Equality Impact Assessment

Professional Learning and Leadership programmes

May 2022

Equality Impact Assessment Record

Title	Professional Learning and Leadership programmes
Senior Lead Officers	Ollie Bray, Strategic Director, Curriculum Innovation, Design and Pedagogy Lesley Whelan, Head of Professional Learning and Leadership, Professional Learning and Leadership Directorate David Burgess, Head of Professional Learning and Leadership, Professional Learning and Leadership Directorate
Operational Leads	Professional Learning and Leadership Lead Specialists
Directorate: Division: Team	Professional Learning and Leadership Directorate: Professional Learning and Leadership Team
Is this new policy or revision to an existing policy?	This is a revision to the existing programme delivery.

Screening

This Equality Impact Assessment (EQIA) aims to evaluate the impact of Education Scotland's Professional Learning and Leadership programmes on participants from across the Scottish education system, particularly those participants with one or more protected characteristics.

The overall aim of the Education Scotland Professional Learning and Leadership Team is to ensure that all education professionals are supported by excellent professional learning and leadership development opportunities, which in turn impact positively on children and young people in education.

Additionally, Education Scotland's Professional Learning and Leadership programmes will help ensure that education professionals have the right learning and development opportunities to make a real difference to the outcomes for children and young people. Our programmes are aimed at education professionals at all stages of their career across early years, primary and secondary settings, and cover teacher leadership, middle leadership, school leadership and system leadership.

Who will it affect?

The delivery of our Professional Learning and Leadership programmes will affect participants who are practitioners from across the Scottish education system.

The Scope of the Equality Impact Assessment

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

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

The Education Scotland Professional Learning and Leadership Team plan and prepare for the delivery of programmes to facilitate a fully inclusive learning experience for participants. In doing so, they develop course content utilising three main approaches:

- Live event programme content – real time delivery with access to interactive learning spaces, seminars, conversations, and networking opportunities.
- Recorded – quality assured videos that reflect real time delivery.
- Supported – Professional Learning and Leadership programmes supported element includes signposting practitioners to additional materials, resources, and

professional learning activities (including those provided by partners) should they wish to explore learning resources further.

Key Findings

The measures Education Scotland has put in place for participants are designed to reduce the public health risk posed by COVID-19 by limiting the spread of the virus, and are therefore designed to prevent harm to individuals in Scotland.

This impact assessment has identified some 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 online delivery measures in place 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 identification of negative impacts applies, we will ensure to mitigate and, where possible, reduce 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 the practitioner population. These are set out and explored further in this impact assessment, with mitigating actions identified.

Furthermore, as we move towards hybrid working arrangements we must consider more fully how best to take forward learning from COVID-19 to ensure we capitalise on the benefits of learning online as well as mitigating any negative impacts.

What might prevent the desired outcomes from being achieved?

Education Scotland acknowledges that development and delivery of our suite of Professional Learning and Leadership programmes require complex planning to ensure we meet the needs of all participants.

However, there is also a wide range of issues that might affect delivery and prevent the desired outcomes from being achieved. These include but are not exclusive to:

- Internet connectivity and ability to access appropriate online tools and resources
- The continued prevalence of COVID-19

Although the factors above are out with our direct control, we will continue to adapt our plans accordingly.

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

Stage 1: Framing

Results of framing exercise

The plan associated with the Professional Learning and Leadership programmes is managed and led by a small team of Lead Specialists.

The approach taken by the team provides the opportunity to consider the impact of preparing for online delivery and ensuring participants can access the course content of each programme.

Throughout the development of programme areas and course content, engagement and co-construction sessions have taken place with a number of key stakeholders, which have informed our thinking, including:

- Past/current participants as well as educators who have not yet engaged with ES PLL professional learning
- Education Scotland/PLL Stakeholder forum
- Local authority and RIC Career Long Professional Learning Leads
- Education Scotland staff

As a result of the framing exercise, we identified that there was potential for Professional Learning and Leadership programmes to have moderate impact on most protected characteristic groups, with some being more disproportionately impacted, either negatively or positively than others.

Protected characteristic: age

Digital technology has only become pervasive in our society in approximately the last 25 years[1]. This could potentially lead to older educators being at a disadvantage when accessing online delivery of our Professional Learning and Leadership programmes. Despite this evidence, it is predicted that the impact on older educators will be minor.

Protected characteristic: disability

The Scottish Health Survey estimates that, in 2018, 33% of adults in Scotland were disabled, defined as having a limiting long-standing condition, and 46% of adults had a non-limiting longstanding illness[2]. With consideration to this evidence, the accessibility of our online delivery through Glow and Microsoft Teams will ensure a range of support functions are available and accessible to support a range of disabilities.

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[1] http://files.eric.ed.gov/fulltext/ED539906.pdf
[2] Scottish Health Survey 2018: main report - revised 2020 - gov.scot (www.gov.scot)

We will however continue to explore the potential impacts of online delivery on participants with disabilities. We currently do not have a breakdown of this protected characteristic at educator level across the Scottish education system although we will continue to monitor impact on this protected characteristic.

Protected characteristic: gender reassignment

Evidence from the Scottish Transgender Alliance[3] tells us that the workplace is one of the most likely locations for transphobic discrimination and harassment to occur.

Given this evidence, we will continue to promote that participants and leaders use correct pronouns throughout all programme engagements. We currently do not have a breakdown of this protected characteristic for the entirety of educators across the Scottish education system although we will continue to monitor impact on this protected characteristic.

Protected characteristic: marriage or civil partnership

We are not aware of any evidence that educators who are married or in a civil partnership will be affected by our online delivery. We will however continue to explore the potential impacts on participants who are married or in a civil partnership. We currently do not have a breakdown of this protected characteristic for the entirety of educators across the Scottish education system.

Protected characteristic: pregnancy and maternity

We are not aware of any evidence that our online delivery will affect educators who are pregnant or on maternity leave. Programme participants currently have opportunities to pause their learning and join future cohorts to enable them to successfully complete their learning. This mechanism was also offered during the height of COVID-19 to ensure that those who wished to complete a programme were offered the opportunity to re-engage with their learning at a future point.

We will however continue to explore the potential impacts of our online delivery on participants who are pregnant or on maternity leave. We currently do not have a breakdown of this protected characteristic for the entirety of educators across the Scottish education system.

Protected characteristic: race

We are not aware of any evidence that our online delivery will affect this protected characteristic. We will however continue to explore the potential impacts of our

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[3] https://www.gov.scot/publications/scottish-government-equality-outcomes-lesbian-gay-bisexual-transgender-lgbt-evidence-review/pages/8/

online delivery in relation to participant's racial identity. We also currently do not have a breakdown of this protected characteristic for the entirety of the educator workforce although we are aiming to address this through the work of the Race Equality and Anti-Racism Programme.

Protected characteristic: religion or belief

We are not aware of any evidence that religion, faith, or belief will be impacted by the content of our online delivery. We will however continue to explore the potential impacts on participants with different religions or beliefs. We currently do not have a breakdown of this protected characteristic for the entirety of educators across the Scottish education system.

Protected characteristic: sex

We are not aware of any evidence that our online delivery will affect this protected characteristic. We will however continue to explore the potential impacts on people with different sex or genders.

Protected characteristic: sexual orientation

Evidence does tells us that a disproportionately high number of lesbian, gay bisexual and transgender individuals directly experience bullying or experience homophobia, biphobia or transphobia within an education setting[4].

We will however continue to explore the potential impacts on people with different sexual orientations. We currently do not have a breakdown of this protected characteristic for the entirety of educators across the Scottish education system.

Interaction with Other Policies (Draft or Existing)

The Professional Learning and Leadership programmes align with our Accessible Events Policy.

Extent/Level of EQIA required

The Framing exercise has highlighted the following actions:

- review communication strategies relating to activities
- review and optimise the accessibility of the online platforms used for delivery
- give detailed consideration to any potential impacts when moving to a hybrid model of delivery and facilitation

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[4] [Life in Scotland for LGBT Young People, FINAL March 2018.cdr (lgbtyouth.org.uk)](#)

Stage 2: Data and evidence gathering, involvement and consultation

Characteristic[5]	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
Age	Practitioners • the age profile of the teaching practitioner workforce is: Under 25 years old = 5% 25 to 29 years old = 19% 30 to 34 years old = 13% 35 to 39 years old = 14% 40 to 44 years old = 13% 45 to 49 years old = 12% 50 to 54 years old = 10% 55 to 59 years old = 9% 60 to 64 years old = 4% Over 65 years old = 1%	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.
Disability	Practitioners • the disability profile of the teaching practitioner workforce is currently unknown.	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	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.

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

			However, we acknowledge that the census only covers the teaching profession.
Gender reassignment	Practitioners • the gender reassignment profile of the teaching practitioner is currently unknown. • however anecdotal data from Scottish Teaching Unions indicates there is less than 1% of practitioners who are gender reassigned and also under 1% of practitioners who self-identify as non-binary.	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot) Anecdotal data from Scottish Teaching Unions.	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.
Marriage and civil partnership	Practitioners • the marriage and civil partnership profile of the teaching practitioner workforce is currently unknown.	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.

Pregnancy and maternity	Practitioners • the pregnancy and maternity profile of the teaching practitioner workforce is currently unknown.	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.
Race	Practitioners • the race profile of the teaching practitioner workforce is: 2% = minority ethnic background 93% = white 4% = prefer not to say 2% = unknown	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government. However, we acknowledge that the census only covers the teaching profession.
Religion or belief	Practitioners • the religion or belief profile of the teaching practitioner workforce is currently unknown.	Teacher census 2021: Teacher census supplementary statistics - gov.scot (www.gov.scot)	Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and

| | | | aggregated by the Scottish Government.

However, we acknowledge that the census only covers the teaching profession. |
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| **Sex** | Practitioners
• the sex profile of the teaching practitioner workforce is:
77% = women
23% = men | Teacher census 2021:
Teacher census supplementary statistics - gov.scot (www.gov.scot) | Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government.

However, we acknowledge that the census only covers the teaching profession. |
| **Sexual orientation** | Practitioners
• the sexual orientation of the teaching practitioner workforce is currently unknown. | Teacher census 2021:
Teacher census supplementary statistics - gov.scot (www.gov.scot) | Data gathered from the school staff census covers all publicly funded schools in Scotland (i.e. local authority and grant-aided schools) and considered high quality evidence. Data collection is local authority level and aggregated by the Scottish Government.

However, we acknowledge that the census only covers the teaching profession. |

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

Do you think that the Professional Learning and Leadership programmes impact on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☒	☐	☐	The Professional Learning and Leadership programmes will be delivered online using Glow and Microsoft Teams as the mode for engaging with participants, which is already in use throughout the Scottish education system.
Advancing equality of opportunity	☒	☐	☐	
Promoting good relations	☒	☐	☐	

Do you think the Professional Learning and Leadership programmes impact on people because of their disability?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☒	☐	☐	The Professional Learning and Leadership Programmes will use Glow and Microsoft Teams as the mode for engaging with participants, which has a variety of accessible functions that we have tested to meet the needs of teaching practitioners. Additionally, a specific question has been included within the registration process, which provides educators with the opportunity to self-declare any adaptations that they may require.
Advancing equality of opportunity	☒	☐	☐	
Promoting good relations	☒	☐	☐	

Do you think the Professional Learning and Leadership programmes impact 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

	Positive	Negative	None	
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The Professional Learning and Leadership programmes could potentially have both positive and negative impact on participants who are transitioning from one gender to another. For example, the importance of sensitivity when using preferred pronouns.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	For this reason, a specific question has been included within the registration process, which provides educators with the opportunity to self-declare any adaptations that they may require.

Do you think the Professional Learning and Leadership programmes impact on people because of their marriage or civil partnership?

Marriage and Civil Partnership[6]	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation.	☐	☐	☒	The Professional Learning and Leadership programmes neither positively nor negatively affect this protected characteristic.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the Professional Learning and Leadership programmes impact on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision

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

Eliminating unlawful discrimination, harassment and victimisation.	☐	☐	☒	The Professional Learning and Leadership programmes neither positively nor negatively affect this protected characteristic.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the Professional Learning and Leadership programmes impact on women, who are proposing to take maternity leave, are currently taking maternity leave, and are returning from maternity leave or who are pregnant?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☒	☐	☐	The Professional Learning and Leadership programmes could have a positive impact on participants who are pregnant or who are on maternity leave due to the online delivery and the deferral system currently in place.
Advancing equality of opportunity	☒	☐	☐	
Promoting good relations	☒	☐	☐	Additionally, all live sessions are recorded to enable participants to refer back to each session during their own study time.

Do you think the Professional Learning and Leadership programmes impact on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☒	☐	☐	The Professional Learning and Leadership programmes could have a positive impact on this protected characteristic as participants will have the opportunity to learn about the different ways Education Scotland are currently challenging gender stereotypes throughout the Scottish education system and also share their experiences in a safe space.
Advancing equality of opportunity	☒	☐	☐	
Promoting good relations	☒	☐	☐	

Do you think the Professional Learning and Leadership programmes impact on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	☐	☐	☒	The Professional Learning and Leadership programmes could positively and negatively affect this protected characteristic. It is therefore important to consider religious practices when engaging with participants throughout the programme.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Do you think the Professional Learning and Leadership programmes impact on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	☐	☐	☒	The Professional Learning and Leadership Programme have neither positive nor negative impact on this protected characteristic.
Advancing equality of opportunity	☐	☐	☒	
Promoting good relations	☐	☐	☒	

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Are there any positive or negative impacts identified for any of the equality groups?	The online delivery of Professional Learning and Leadership programmes can have both positive and negative impacts to varying degrees for most protected characteristic groups. Online delivery however can increase participation and could reduce barriers people might face when attending face-to-face events. Whilst moving programmes online can be positive for many groups, if the online delivery is not inclusive, then challenges remain, particularly for teaching practitioners with disabilities.
Is the policy directly or indirectly discriminatory under the Equality Act 2010[7]?	Indirectly. As we comply with updates to our Accessible Events Policy, we will continue to review our plans for online delivery 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 participants who enrol in our Professional Learning and Leadership programmes.
If not justified, what mitigating action will be undertaken?	N/A

Monitoring and Review

This impact assessment has highlighted the potential impacts that continuing to deliver Professional Learning and Leadership programmes online might have on participants with one or more protected characteristics.

We will continue to monitor and review our decisions on a routine basis.

Stage 5 - Authorisation of EQIA

Please confirm that:

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

Yes ☒   No ☐

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

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

Yes ☒   No ☐

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

Yes ☐   No ☐   not applicable ☒

Declaration

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

Name: Ollie Bray
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Authorisation date: 6th May 2022

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