

General Equality Duty:

Eliminate discrimination
Advance equality
Foster good relations

Equality Impact Assessment

1. Name of policy/procedure/proposal/project/decision*:	SQA Complaints Handling Procedure
Completed by:	Alison Tobia, Joanne Lawrie, Paul Wistuba and members of the Complaints Handling Procedure Short Life Working Group
Head of Service:	Steve Borley
Date:	October 2020 and updated September 2021
Signature:	
Next scheduled review date:	At next review – date to be confirmed

2. Name of policy/procedure/proposal/project/decision*:
SQA Complaints Handling Procedure

3. What is main purpose of the policy?
<p>SQA is a body under jurisdiction of the Scottish Public Services Ombudsman (SPSO). As a result, SQA has statutory obligations to comply with SPSO’s mandatory model for complaint handling.</p> <p>SPSO has revised the mandatory complaints handling procedure (CHP), which SQA is required to adopt and implement by April 2021.</p> <p>This EqIA covers SQA’s approach to handling complaints in line with the mandatory requirement and to consider the impact in relation to protected characteristics. We aim to provide an accessible process – as part of the work to develop SQA’s complaints handling procedure we will review current activity and consider improvements. Customers can access the service in a number of ways - in person at any of our offices (when our offices are open), by phone, in writing, by email or via our complaints form on our website.</p>

4. What information, and evidence, is being used to evaluate the impact of this policy on people who share protected characteristics?
<p>Internal sources of evidence:</p> <ul style="list-style-type: none">- SQA does not currently capture information on the protected characteristics of complainants- SQA has no record identifying that individuals with protected characteristics have expressed that they have encountered any difficulties in accessing or in their experience of using the current SQA complaints handling procedure

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External sources of evidence:

In seeking to complete an Equality Impact Assessment of the mandatory national complaints handling procedure, SQA has,

- Sought to obtain from SPSO (a) a copy of the central EQIA completed and/or (b) a copy of any primary or secondary research considered as part of a central EQIA for the mandatory national model.
- Sought to obtain from the Scottish NDPB Equality Forum (a) copies of EQIA completed and/ or (b) a copy of any primary or secondary research considered by other Scottish NDPBs in relation to complaints handling
- Sought to obtain from the SPSO-supported Complaints Handling Procedure Knowledge Hub for similar public bodies (a) copies of EQIA completed and/ or (b) a copy of any primary or secondary research considered by other Scottish public bodies in relation to complaints handling
- Completed initial internet searches to identify any secondary research published by SPSO (beyond the Making Complaints Work for Everyone Report and related report on Querulousness) or the Equality & Human Rights Commission in relation to barriers encountered by individuals with protected characteristics
- Completed initial internet searches to identify meaningful EQIA reports published by Scottish public service organisations subject to the Public Equality Duties

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Public Sector Equality Duty

SQA is required to have ‘due regard’ to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

This section provides the opportunity to capture how the policy will contribute towards the three aims of the general equality duty, and to consider if there is anything more we need to do to meet our responsibilities.

5. How might this policy impact on people who share protected characteristics? Please consider positive or negative impact. (At the beginning of the process you may want to record perceived impact – ongoing monitoring of the policy will allow you to measure the actual impact of the policy)				
Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide more information
Age	✓			<p>There is no differential impact identified in terms of different age groups. The policy and procedure apply equally to all people regardless of age.</p> <p>A proportion of SQA complaints relate to young people, reflective of the services provided by SQA. Arrangements are in place to support young people in raising complaints through a representative (often a parent/ carer).</p>
Disability		✓	✓	<p>It is recognised that there could be various barriers for some people in accessing the policy and procedure. The complaints handling procedure explains that SQA will consider any request for translation of this procedure into alternative formats and community languages, in line with corporate policy. SQA will consider any requests received, and will monitor any patterns emerging from any such requests to determine any further actions required.</p> <p>Disabled people/those with additional support needs may have different communication styles or require additional support to make their complaint.</p>

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				<p>As a result, related information could be made accessible in alternative formats and customers can contact us in a variety of different ways, including by telephone and through the website. Provision is also made for British Sign Language (BSL) users to make initial contact with SQA by using Contact Scotland BSL interpretation service via our website. In September 2021, SQA began asking complainants through the online complaints forms whether there are adjustments that would help them to engage with the process. An example would be agreeing to a request to communicate primarily by telephone with a complainant who indicates that this would be a reasonable adjustment where they struggle with the written word as a result of dyslexia. SQA will consider any requests for adjustments, and will monitor any patterns emerging from such requests to determine any further action required. We have also added information to SQA's Complaints web pages signposting to advocacy and support services to help customers raise their complaint with us.</p>
Marriage / Civil Partnership	✓			<p>The policy and procedure apply equally to all people regardless marital/ civil partnership status. No barriers in accessing the service identified for this group.</p>
Race		✓	✓	<p>The policy and procedure apply equally to all people regardless of race. The complaints handling procedure explains that SQA will consider any request for translation of this procedure into alternative formats and community languages, in line with corporate policy. SQA will consider any requests received, and will monitor any patterns emerging from any such requests to determine any further actions required.</p>
Religion / Belief / non-Belief	✓			<p>The policy and procedure apply equally to all people regardless of religion or belief.</p>

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				No barriers in accessing the service identified for this group.
Sexual Orientation	✓			The policy and procedure apply equally to all people regardless of sexual orientation. No barriers in accessing the service identified for this group.
Gender Re-assignment (Gender identity and transgender)		✓	✓	Consideration of those undergoing re-assignment as candidates may contact us under a different name to that held on SQA records, this should be handled in a sensitive way in line with any applicable corporate policy and/ or guidance.
Pregnancy / Maternity	✓			The policy and procedure apply equally to all people regardless of pregnancy or maternity. No barriers in accessing the service identified for this group.
Sex	✓			The policy and procedure apply equally to all, regardless of sex. No barriers in accessing the service identified for this group.
Care experience (where relevant)	✓			<p>In recognition of SQA's role as a corporate parent, we aim to encourage consideration of the needs of Care Experienced Young People in the development and delivery of services. Complaint procedures will ensure anyone can make a complaint in several different ways – in person, in writing, by telephone and by email.</p> <p>Therefore, like the equality groups listed, the policy and procedure apply equally and are widely accessible. Arrangements are in place to support young people in raising complaints through a representative.</p>

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6. What arrangements could be implemented to reduce or mitigate any potential adverse or negative impacts identified above?

- Signposting to advocacy services
- A variety of ways to raise complaints to ensure anyone can access the service
- We offer to produce documents, on request, in alternative formats, including large type, Braille and numerous community languages.
- From September 2021, we will ask complainants through the online complaints forms whether there are adjustments they require to be able to engage with the process.

7. If you are proceeding with a decision that may have a negative impact despite the mitigatory arrangements identified in Step 5, are you satisfied that this is objectively justified, i.e. a proportionate means of achieving a legitimate aim? Please provide explanatory details.

N/A

8. Could this policy be revised or changed to better meet the general equality duty?

SQA's Complaints Handling Procedure outlines examples of how we will meet our responsibilities and ensure vulnerable groups can access our complaints procedure. SQA's Complaints Manager carried out virtual organisation-wide training in January 2021 and took the opportunity to remind colleagues about the support available and measures we can take to ensure the service is accessible.

We will continue to explore opportunities to offer additional support for those groups who may require it.

In terms of gender reassignment (gender identity and trans) we will consider refresher training/requirements for information and guidance to support SQA staff in handling complaints from any candidate who may contact us under a different name to that held on SQA records, to ensure these are handled in a sensitive way.

9. Has there been consultation/is consultation planned with people who will be affected by this policy/procedure/project/decision? Please detail below how this has affected your decision making.

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No specific additional consultation completed or planned. Internal consultation has taken place with a number of teams across SQA to inform our Complaint Handling Procedure, which is based on the mandatory national model published by SPSO.

10. How will this policy be monitored and evaluated?

SQA will monitor and evaluate this policy through analysis of statutory reporting requirements that include:

- Annual and Quarterly reporting to senior management in line with key indicators from the Scottish Public Services Ombudsman.
- Publication of reporting, including “You said, we did” where we consider the impact complaints have had across SQA procedures and processes.

SQA will also monitor requests received from those seeking to access the complaints procedure for translation of the procedure into alternative formats or community languages, or for adjustments to be made to better support them through the complaints handling procedure, to identify further actions required.

SQA will also explore potential to gather and analyse equalities monitoring data about individuals accessing the complaints handling procedure in a way that protects individuals’ rights in relation to information law, and that does not deter individuals from accessing the service.

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Action Plan

Action:	Owners:	Dates:
Monitor any patterns emerging from requests to translate complaints handling procedure into alternative formats or community languages, to identify any further action required	Head of Strategic Planning & Governance	Ongoing
Monitor any patterns emerging from requests to provide adjustments to help individuals access and use the complaints procedure, to identify any further action required	Head of Strategic Planning & Governance	Ongoing
Explore potential for refresher training/ guidance to support SQA staff in handling complaints from any candidate who may contact us under a different name to that held on SQA records, to ensure these are handled in a sensitive way.	Head of Strategic Planning & Governance	By end December 2021
Explore potential to gather and analyse equality monitoring data as part of the complaints process, in a way that protects individuals' rights in relation to information law, and that does not deter individuals from accessing the service.	Head of Strategic Planning & Governance	By end December 2021

Sign off: _____

Date: _____

Please send your completed equality impact assessment to:

Joanne Lawrie
Equality & Diversity Manager

Thank you.