

Equality Impact Assessment

Education Scotland Recovery Workstream D: Assessment
within Broad General Education (BGE)

August 2020

Equality Impact Assessment Record

Title of policy/ practice/ strategy/ legislation etc.	Education Scotland Recovery workstream D: Assessment within Broad General Education (BGE)
Senior Lead Officers	Alan Armstrong, Head of National Improvement Directorate
Operational Leads	Joan MacKay, Assistant Director
Directorate: Division: Team	National Directorate; National Improvement Framework (NIF) team; workstream D
Is this new policy or revision to an existing policy?	This is a new workstream in response to the COVID-19 pandemic.

Screening

This Equality Impact Assessment (EQIA) aims to equality assess the activities of our recovery workstream D that evolved as part of the ongoing Education Scotland support offer in response to COVID-19. The first stage of the work was the development and publication of guidance at two stages during the initial lockdown phase: Term 4 Guidance (end April 2020) and 20/21 Guidance (mid-June 2020).

Planning for the second stage of this work is now underway. The workstream have identified requirements for Education Scotland when working with local authority and school staff using digital options in this area of work for the first time. This will also require the upskilling of several members of staff National Improvement as well as the adaptation of approaches and resources accordingly.

In addition to the virtual generic offer and space for connection and professional learning, specific support for regions and authorities scoped by the workstream and National Improvement Framework (NIF) Team in collaboration with partners such as Local Authority Assessment Co-ordinators. Regular evaluation and feedback gathered from participants will ensure the workstream functions are as intended.

Who will it affect?

The activities outlined as part of the workstream aim to support local authority, headteachers, school leaders, and school staff only. It is important that the activities outlined above are accessible to all headteachers, school leaders and school staff who wish to access them, taking into account the protected characteristics detailed in the Equality Act.

While the workstream 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

The aim of this recovery workstream is to support education practice and the work of Education Scotland, Local Authority and school based staff.

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 exclusion of people from a particular age group or with a specific disability.

Furthermore, where we may not be able to mitigate all negative impacts we will continue to monitor and evaluate our activities to help drive continuous improvement.

What might prevent the desired outcomes from being achieved?

There is a wide range of issues that might affect the activities of our workstream and prevent us from achieving the desired outcomes. However, a lack of specific data relating to the teaching population makes it difficult to ascertain the actual impact. Therefore, we will consider population level data.

Stage 1: Framing

Results of framing exercise

The approach taken by our National Directorate 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 workstream D 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 focus of the promotion of the activities on social media excludes part of the teaching population (influenced by age as social media usage statistics indicate).

The workstream provides opportunities for teachers at different ages and stages of their careers to come together to provide peer support, that may not be possible in traditional professional learning offering

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 workstream, we will give additional consideration to the potential impact on those with social and communication impairments, learning difficulties, mental health issues and physical impairments and/or mobility issues. 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 this workstream may make professional learning more accessible to some teachers who have a disability and who may face barriers in accessing traditional, face-to-face professional learning.

Extent/Level of EQIA required

The framing exercise has highlighted the following actions:

- Review communications relating to the activities of the workstream to ensure wider engagement across the education workforce.
- 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.

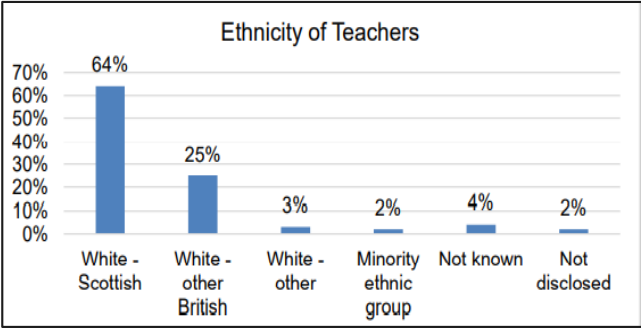
Stage 2: Data and evidence gathering, involvement and consultation

Characteristic ¹	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken														
<p>Age</p>	<p>The age profile of the teaching practitioner workforce in Scotland is illustrated below:</p> <table border="1"> <caption>Age of teachers in Scotland</caption> <thead> <tr> <th>Age Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>20 - 30</td> <td>22%</td> </tr> <tr> <td>31 - 40</td> <td>29%</td> </tr> <tr> <td>41 - 50</td> <td>25%</td> </tr> <tr> <td>51 - 60</td> <td>19%</td> </tr> <tr> <td>61 - 70</td> <td>4%</td> </tr> <tr> <td>71+</td> <td>0%</td> </tr> </tbody> </table> <p>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.</p> <p>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.</p>	Age Group	Percentage	20 - 30	22%	31 - 40	29%	41 - 50	25%	51 - 60	19%	61 - 70	4%	71+	0%	<p>Scottish Government teacher census: Teacher census supplementary statistics - gov.scot (www.gov.scot)</p> <p>Scotland’s digital strategy: evidence discussion paper: Scotland's digital strategy: evidence discussion paper - gov.scot (www.gov.scot)</p> <p>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)</p> <p>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</p>	<p>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.</p> <p>However, we acknowledge that the census only covers the teaching profession.</p>
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¹ Refer to Definitions of Protected Characteristics document for information on the characteristics

	<p>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.</p> <p>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”.</p>		
Disability	<p>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.</p> <p>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.</p> <p>Additionally, equality and diversity monitoring data gathered by the Professional learning and Leadership Directorate suggests 6% of</p>	Education Scotland	Ongoing monitoring required.

	participants on professional learning programmes identify as being disabled.		
Sex	<p>Data from the Teacher Census states that 77% of teachers in Scotland are women.</p> <p>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.</p>	<p>Scottish Government teacher census: Teacher census supplementary statistics - gov.scot (www.gov.scot)</p> <p>Education Scotland</p>	<p>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.</p> <p>However, we acknowledge that the census only covers the teaching profession.</p>
Pregnancy and maternity	<p>No data available specifically related to education workforce.</p> <p>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.</p>	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.

<p>Sexual orientation</p>	<p>No data available specifically related to the education workforce.</p> <p>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.</p>	<p>Education Scotland</p>	<p>No other relevant data was available on the teaching support workforce.</p>														
<p>Race</p>	<p>The ethnic profile of the teaching practitioner workforce in Scotland is illustrated below:</p>  <table border="1"> <caption>Ethnicity of Teachers</caption> <thead> <tr> <th>Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>White - Scottish</td> <td>64%</td> </tr> <tr> <td>White - other British</td> <td>25%</td> </tr> <tr> <td>White - other</td> <td>3%</td> </tr> <tr> <td>Minority ethnic group</td> <td>2%</td> </tr> <tr> <td>Not known</td> <td>4%</td> </tr> <tr> <td>Not disclosed</td> <td>2%</td> </tr> </tbody> </table> <p>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.</p>	Ethnicity	Percentage	White - Scottish	64%	White - other British	25%	White - other	3%	Minority ethnic group	2%	Not known	4%	Not disclosed	2%	<p>Education Scotland</p>	<p>No other relevant data was available on the teaching support workforce.</p>
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	<p>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”.</p> <p>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”.</p> <p>While this particular workstream 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.</p>		
<p>Religion or belief</p>	<p>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:</p> <ul style="list-style-type: none"> • 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%) 	<p>Scotland’s population census 2011: Scotland's census: 2011 - GOV.UK (www.gov.uk)</p> <p>Education Scotland</p>	<p>No other relevant data was available on the teaching support workforce.</p>

	<p>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:</p> <ul style="list-style-type: none"> • 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 workstream impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	While there is no direct data to support this, it is possible that the focus of promotional activities related to the workstream on social media excludes part of the teaching population.
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The workstream provides opportunities for teachers at different ages and stages of their careers to come together to provide peer support.

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

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do you think the recovery workstream impacts on people proposing to undergo, undergoing, or who have undergone a process for reassigning their sex?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Do you think the recovery workstream 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

Eliminating unlawful discrimination, harassment and victimisation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this, as it does not relate to work or HR policy.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Do you think the recovery workstream 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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 workstream impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The activity of the workstream neither positively nor negatively affects this.
Advancing equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Promoting good relations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Are there any positive and negative impacts?	Yes.
Is the policy directly or indirectly discriminatory under the Equality Act 2010?	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

The NIF/workstream team will be regularly review activities to drive improvement and positive developments.

Stage 5 - Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of Assessment within Broad General Education (BGE):

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: *Alan Armstrong*
Position: *Strategic Director*
National Improvement Directorate
Authorisation date: *19 August 2020*

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