position: Depute Chief Executive and Strategic Director

Authorisation date: 22 October 2021

Annex A– High Level Principles for the return to Education Scotland offices

- We will follow Scottish Government and the clinical advice in relation to the return to our offices, and other more normal ways of working, particularly in relation to the use of PPE and social distancing measures.
- We will work in partnership with FDA and PCS throughout the planning process and will take their advice on our approach as appropriate.
- A member of the Leadership Team and at least one member of the Extended Leadership Team will return to each office as soon as they re-open.
- We will take a phased approach to the return of staff to our offices
- Staff will return to the offices based on their individual circumstances, e.g. those most isolated, those who can walk or cycle to work, those living in challenging home circumstances (flat share) rather than according to their team or directorate.
- Staff will then return according to business need, ease of continuing to work from home etc.
- Flexible starting and finishing times will be encouraged, including working shorter days in the office, topped up with working from home.
- A rotation basis for staff coming into the offices will be established so that as many people as possible are able to return for at least part of the time.
- Any staff member who does not wish to return to their office base will be permitted to continue to work from home while restrictions remain in place, supported by their line manager.
- In consultation with staff, we will establish protocols for those staff who are not predominantly office based, but whose role would usually involve significant travel.

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

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