

# Equality Impact Assessment

Education Scotland Health and Safety policy

Date 29th September 2023

# Equality Impact Assessment Record

<b>Title:</b>	Education Scotland Health and Safety Policy
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<b>Directorate: Division: Team</b>	Corporate Services: Human Resources and Facilities Teams
<b>Is this new policy or revision to an existing policy?</b>	This is a new policy (Revised on SG`s Policy)

# Screening

This Equality Impact Assessment (EQIA) aims to evaluate the impact of Education Scotland's new Health and Safety policy on staff, particularly on staff with one or more protected characteristics.

The main purpose of the new policy is to outline how we as an organisation manage health and safety across Education Scotland.

It is important to note that the new policy will be used alongside our new health and safety management system, which will require individual EQIAs to be conducted for each element.

Who will it affect? The new Health and Safety policy will affect all Education Scotland staff.

## The Scope of the EQIA

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.

## Key Findings

This EQIA has identified some potential negative and indirect effects of implementing the new policy document and these have been noted below with appropriate mitigating actions identified and established as described.

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

## What might prevent the desired outcomes being achieved?

There are a few issues that might affect our implementation and prevent us from achieving the desired outcomes. These include but are not exclusive to:

- The reform of Education Scotland. Although this factor is out with our control; we will continue to adapt our policy accordingly.

# Stage 1: Framing

## Results of framing exercise

The development of our new Health and Safety policy was led by our Facilities Teams. They decided at the outset of the development process that a consultative approach would be taken and staff were given opportunities to contribute to the development of the policy.

Several consultations have also taken place with several of our key stakeholders, which have informed our thinking, including:

- Health, Safety and Wellbeing Committee.
- Trade Union representatives.

As a result of our framing exercise, we identified that there was potential for the new policy to have moderate impact on some protected characteristic groups, either negatively or positively.

### Protected characteristic: age

Evidence tells us that there are several benefits associated with later life working, including physical and mental health benefits for individuals and the retention of vital skills and experience for employers<sup>1</sup>. The implementation of the new policy however needs to consider all age groups, with particular care given to ensuring that the range of support considers the specific needs of all Education Scotland staff.

The age profile of our workforce is at stage 2 of this assessment.

### Protected characteristic: disability

Evidence tells us that more than a third of disabled people who are employed cite their main impairment as an impairment affecting the musculoskeletal system, with more than one in five working disabled people citing a mental health condition as a main cause of their disability<sup>2</sup>. The support available to staff who may be affected by the work and activities of the organisation needs to consider both the physical and mental health of all colleagues, with particular care given to ensuring that the range of support and the implementation of the new policy 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.

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<sup>1</sup> <https://www.gov.scot/publications/older-people-employment-scotland/pages/10/>

<sup>2</sup> [Disability and employment, UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/people-in-work/disability-and-employment)

### **Protected characteristic: gender reassignment**

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

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 health and safety.

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%).

### **Protected characteristic: pregnancy and maternity**

The Health and Safety Executive states that pregnant workers and new mothers could be more prone to injury in the workplace<sup>4</sup>. This emphasises the importance for them to receive an initial risk assessment, that covers their specific needs, to ensure any risks are controlled before undertaking any work-related activities<sup>5</sup>.

Some women returning from work after maternity leave may also experience changes to their job role which include the need to undertake new work activities for the first time, therefore, consideration of additional safety mechanisms is required.

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

### **Protected characteristic: race**

We are aware of staff being subject to racial abuse as part of their work, for example, on our Building Racial Awareness Programme. Therefore, there is a risk that our new policy will affect staff from different racial identities.

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<sup>3</sup> [Scottish Government Equality Outcomes: Lesbian, Gay, Bisexual and Transgender \(LGBT\) Evidence Review \(www.gov.scot\)](http://www.gov.scot)

<sup>4</sup> <https://www.hse.gov.uk/mothers/employer/common-risks.htm>

<sup>5</sup> <https://www.hse.gov.uk/mothers/employer/risk-assessment.htm>

We will continue to make public statements when staff are subjected to racist behaviour as well as provide health and wellbeing support. The race profile of Education Scotland staff is at stage 2 of this assessment. A few of our staff are from minority ethnic backgrounds and therefore may require additional safety mechanisms for undertaking work activities.

### **Protected characteristic: religion or belief**

Evidence from the Inter Faith Network for the United Kingdom states that there are around 200 days of religious observance throughout 2023<sup>6</sup>. It is therefore important that suitable inter-faith and reflection spaces at work are considered as part of colleagues undertaking work activities.

The religion and belief profile of Education Scotland staff is at stage 2. Many of our staff identify 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**

We are currently not aware of any evidence that our new policy will affect this protected characteristic. We will however continue to explore the potential impact on people with different sexes.

The overall sex profile of our workforce is detailed at stage 2 of this assessment with women representing the majority of Education Scotland staff (74.6%).

### **Protected characteristic: sexual orientation**

We are currently not aware of any evidence that our new policy will affect this protected characteristic. We will however continue to explore the potential impact on people with different sexual orientations.

The overall sexual orientation profile of our workforce is detailed at stage 2 of this assessment.

### **Interaction with Other Policies (Draft or Existing)**

#### Education Scotland – Health and Safety Management System (HSMS)

The Education Scotland HSMS outlines how we as an organisation will manage health and safety across Education Scotland.

#### Education Scotland – Lone Working Guidance

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<sup>6</sup> <https://www.interfaith.org.uk/resources/religious-festivals>

The Education Scotland lone working guidance sets out our approach to lone working.

### **Extent/Level of EQIA required**

The framing exercise has highlighted the following actions:

- advertise the policy to staff using a range of communication channels; and,
- ensure accessible formats of the policy are available in all office locations as well as online portals;

## Stage 2: Data and evidence gathering, involvement and consultation

Protected characteristic	Evidence gathered and strength and quality of evidence	Source	Data gaps identified and action taken
<b>Age</b>	In 2021, the age profile of Education Scotland was: 16- to 29-year-olds (3.2%), 20 to 39 year olds (17.1%), 40 to 49 year olds (26.7%), 50 to 59 year olds (38.1%), 60 years + (14.9%).	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.
	<p><b>Hybrid Working</b> Regardless of age, across the entire Civil Service it is reported that:</p> <ul style="list-style-type: none"> <li>• 6% of respondents were workplace based.</li> <li>• 2% of respondents were contractual home-based worker.</li> <li>• 89% of respondents worked hybrid;</li> <li>• 1% of respondents worked mobile.</li> </ul>	Education Scotland People Survey Results 2022.	It is also important to note that our annual People Survey results depend on self-declarations from staff.
	<p><b>Loneliness</b> 24% of Education Scotland staff indicated that in the last year they occasionally felt lonely.</p>		A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.
	<p><b>Caring responsibilities</b> Colleagues who indicated they give support or help to anyone because they have a long-term condition or illnesses reported:</p> <ul style="list-style-type: none"> <li>• that they know where to access information and support in their organisation (54%).</li> </ul>		<p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.</p>



	<ul style="list-style-type: none"> <li>that they felt supported by their manager to balance their work and caring responsibilities (76%).</li> </ul>		
<b>Disability</b>	In 2020, 20% of Education Scotland staff self-declared as being disabled, having a long-term health condition and/or illness in the past 12 months.	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.  It is also important to note that our annual People Survey results depend on self-declarations from staff.  A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.  <b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.
	<b>Musculoskeletal problems</b> 62% of Education Scotland staff self-declared as having experienced musculoskeletal problems in the last year.		
	<b>Accessible workplaces</b> 70% of Civil Service colleagues with disabilities, conditions or illnesses agreed that their manager supports them to ensure they have the workplace adjustments they need to reduce the barriers they face due to their condition(s) or illness(es).		
	<b>Long COVID-19</b> 11% of Civil Service colleagues described themselves as having ‘long Covid’ with 6% self-reporting their symptoms affected their day-to-day activities.		
<b>Gender reassignment</b>	In 2020, around 4% of overall Scottish Government workforce identified as transgender.	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile

	<p><b>Organisation Culture</b> In 2022, at Civil Service level:</p> <ul style="list-style-type: none"> <li>• 71% felt able to challenge inappropriate behaviour in the workplace.</li> <li>• 78% agreed that their organisation is committed to creating a diverse and inclusive workplace.</li> </ul>	<p>Education Scotland People Survey Results 2022.</p>	<p>of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p> <p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.</p>
<p><b>Marriage and civil partnership</b></p>	<p>In 2020, 42.5% of Education Scotland workforce was married or in a civil partnership.</p>	<p>Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a></p>	<p>We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p>

			<p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.</p>
<b>Pregnancy and maternity</b>	In 2020, across the Scottish Government workforce, there was a general trend in staff taking longer lengths of maternity leave, with the majority taking between 40 and 52 weeks (81%).	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	<p>We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p> <p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider</p>

			any new evidence / emerging evidence as appropriate.
<b>Race</b>	In 2020, the race profile of the Education Scotland was: minority ethnic background (0.6%), white (66.7%), prefer not to say (1.3%), unknown (31.4%).	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.
	<b>Discrimination, bullying and harassment</b> 21% of Education Scotland staff indicated that they have been bullied and/or harassed at work in the past 12 months with 16% self-reporting the perpetrator as someone either working in another Civil Service organisation, a contractor or preferring not to say.	Education Scotland People Survey Results 2022.	It is also important to note that our annual People Survey results depend on self-declarations from staff.  A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.  <b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.
<b>Religion or belief</b>	In 2020, the religion or belief profile of our workforce was: none (23.3%), Christian (32.4%), other religion (1.6%), prefer not to say (4.8%), unknown (38.1%).	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile

			<p>of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p> <p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.</p>
<b>Sex</b>	In 2020, the sex profile of our workforce was: female (74.6%) and male (25.4%).	Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a>	<p>We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p>
	<p><b>Mental Health and Physical Health</b> In 2022, regardless of sex, Education Scotland colleagues self-reported their mental health as:</p> <ul style="list-style-type: none"> <li>• 13% excellent</li> <li>• 38% very good</li> <li>• 29% good</li> <li>• 13% fair</li> </ul>	Education Scotland People Survey Results 2022.	

	<ul style="list-style-type: none"> <li>• 7% poor</li> </ul> <p>And their physical health as:</p> <ul style="list-style-type: none"> <li>• 6% excellent</li> <li>• 30% very good</li> <li>• 39% good</li> <li>• 20% fair</li> <li>• 4% good</li> </ul>		<p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider any new evidence / emerging evidence as appropriate.</p>
<p><b>Sexual orientation</b></p>	<p>In 2020, the sexual orientation of our workforce was: LGBT (2.2%), Heterosexual/straight (56.5%), prefer not to say (3.5%), unknown (37.8%).</p>	<p>Equality outcomes and mainstreaming report 2021 – Employee Equality Data Annex: <a href="http://www.gov.scot">Data Annex (www.gov.scot)</a></p>	<p>We acknowledge that some of the data cited might not accurately reflect the current protected characteristic profile of our workforce due to time lapse.</p> <p>It is also important to note that our annual People Survey results depend on self-declarations from staff.</p> <p>A small majority of evidence is also only relevant to the civil service workforce, rather than Education Scotland specifically.</p> <p><b>Next steps –</b> Continue to review this EQIA regularly and update to consider</p>

			any new evidence / emerging evidence as appropriate.
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## Stage 3: Assessing the impacts and identifying opportunities to promote equality

Do you think the new Health and Safety Policy 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"/>	<p>Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to age.</p> <p>There are potentially positive and negative impacts for people across all age groups. While the new policy documentation ensures Education Scotland meets its obligations to minimise risks to the health, safety and welfare of all staff and third parties, the organisations hybrid working approach may make it more difficult for staff to replicate their office working arrangements in the home setting.</p> <p>Although this will be managed by line managers, we will ensure the following support measures are in place for all staff:</p> <ul style="list-style-type: none"> <li>• offices remain open and accessible during working hours; and,</li> <li>• efficient ordering of home working equipment.</li> </ul> <p>In addition, we will also ensure clear and concise copies of the policy documentation and signage are available to staff, in all office locations and online portals.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

				<p>The HR &amp; OD team have set up regular Carers Support meetings, which run every month. The sessions are designed for colleagues to come along and support each other, share experiences, and outline support available to staff with caring responsibilities. This is a positive initiative supporting all colleagues.</p> <p>Education Scotland HR &amp; OD Team will continue developing and sharing messages, avenues of support for all staff and running sessions related to health conditions and work/life balance related to staff within different age groups.</p> <p>Education Scotland HR &amp; OD team will continue to promote inclusive recruitment and the application of Scottish Government resourcing policy, through management of campaigns, close working with recruiting managers and scrutiny of recruitment campaign outcomes.</p>
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**Do you think the new Health and Safety Policy impacts on people because of their disability?**

<b>Disability</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to disability.
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are potentially positive impacts for people with disabilities. For example, the new policy documentation and signage will be available in a range of accessible formats to meet individual needs.
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In addition, as part of the induction process for on-boarding staff, new employees will be encouraged to self-declare any pre-existing medical conditions on our eHR systems (using the employee passport). This information will then be used to inform whether an individual may require



				<p>reasonable adjustments such as a personal emergency evacuation plan before they undertake business activities for the organisation.</p> <p>Education Scotland HR &amp; OD Team have also held staff sessions informing staff about the employee passport and developed a bespoke template for the agency.</p> <p>The employee passport also enables Education Scotland to obtain more information on disabled staff which will help to influence the range of health and wellbeing support the organisation can provide.</p> <p>Furthermore, where staff are responsible for visitors to our offices (i.e. business meetings and recruitment interviews), they will be required to conduct a range of health and safety checks beforehand. These checks include but are not exclusive to:</p> <ul style="list-style-type: none"> <li>• completing visitor forms.</li> <li>• informing reception staff of key details such as the building, room, dates and times visitors will be on site.</li> <li>• ensuring visitors always have valid photographic identification with them.</li> <li>• providing appropriate fire evacuation information.</li> <li>• ensuring meeting rooms and facilities are hazard free.</li> </ul> <p>Individuals will also be encouraged to report any health and safety concerns they have to the facilities team who are responsible for conducting routine hazard inspections and are accountable to the organisations Health, Safety and Wellbeing Committee.</p>
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**Do you think the new Health and Safety Policy impacts on people proposing to undergo, undergoing, or who have undergone a process for reassigning their sex?**

<b>Gender reassignment</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to gender reassignment.</p> <p>There are potentially positive impacts for people from this protected characteristic group. For example, the new policy documentation and signage will be developed using gender neutral and inclusive language.</p> <p>In addition, as gender reassigned people are more likely to have changed their title and/or name and/or pronouns. It is therefore important to note that any forms to be completed by staff in relation to health and safety processes and procedures will not refer to specific titles and/or use pronouns.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Do you think the new Health and Safety Policy impacts on people because of their marriage or civil partnership?**

<b>Marriage and Civil Partnership<sup>7</sup></b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment, and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to marriage or civil partnership.</p> <p>We do not foresee that the new policy documentation or signage will have any impact on people because of they might be in a marriage or civil partnership however we will continue to monitor this.</p>
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"/>	

<sup>7</sup> 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.

**Do you think the new Health and Safety Policy 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?**

<b>Pregnancy and Maternity</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to pregnancy and maternity.
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There could be potentially positive impacts on people who are pregnant or on maternity leave. For example, the new policy documentation will be available for all staff to access including individuals who are pregnant, on maternity leave (keeping in touch days), or who are returning to work (full time and/or phased returns).</p> <p>In addition, as part of the process for maintaining the health and wellbeing of employees who are pregnant, consideration will be given to risk assessing the business activities of expectant mothers. The risk assessment will then be used to recommend the most appropriate reasonable adjustments to support their individual needs, which include but are not exclusive to working hours, manual handling and travel.</p> <p>Furthermore, when individuals return to work after a period of maternity leave, consideration will be given to the breastfeeding needs they self-declare.</p> <p>For instances where staff are responsible for visitors to our offices and planning face to face public engagements, they will also be required to ensure appropriate facilities are available for this protected characteristic group.</p>
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

				It is also important to note that Scottish Government employees receive higher rates of maternity leave payments over a longer period of time when compared to statutory maternity payments.
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**Do you think the new Health and Safety Policy impacts on people on the grounds of their race?**

<b>Race</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to race.
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are potentially positive impacts for staff with different racial identities. For example, the new policy documentation and signage will be developed using clear English language and communicated to staff through various channels including verbal and written formats.
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Education Scotland will also make public statements when staff are subject to racial abuse as well as providing a range of health and wellbeing support as part of mitigating actions.  Our HR & OD team developed support for the individuals experiencing racial abuse and/or harassment and a reporting process for cases such as this. Currently if a member of Education Scotland staff experiences racial abuse the HR & OD team would take the following steps. This approach will be embedded in our Equalities Strategy, form part of our corporate induction and be regularly communicated with as part of regular messaging about how to report and deal with problems at work.

**Do you think the new Health and Safety Policy impacts on people because of their religion or belief?**

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to religion or belief.</p> <p>There are potentially positive impacts for staff from different inter-faith groups. For example, the new policy documentation and signage will be available for all staff to access including individuals who are on flexible working patterns during periods of religious observance.</p> <p>In addition, all employees will have access to the organisations eHR system, where they can individually maintain their employment record including their religious and/or belief profile. This information will then be used to inform the resourcing of inter-faith rooms throughout our office locations to ensure staff can safely carry out religious observances.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Do you think the new Health and Safety Policy 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"/>	<p>Education Scotland's new health and safety policy should be developed in such a way that it will not create unlawful discrimination related to sex.</p> <p>There are potentially positive impacts for people who are male or female. For example, the new policy documentation and signage will be developed using gender neutral and inclusive language.</p> <p>In addition, all employees will have access to the organisations eHR system, where they can individually maintain their employment record including any caring responsibilities they have (using the carers passport). This information will then be used to inform any flexible working arrangements individuals require in order to maintain a healthy work life balance.</p>
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Promoting good relations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

				The carer passport also enables Education Scotland to obtain more information on the additional commitments staff have out with work which will help to influence the range of health and wellbeing support the organisation can provide.
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**Do you think the new Health and Safety Policy impacts on people because of their sexual orientation?**

<b>Sexual orientation</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The health and safety policy used by Education Scotland should be developed in such a way that it will not create unlawful discrimination related to sexual orientation.  We do not foresee that the new policy documentation will have any impact on people because of their sexual orientation however we will continue to monitor 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

Have positive or negative impacts been identified for any of the equality groups?	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

This EQIA will be reviewed on an annual basis or following significant change to health and safety processes and procedures or legislative changes to the Equalities Act.

## Stage 5 - Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of our new Health and Safety Policy.

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 diverse needs.
- encouraging participation (e.g., in public life); and
- 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:** Maureen Hamilton

**Position:** Interim Strategic Director of Corporate Services & Governance

**Authorisation date:** 05/10/2023



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