Equality Impact Assessment (EQIA)

Education Scotland Recovery Workstream D: Assessment within BGE

1. Introduction

At all stages of the Equality Impact Assessment process, it is necessary to consider the requirements of the general equality duty for public bodies, as defined in the Equality Act 2010:

- eliminate discrimination, harassment and victimisation that is prohibited under the Act;
- advance equality of opportunity between people who share a protected characteristic and those who don't; and
- foster good relations between those who share a protected characteristic and those who don't.

The following "protected characteristics" should be taken into account: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

This Equality Impact Assessment (EQIA) relates to: Education Scotland Recovery Workstream D: Assessment within BGE. This is a new workstream in response to the impact of Covid 19 on education practice and the work of ES, authority and school based staff.

The Lead Officer has been identified as Joan Mackay with Alan Armstrong as Sponsor Lead. Other partners involved in the EQIA process were the National Directorate Business Partner and the Workstream D/ NIF Team.

2. Recovery Workstream D: Assessment within BGE - Aim

This workstream has evolved as part of the ongoing Education Scotland support offer that has been developed 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). Both sets of guidance were based on existing and well developed policy and practice (EQIA assumed*) and adapted for the circumstances presented by COVID-19 measures informed by best practice and emerging advice and research but with limited stakeholder consultation and the EQIA process was not used*.

Planning for the second stage of this work is now underway. The workstream have identified a requirement for ES working with authority and school staff using digital options in this area of work (i.e. assessment with BGE/ NIF work) for the first time. This will also require the upskilling of the Workstream/NIF team and the adaptation of approaches and resources used accordingly. This

will involve the development of webinars in the first instance, learning from, and in partnership with, other ES teams who have expertise in this area.
In addition to the virtual generic offer / space for connection and professional learning, specific support for regions and authorities is being scoped by the Workstream/NIF team (ES) in collaboration with partners such as Local Authority Assessment Co-ordinators. To ensure the workstream functions as intended each activity will be regularly evaluated and feedback gathered from participants. The ongoing monitoring and evaluation will support the improvement and development of the activities.

3. Who will the activities of Workstream D affect?

The activities outlined as part of the workstream are aimed at **local authority, headteachers, school leaders and school staff** (and not the general public). According to the 2019 Teachers Census there are 51,449 teachers in Scotland (excluding Early Learning and Childcare Professionals). 77% of teachers are female and the average age of teachers in Scotland is 40.

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.

4. Potential impact of Workstream D on the Protected Characteristics

As the majority of the activities outlined are focused on online delivery of professional learning and support, the main barrier is if the online delivery is not accessible to all who wish to access it.

4.1 Available evidence

When considering the impact of the workstream on the protected characteristics it is important to consider:

- Who benefits?
- Who doesn't benefit and why not?
- Who should be expected to benefit and why don't they?

Based on the data available, the workstream has the potential to impact on the following protected characteristics: **age and disability**, as detailed in Annex A.

4.2 Impact of Workstream D: Assessment within BGE

The activities of the workstream may indirectly exclude people of a particular age or with a specific disability.

The activities of the workstream have been identified as having a potential impact (positive and negative) on the following protected characteristics: **Age and**

Disability, however a lack of specific data relating to the teaching population makes it difficult to ascertain the actual impact and some assumptions have been made**.** Importantly, the workstream is not considered to have either a positive or negative impact on any of the other protected characteristics.

Negative:

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 (which may be influenced by age as social media usage statistics indicate).

Disability: There is no data available on disability that is specifically related to teachers/ reflects the teaching workforce in totality. However, available data would indicate that there is a likelihood that a proportion of teachers will have a disability.   In developing the workstream, additional consideration will therefore need to be given to the potential impact on those with a social/ communication impairment, learning difficulty, mental health difficulty and physical impairment/ mobility issue. In particular it is important to review:

- The accessibility of Microsoft Teams (considering those with sight/ hearing impairments) – including use of screen readers, subtitling/ transcribing, subtitling/ transcribing, the accessibility of any resources used e.g. PowerPoints.
- Accessibility of any Professional Learning Activities that are developed
- Having breaks throughout sessions.
- Ensuring there is a Code of Conduct so all participants are given equal opportunity to engage.

Positive:

Disability: 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. Online delivery can be accessed from home or the workplace with no need to attend a venue in a different location.

Age: 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

4.3 Addressing the impact

As a result of the equality impact assessment the following actions will be taken to prevent any negative impacts that may arise from the workstream:

- 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.

4.4 Monitoring and review of Workstream D: Assessment within BGE

The activities of the workstream will be regularly evaluated and feedback sought from partners and participants.

The activities will also be regularly reviewed by the NIF/Workstream team to drive improvement and positive developments.

5. Conclusion

This impact assessment has identified potential indirect discrimination of two of the protected characteristics which has resulted in greater consideration being made of the communication of activities and online delivery of activities.

Action will be taken around the communications of the activities of the workstream to ensure attempts have been made to engage as a wide an audience as possible; and to ensure no groups are excluded.

While specific data is not available on the prevalence of disability among teachers some assumptions must be made based on the available data and it must be assumed that some teachers will have a disability. As a result, efforts will be made to encourage potential participants to (confidentially) disclose any disability which will result in access issues and NIF /Workstream team will attempt to provide a solution. Additionally, the activities of the workstream (particularly the online platforms used) will be optimised to ensure maximum levels of access for all participants. It may not be possible to mitigate all access issues for all users.

Ongoing monitoring and evaluation will drive the continuous improvement of the activities of the workstream.

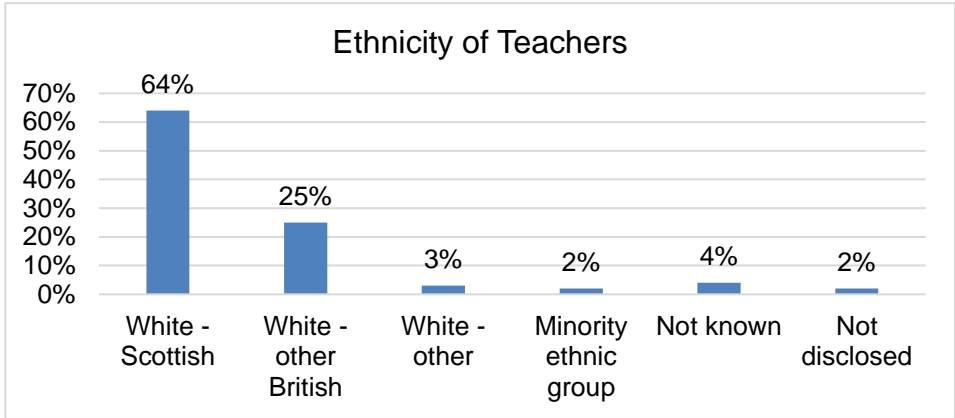| Sign and publish results	*Alan Armstrong* *Strategic Director* *National Improvement Directorate* *19 August 2020*

Annex A: Evidence and data gathering, involvement and consultation

Include here the results of your evidence gathering (including any framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	Data from the Teacher Census states the **average age of teachers in Scotland is 40**. 51% of teachers are under 40, 5% are 61 or over. Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and is considered to be high quality evidence. Data is gathered at local authority level and aggregated by the Scottish Government. Promotion of the online webinars has focused primarily on social media (Twitter). While engagement has been positive, it is estimated that **16% of Twitter users are 55 and over** highlighting	Teacher Census 2019 Statista, in cooperation with Ipsos	None.

Age of teachers in Scotland

	that it is slightly more popular among younger people. This may mean that some teachers are not receiving messaging/ communications about the online support available.		
DISABILITY	There is no data available on disability that is specifically related to teachers/ reflects the teaching workforce in totality. However, available data would indicate that there is a likelihood that a proportion of teachers will have a disability. It is important that the workforce considers the impact of the activities on those who are blind or have a visual impairment, D/deaf or have a hearing impairment given the online delivery of many of the activities. Additional consideration will need to be given to the potential impact on those with a social/ communication impairment, learning difficulty, mental health difficulty and physical impairment/ mobility issue.

Equality and Diversity Monitoring data gathered by the Professional Learning and Leadership Directorate focusing on the participants on Professional Learning and Leadership Programmes suggests **6% of participants identify as having a disability** (including: long standing illness or health condition, physical impairment or mobility issue, social/ communication impairment or Aspergers syndrome/ other autistic spectrum disorder, deaf or have a hearing impairment).

2011 Census data states that in 2011, one in five people (20 per cent) reported that they were limited either 'a little' or 'a lot' by a long-term health problem or disability. | Education Scotland/ Professional Learning and Leadership Directorate

Scotland's Census 2011 | There is no data available on disability that is specifically related to teachers/ reflects the teaching workforce in totality.

Ongoing monitoring required. |
| **SEX** | Data from the Teacher Census states that 77% of teachers in Scotland are female.

Equality and Diversity Monitoring data gathered by the Professional learning and Leadership Directorate focusing on the participants on | Teacher Census 2019

Education Scotland/ Professional Learning and | None. |

	Professional Learning and Leadership Programmes suggests 72% of participants in PLL programmes are female.	Leadership Directorate	
PREGNANCY AND MATERNITY	No data available specifically related to teachers. 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 PLL programmes are pregnant/ have been in the last year.	Education Scotland/ Professional Learning and Leadership Directorate	None.
GENDER REASSIGNMENT	No data available specifically related to teachers.		None.
SEXUAL ORIENTATION	No data available specifically related to teachers. 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 PLL Programmes identify as heterosexual/ straight.	Education Scotland/ Professional Learning and Leadership Directorate	None.
RACE	Data from the Teachers Census 2019 states that **92% of teachers in Scotland are white and 2% are from a Minority Ethnic group**.	Teachers Census 2019	None.

Ethnicity of Teachers

Ethnicity	Percentage
White - Scottish	64%
White - other British	25%
White - other	3%
Minority ethnic group	2%
Not known	4%
Not disclosed	2%

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 PLL programmes are white with other ethnicities making up 6% of participants.

Education Scotland/ Professional Learning and Leadership Directorate

RELIGION OR BELIEF

There is no data available specifically related to teachers.

Data from Scotland's Census 2011 shows the population of Scotland have the following religion/ belief:

- Church of Scotland (32.4%)
- Roman Catholic (15.9%)
- Other Christian (5.5%)
- Not religious (36.7%)
- Islam (1.4%)
- Other religion (1.2%)
- Not stated (7%)

Scotland's Census 2011

None.

	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 PLL programmes have the following religion/ belief: • Church of Scotland 34% • None 29% • Other Christian 14% • Prefer not to say 1% • Roman Catholic 16% • Sikh 1%	Education Scotland/ Professional Learning and Leadership Directorate	
MARRIAGE AND CIVIL PARTNERSHIP (we're not required to assess against this characteristic unless the policy relates to work, for example HR policies)	N/A	N/A	N/A

Annex B: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this template can be used to capture the potential impacts – negative and positive – that your policy or procedure might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			✓	The activity of the workstream will neither positively nor negatively impact upon this.
Advancing equality of opportunity		✓		While there is no direct data to support this, it is possible that the focus of promotional activities related to the workstream on social media excludes part of the teaching population (which may be influenced by age as social media usage statistics indicate).
Promoting good relations among and between different age groups	✓			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. Working alongside local authority officers to promote further workstream activity will improve communication and accessibility.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			✓	The activity of the workstream will neither positively nor negatively impact upon this.
Advancing equality of opportunity		✓		There is no data available on disability that is specifically related to teachers/ reflects the teaching workforce in totality. However, available data would indicate that there is a likelihood that a proportion of teachers will have a disability. It is important that the workforce considers the impact of the activities on those who are blind or have a visual impairment,

				D/deaf or have a hearing impairment given the online delivery of many of the activities. Additional consideration will need to be given to the potential impact on those with a social/ communication impairment, learning difficulty, mental health difficulty and physical impairment/ mobility issue. In particular it is important to review: • The accessibility of Microsoft Teams (those with sight/ hearing impairments) – including use of screen readers, subtitling/ transcribing, subtitling/ transcribing, the accessibility of any resources used e.g. PowerPoints • Ensuring there are breaks throughout sessions • Code of Conduct to ensure all participants are given equal opportunity to engage
Promoting good relations among and between disabled and non-disabled people	✓			The activity of this workstream may make professional learning more accessible to some teachers who have a disability and who struggle to access traditional, face to face professional learning.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic.
Promoting good relations between men and women			✓	

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision

	Positive	Negative	None	
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic.
Promoting good relations			✓	

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic.
Promoting good relations			✓	

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic.
Promoting good relations			✓	

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

Race	Positive	Negative	None	Reasons for your decision

Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic.
Promoting good race relations			✓	

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this protected characteristic. Workstream activities are scheduled to avoid major religious celebrations.
Promoting good relations			✓	

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

Marriage and Civil Partnership[1]	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	
Advancing equality of opportunity			✓	The activity of the workstream will neither positively nor negatively impact upon this as it does not relate to work or HR policy.
Promoting good relations			✓	

Annex C: Addressing the impact - establishing any required mitigating action

| Have positive or negative impacts been identified for any of the equality groups (refer to Assessing the impacts and identifying opportunities to promote equality template)? | The activities of the workstream have been identified as having a potential impact on the following protected characteristics: **Age and Disability.** Importantly, the workstream is not considered to have either a positive or negative impact on any of the other protected characteristics.

Negative:

Age: 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 (which may be influenced by age as social media usage statistics indicate).

Disability: There is no data available on disability that is specifically related to teachers/ reflects the teaching workforce in totality. However, available data would indicate that there is a likelihood that a proportion of teachers will have a disability. Additional consideration will need to be given to the potential impact on those with a social/ communication impairment, learning difficulty, mental health difficulty and physical impairment/ mobility issue. In particular it is important to review:

• The accessibility of Microsoft Teams (considering those with sight/ hearing impairments) – including use of screen readers, subtitling/ transcribing, subtitling/ transcribing, the accessibility of any resources used e.g. PowerPoints
• Ensuring there are breaks throughout sessions
• Ensuring there is a Code of Conduct to ensure all participants are given equal opportunity to engage |

	Positive: **Disability**: The activity of this workstream may make professional learning more accessible to some teachers who have a disability and who struggle to access traditional, face to face professional learning, as it can be accessed from home or the workplace with no need to attend a venue in a different location. **Age**: 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
Is the policy directly or indirectly discriminatory under the Equality Act 2010? (if you identify unlawful discrimination, whether direct or indirect, you **must** remove it).	Indirectly may exclude people of a particular age or with a specific disability.
Clearly identify what mitigating action will be undertaken to eliminate or manage any identified negative impacts?	As a result of the equality impact assessment the following actions will be taken to prevent any negative impacts: • 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.
Describe how the impact assessment has influenced and informed your policy. You should set out the action you have or will undertake to mitigate these impacts and show how the proposal will be adjusted to avoid or prevent the negative impact(s).	This impact assessment has identified potential indirect discrimination of two of the protected characteristics which has resulted in greater consideration being made of the communication of activities and the specific online delivery. Action will be taken around the communications of the activities of the workstream to ensure attempts have been made to engage as a wide an audience as possible; and to ensure no groups are excluded.

	While specific data is not available on the prevalence of disability among teachers some assumptions must be made based on the available data and it must be assumed that some teachers will have a disability. As a result, efforts will be made to encourage potential participants to (confidentially) disclose any disability which will result in access issues and NIF Officers will attempt to provide a solution. Additionally, the activities of the workstream (particularly the online platforms used) will be optimised to ensure maximum levels of access for all participants. It may not be possible to mitigate all access issues for all users. Ongoing monitoring and evaluation will drive the continuous improvement of activities. Finally, an Accessible Events Policy (including an accessibility checklist) will be developed and which will apply to all PLL events which take place – both online and face to face.

References

Teacher Census 2019 - https://www.gov.scot/publications/teacher-census-supplementary-statistics/

Teaching in a diverse Scotland: increasing and retaining minority ethnic teachers: https://www.gov.scot/publications/teaching-diverse-scotland-increasing-retaining-minority-ethnic-teachers-scotlands-schools/pages/7/

Age distribution of Twitter users: https://www.statista.com/statistics/278320/age-distribution-of-twitter-users-in-great-britain/

Scotland's Census 2011: https://www.scotlandscensus.gov.uk/