

# Equality Impact Assessment

## Summary

<b>Name of Policy or practice</b>	<b>Disciplinary</b>	
<b>New Policy or Revision</b>	Revised	
<b>Policy Owner (role)</b>	Head of Human Resources	
<b>Date Policy Owner Confirmed Completion</b>	April 2024	
<b>Agreed Schedule Review Date</b>	April 2027 <b>Additional review date</b>	<b>(Action review date)</b> April 2026

## Action Plan

This section is completed at the end of the Equality Impact Assessment. Due to the importance of embedding equality in SQA through our actions the Action Plan will be the focus and record of ongoing actions.

Explain how you will monitor and record the actual impact on equality groups, including how the evidence can be revisited to measure the actual impact.

Required Actions	Owner	Date	Comment & Review
Actions taken to <b>monitor the implementation of policy and the impact on equality groups</b> (evidence and consultation)			<b>[ONGOING RECORD]</b>
Review and assess monthly establishment management information packs containing fundamental employment data on SQA employees	People Analytics, Governance & Systems Manager	Commencing monthly from October 2022	Continue
Review on a quarterly basis of employment law, case law and legislative changes, and equalities updates (including reviewing EHRC website)	HR Shared Services Manager	Commencing quarterly from January 2023	Continue
Review and assess feedback on a quarterly basis from joint trade unions (Unite and Unison) through SQA's Joint engagement forum and Policy review group	HR Shared Services Manager	Commencing quarterly from January 2023	Continue
Review and assess feedback on a quarterly basis from each of SQA's staff community network groups	HR Shared Services Manager	Commencing quarterly from January 2023	Continue
Continue to review and assess on an annual basis SQA's engagement People survey	OD Manager	Commencing annually from October 2023	Continue – people survey moving to quarterly pulse survey

Review and assess on an annual basis all SQA employee lifecycle data	People Analytics, Governance & Systems Manager	Commencing annually from January 2024	Commenced and continue
Continue to review and assess every 2 years SQA's Equality mainstreaming report [next report due May 2023]	People Reward and Equalities Manager	Commencing every 2 years from May 2023	Continue
Continue to review and assess every 2 years SQA's workforce Equality monitoring report [next report due May 2023]	People Reward and Equalities Manager	Commencing every 2 years from May 2023	Continue

## Policy Aims

### What is the rationale for this policy or practice?

The aim of the SQA disciplinary policy is to encourage colleagues to achieve and maintain appropriate standards of conduct in line with SQA's code of conduct and values of being trusted, progressive and enabling. The policy and accompanying procedure comply with the Advisory, Conciliation and Arbitration Service (ACAS) code of practice and meets all current relevant legislation.

The policy outlines the types of behaviour which may be viewed as misconduct or gross misconduct and sets out the procedure and consequences should these standards not be maintained. The policy is to ensure that issues of misconduct are managed and dealt with in a fair and consistent manner.

### What evidence is there to support the implementation or development of this policy or practice?

Employers are legally obliged to have disciplinary procedures in place. It is the employer's responsibility to set and maintain standards of behaviour and performance within the organisation and to put in place disciplinary rules and procedures to help ensure that the standards are followed.

An effective disciplinary policy is key to good employment relations and to ensuring that individuals are treated fairly and consistently in cases where standards of behaviour fall below an acceptable level. (Employment Rights Act 1996)

The Chartered Institute of Personnel and Development (CIPD) state:

Difficulties may arise at various points in the employment relationship, and disciplinary and grievance procedures are there to ensure that these challenges are dealt with fairly and consistently. For this reason, employers need procedures that support both the employer's and employee's perspective. Employers should follow both their own procedures and the ACAS Code of Practice: Disciplinary and Grievance Procedures.

The written statement of employment particulars (under the Employment Rights Act 1996) must include reference to any disciplinary, dismissal or grievance procedures, although the actual procedures can be supplied elsewhere, such as in a staff handbook. The availability of proper, fair procedures is a central to unfair dismissal law.

ACAS states that a disciplinary procedure is a formal way for an employer to deal with an employee's unacceptable or improper behaviour. The ACAS Code of Practice: Disciplinary and Grievance Procedures, which this policy complies with, is issued under section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992. A failure to follow the Code does not make a person or organisation liable to proceedings. However, employment tribunals will take the Code into account when considering relevant cases.

### **What are the aims of this policy or practice?**

The following SQA policies are also related to the Disciplinary Policy & Procedure:

- Attendance management
- Addressing Financial Irregularity
- Code of Conduct
- Dignity at work
- Equality, Diversity and Inclusion (not yet published)
- Grievance
- Improving Performance
- Probation
- Whistleblowing
- Gender Identity and Transitioning at Work

**How is the content of these aims relevant to equality groups?**

One of the main reasons for having a disciplinary policy and procedure is to ensure that all employees are treated fairly and consistently throughout the disciplinary process. As such, particular attention must be paid to any protected characteristics, or potential protected characteristics, which may be apparent or could be relevant.

**Overall Identification of Equality Risks in this Policy:**

This Equality Impact Analysis has identified that SQA **does not currently collate or analyse performance management data** (e.g. warnings, disciplinaries, dismissals etc) by 'Protected Characteristic.' It is not possible therefore to either identify nor discount any risk of discrimination or disproportionality within SQA performance management related activities.

However, **the overall sample size of people being subjected to performance management action within SQA during the last two years is a total of four people** - all of whom received first stage informal action which was not formally recorded. Profiling information (e.g. *Age, Sex* etc) relating to this cohort was not captured and is therefore not available for reporting purposes.

**We therefore conclude:**

- (i) There is a non-existent data sample relating to the use of this policy in SQA.**
- (ii) It is impossible to draw any meaningful conclusions in respect of Equality Impact.**

We have noted as an action point from this assessment for SQA to commence collection of data, by 'Protected Characteristic' for all employees subjected to any form of disciplinary action – including informal action.

## Evidence, Consultation and Engagement

### What stakeholders have you engaged with in the development of this policy or practice?

This policy has been developed in consultation with SQA's recognised Trades Unions, Unite and Unison, who represent all staff throughout the organisation.

In addition, as this is an internal policy, SQA has only consulted with internal groups. These include:

- ACE (Appreciate Culture and Ethnicity) Network.
- SQA Disability Network.
- SQA Rainbow Network.
- Women's Network.

#### Evidence of Stakeholder Engagement:

##### Trade Union Consultation Review Group (Policy Review Group):

Members of SQA Human Resources department and trade union representatives from *Unite the Union* and *Unison* meet weekly in SQA via the PRG. SQA's trade union representatives are also given statutory time off to attend relevant training, meetings and other information gathering activities as supported in our union framework agreement.

**Evidence of all meeting minutes, actions and consultation undertaken with the PRG group** (including equality considerations in respect of all policies, activities and functions) is detailed on a dedicated SQA shared resources site.

**What evidence about equality groups do you have to support this assessment?**

**Age**

**Table 1.1: Age**

Age bracket	2019 no	2019 %	2020 no	2020 %	2021 no	2021 %	2022 no	2022 %	Variance no	Variance %
16-24	59	6.32%	50	5.27%	49	4.93%	36	3.47%	-23	-2.85%
25-29	65	6.97%	60	6.32%	73	7.35%	105	10.14%	40	3.17%
30-34	123	13.18%	109	11.49%	96	9.67%	95	9.17%	-28	-4.01%
35-39	131	14.04%	145	15.28%	146	14.70%	144	13.90%	13	-0.14%
40-44	129	13.83%	135	14.23%	146	14.70%	150	14.48%	21	0.65%
45-49	116	12.43%	105	11.06%	113	11.38%	124	11.97%	8	-0.46%
50-54	125	13.40%	141	14.86%	131	13.19%	126	12.16%	1	-1.24%
55-59	119	12.75%	117	12.33%	122	12.29%	122	11.78%	3	-0.98%
60-64	53	5.68%	72	7.59%	81	8.16%	102	9.85%	49	4.16%
65+	13	1.39%	15	1.58%	36	3.63%	32	3.09%	19	1.70%
<b>Total</b>	<b>933</b>	<b>100.00%</b>	<b>949</b>	<b>100.00%</b>	<b>993</b>	<b>100.00%</b>	<b>1036</b>	<b>100.00%</b>	<b>103</b>	<b>11.04%</b>

Table 1.1 shows the age profile of the organisation from 2019 to 2022

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

**Disability**

**Table 3.1: Disability**

Disability	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %	Variance number	Variance %
No	417	44.69%	651	68.60%	683	68.78%	697	67.28%	280	22.59%
Not Specified	444	47.59%	152	16.02%	152	15.31%	184	17.76%	-260	-29.83%
Prefer not to say	21	2.25%	68	7.17%	76	7.65%	72	6.95%	51	4.70%
Yes	51	5.47%	78	8.22%	82	8.26%	83	8.01%	32	2.54%
<b>Total</b>	<b>933</b>	<b>100.00%</b>	<b>949</b>	<b>100.00%</b>	<b>993</b>	<b>100.00%</b>	<b>1036</b>	<b>100.00%</b>	<b>103</b>	<b>0.00%</b>



Source: SQA Workforce Equality Monitoring Report 2021-23  
[Equalities: SQA workforce monitoring report 2021-23](#)

Table 3.1 shows the composition of the disability self-reporting categories for the period from 2019 to 2022.

Of those staff who have declared a disability, females made up 58.54% (2021) and 53.01% (2022) of the population, and males 41.46% (2021) and 46.99% (2022). Due to the low number of staff declaring a disability within SQA we are unable to publish further intersectional data in relation to disability and other protected characteristics.

**Race**

**Table 7.1: Race**

<b>Ethnicity</b>	<b>2019 number</b>	<b>2019%</b>	<b>2020 number</b>	<b>2020%</b>	<b>2021 number</b>	<b>2021%</b>	<b>2022 number</b>	<b>2022%</b>
African, Scottish African or British African	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	<5	<0.48%
Asian, Scottish Asian or British Asian	13	1.39%	20	2.11%	24	2.42%	25	2.41%
Caribbean or Black	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Mixed or multiple ethnic group	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Not specified	383	41.05%	123	12.96%	101	10.17%	122	11.78%
Other ethnic group	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Prefer not to say	10	1.07%	33	3.48%	34	3.42%	30	2.90%
White	523	56.06%	763	80.40%	825	83.08%	849	81.95%

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Table 7.1 shows the ethnic minority background of staff within the organisation for the period from 2019 to 2022

Just under 3.50% staff declared they were from an ethnic minority background in both 2021 (3.32%) and 2022 (3.38%). However, it is encouraging to note that the percentage of staff declaring they are from an ethnic minority background has increased overall by 3.97% between 2019 and 2022. The percentage of staff within each ethnic minority category has remained relatively stable over the last three years.

**Religion or Belief**

**Table 8.1: Religion or belief**

Religion or belief	2019 number	2019%	2020 number	2020%	2021 number	2021%	2022 number	2022%
Another religion or body	< 5	< 0.54%	< 5	< 0.53%	6	0.60%	6	0.58%
Buddhist	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Church of Scotland	91	9.75%	122	12.86%	127	12.79%	125	12.07%
Hindu	< 5	< 0.54%	< 5	< 0.53%	7	0.70%	8	0.77%
Jewish	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Muslim	7	0.75%	11	1.16%	10	1.01%	11	1.06%
None	286	30.65%	421	44.36%	462	46.53%	489	47.20%
Not specified	405	43.41%	126	13.28%	102	10.27%	123	11.87%
Other Christian	26	2.79%	43	4.53%	44	4.43%	44	4.25%
Prefer not to say	35	3.75%	98	10.33%	103	10.37%	103	9.94%
Roman Catholic	76	8.15%	118	12.43%	129	12.99%	123	11.87%
Sikh	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%

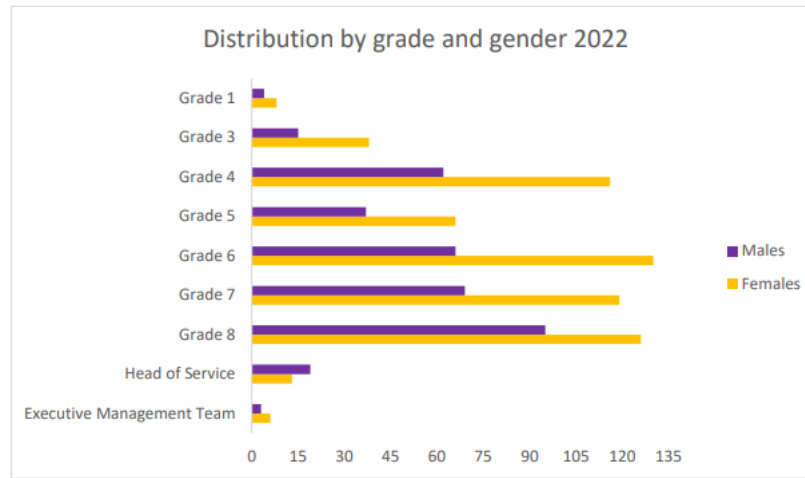
Table 8.1 shows the religion, belief or non-belief status of staff within the organisation for the period from 2019 to 2022.

Source: SQA Workforce Equality Monitoring Report 2021-23  
[Equalities: SQA workforce monitoring report 2021-23](#)

**Sex**

**Gender**

**Distribution by grade and gender of SQA grade 1 – EMT**



Source: SQA Summary of Equal Pay Audit 2023  
[Scottish Qualifications Authority \(sqa.org.uk\)](https://www.sqa.org.uk)

The majority of the 2.9 million lone-parent families in 2022 were headed by a lone mother (2.5 million, 84%)

Source: <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2022>

59% of unpaid carers are women (Census 2021). Women are more likely to become carers and to provide more hours of unpaid care than men. More women than men provide high intensity care at ages when they would expect to be in paid work (Petrillo and Bennett, 2022)

Source: Carers UK

There are 1.25 million sandwich carers in the UK. These are people caring for an older relative as well as bringing up a family. 68% (850,743) are women.

Source: <https://www.ageuk.org.uk/our-impact/campaigning/care-in-crisis/breaking-point-report/>

**Sexual Orientation**

**Table 10.1: Sexual orientation**

Sexual Orientation	2019 number	2019%	2020 number	2020%	2021 number	2021%	2022 number	2022%
Bisexual	9	0.96%	12	1.26%	15	1.51%	16	1.54%
Gay man	13	1.39%	20	2.11%	21	2.11%	23	2.22%
Gay woman / lesbian	9	0.96%	10	1.05%	12	1.21%	12	1.16%
Heterosexual / straight	431	46.20%	670	70.60%	700	70.49%	702	67.76%
In another way	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Not specified	< 5	< 0.54%	< 5	< 0.53%	156	15.71%	189	18.24%
Not sure	26	2.79%	76	8.01%	< 5	< 0.50%	< 5	< 0.48%
Prefer not to say	443	47.48%	158	16.65%	84	8.46%	88	8.49%

Table 10.1 shows the composition of staff sexual orientation within the organisation for the period 2019 to 2022.

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

**Gender Re-assignment  
(Gender identity and transgender)**

Due to the low number of staff reporting as transgender or describing their gender identity 'in another way', we are unable to publish further data in relation to gender re-assignment or gender identity. This data is, however, monitored internally

**Marriage/Civil Partnership**

**Table 5.1: Relationship status**

Relationship status	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %
Civil Partnership	7	0.75%	7	0.74%	8	0.81%	9	0.87%
Co-habiting/in a relationship	80	8.57%	112	11.80%	122	12.29%	122	11.78%
Divorced/Dissolved Civil Partnership	14	1.50%	16	1.69%	17	1.71%	19	1.83%
Married	265	28.40%	370	38.99%	425	42.80%	416	40.15%
Married/Civil Partnership	8	0.86%	12	1.26%	14	1.41%	16	1.54%
Not Specified	407	43.62%	179	18.86%	102	10.27%	127	12.26%
Other	< 5	< 0.54%	< 5	< 0.53%	7	0.70%	9	0.87%
Prefer not to say	18	1.93%	49	5.16%	55	5.54%	59	5.69%
Separated	6	0.64%	12	1.26%	12	1.21%	13	1.25%
Single	122	13.08%	183	19.28%	224	22.56%	239	23.07%
Widowed/surviving partner from Civil Partnership	< 5	< 0.54%	6	0.63%	7	0.70%	7	0.68%

Table 5.1 shows the marriage and civil partnership status of staff within the organisation for the period from 2019 to 2022.

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

**Pregnancy / Maternity**

**Table 6.1: Pregnancy and maternity**

Pregnancy and maternity	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %
Contract ended as planned					1	3.33%		0.00%
Due to return to work					0	0.00%	11	40.00%
Resigned					0	0.00%	1	4.00%
Returned to work	20	100.00%	10	100.00%	29	96.67%	14	56.00%
Total	20	100.00%	10	100.00%	30	100.00%	26	100.00%

	<p>Table 6.1 details the number of staff who have taken maternity leave, whether they are still on maternity leave (due to return to work), have returned to work following maternity leave, resigned following maternity leave, or their fixed-term contract ended (contract ended as planned).</p> <p>Source: SQA Workforce Equality Monitoring Report 2021-23  <a href="#">Equalities: SQA workforce monitoring report 2021-23</a></p>
<p><b>Care experience (where relevant)</b></p>	<p>SQA does not currently collect Care Experience data</p>

## Impact and Opportunities for Action

The impact that a policy or practice has on an equality group may be different and this requires to be recorded. The impact may not always be negative. Actions are taken to address any differential impact, and include actions to mitigate against any negative impact, to advance equality and to foster good relations between groups.

Each section contains questions for each equality group. These questions are here to support consideration; however, you can provide further detail. Focus initially on the equality groups that would be affected by this policy. If you do not consider that certain equality groups would be affected by this policy, you may leave these sections.

Protected Characteristic	General Equality Duty
Age	<p data-bbox="517 611 2033 639">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="517 651 797 679"><b>Risks of Discrimination</b></p> <p data-bbox="517 730 1984 804">The disciplinary policy itself and associated procedure does not reference <i>age</i> whatsoever. So, in theory, the policy should have an entirely neutral impact on employees – irrespective of their age.</p> <p data-bbox="517 855 1928 928"><b>There is, however, considerable national evidence to indicate a causal link between employee <i>age</i> and performance</b> meaning that some workers may, on balance be at a greater risk of being the subject of disciplinary action than others.</p> <p data-bbox="517 979 1039 1008">Research: Age related performance factors:</p> <p data-bbox="517 1059 1048 1088">Research: Age Related Performance Factors:</p> <p data-bbox="517 1129 2029 1158">Dr Katerina Lisenkova stated in Productivity Insights Network, PIN – 06 Evidence Review Demographic Ageing and Productivity:</p> <p data-bbox="517 1193 2029 1366"><i>Workers’ productivity is determined by individual characteristics and by the characteristics of the company. Of individual characteristics the most important are physical ability (strength, dexterity, and endurance), cognitive ability (memory, special orientation, inductive reasoning, vocabulary size, etc.), education and experience. All of the individual characteristics depend on age. There is a large body of research in psychology and medicine that show that physical and cognitive abilities start declining at a relatively young age. Most cognitive abilities reach maximum level in the 20s and early 30s (Avolio and Waldman, 1994)</i></p>

*and decline considerably by the age of 50 (Verhaegen and Salthouse, 1997). At the same time education and experience increase with age (in the case of education not in a cross-section) and can help overcome negative effects of declining abilities. In addition, the match between the worker's abilities and the type of work that s/he performs can improve with age. The relative importance of abilities and experience is different in different professions and at different periods of time. There are several papers proposing a categorisation of professions according to whether age increases or decreases productivity (e.g., Warr, 1994; Venn, 2008).*

*Among professions where productivity increases with age are, for example lawyers, professors, managers, and medical doctors. Workers with basic jobs, especially jobs that require physical exertion such as factory workers or workers in the construction sector, are likely to become less productive as they age.*

Art Markman Ph.D. wrote an article in Psychology Today 1 Sept 2015 called 'How Do People's Values Change as They Get Older?' He states:

*People were more interested in promotion (power and success) when they were younger and older than in the middle. The idea is that in early and middle adulthood, people are focused on children and family and so success broadly may be less of a concern than it is early in life or later, when child-raising responsibilities have been completed.*

Whilst we accept that the current data sample in SQA of just four people could be statistically insignificant, overall risks of age discrimination cannot be accurately identified, eliminated nor wholly discounted as the Authority does not currently collect any related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy).

#### Advance equality of opportunity

Whilst this policy does not explicitly reference *age*, all SQA employees are entitled to use, access, and be subject to the Disciplinary Policy.

The policy does make an explicit reference to equality. It states:

*We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (Equalities policy).*



	<p><i>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</i></p>
	<p>Foster good relations</p>
	<p>The disciplinary policy and procedure do not currently foster good relations between people who share / do not share 'Protected Characteristics.' As the policy could generally be regarded as a reactive (not proactive) policy and used by exception in often negative circumstances, we make no further recommendations in this area as part of this assessment.</p>
<p><b>Protected Characteristic</b></p>	<p><b>General Equality Duty</b></p>
<p><b>Disability</b></p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p><b>Risks of Discrimination</b></p> <p>The disciplinary policy itself and associated procedure does not reference <i>disability</i> whatsoever. So, in theory, the policy should have an entirely neutral impact on employees – irrespective of whether they have a disability or not.</p> <p><b>However, once again, there is however, considerable national evidence to indicate a causal link between employee performance and <i>disability</i></b> meaning that employees who are disabled, may, on balance be at a greater risk of being the subject of disciplinary action than non-disabled employees.</p> <p>Currently 8% of SQA employees have disclosed that they have a disability and whilst all employees are entitled to use, access and of course be subject to the <i>Disciplinary</i> policy. It is unclear if the policy promotes/advances the same chances to employees of all disabilities due to the lack of equality data on disciplinary cases by disability. Employees with a disability may face prejudicial assumptions and therefore consideration should be given to providing all managers and staff with Equality, Diversity, and Inclusion training.</p> <p>External data from the Fair Treatment at Work Survey (EHRC) showed that: <i>Around one in four disabled people in the UK said they had experienced some form of unfair treatment (27 per cent), compared with 17 per cent for non-disabled people. The main reasons given by disabled people for unfair treatment at work were the attitudes or personalities of other people (52 per</i></p>

cent) or relationships at work (43 per cent); 30 per cent said that the unfair treatment they had experienced was because of their disability or condition.

Table 2.2 Percentage of employees by indicated disability who were disciplined 1,3,4,5

	% Of total headcount in group	% Disciplined in group	% Of group disciplined
Disability	3	4	5
Disabled	7	12	1.4
Non-disabled	93	88	0.8

Source: All data sourced from DWPs HR Database 1 April 2015 to 31 March 2016

As previously stated, whilst the current data sample in SQA is very small indeed, overall risks of *disability* discrimination cannot be accurately identified, eliminated nor wholly discounted as the Authority does not currently collect *any* related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy.

**Risks of Discrimination**

The disciplinary policy itself and associated procedure does not reference *disability* whatsoever. So, in theory, the policy should have an entirely neutral impact on employees – irrespective of whether they have a disability or not.

**However, once again, there is however, considerable national evidence to indicate a causal link between employee performance and *disability*** meaning that employees who are disabled, may, on balance be at a greater risk of being the subject of disciplinary action than non-disabled employees.

Currently 8% of SQA employees have disclosed that they have a disability and whilst all employees are entitled to use, access and of course be subject to the *Disciplinary* policy. It is unclear if the policy promotes/advances the same chances to employees of all disabilities due to the lack of equality data on disciplinary cases by disability. Employees with a disability may face prejudicial assumptions and therefore consideration should be given to providing all managers and staff with Equality, Diversity, and Inclusion training.

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*Source: All data sourced from DWPs HR Database 1 April 2015 to 31 March 2016*

As previously stated, whilst the current data sample in SQA is very small indeed, overall risks of *disability* discrimination cannot be accurately identified, eliminated nor wholly discounted as the Authority does not currently collect *any* related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy).

	Advance equality of opportunity
	<p><b>All SQA employees are entitled to use, access and be subjected to the Disciplinary Policy.</b></p> <p><b>The policy does state in section 3.2 - Reasonable adjustments:</b></p> <p>We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (<a href="#">Equalities policy</a>).</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p> <p>Section 6.1 of the policy also provides examples of behaviour that SQA will view as misconduct, and which may result in disciplinary action being taken against an employee. The list is not exhaustive but could be taken subjectively.</p> <p>Consideration may need to be made as to what a person with a neurodiverse disability considers to be obscene, offensive, or reasonable. <u>It is recommended that we provide all managers with Equality, Diversity &amp; Inclusion training to ensure that they are aware of their role and responsibilities under the Equality Act and any considerations that should be considered throughout the disciplinary process.</u></p> <p>The policy expressly states:</p> <p><i>If anyone has a disability they must “advise of any special requirements e.g., disability, etc.”</i></p> <p>Section 3.2.1 of the policy also provides for anyone with a health condition which may be considered a disability and also states:</p> <p><i>Reasonable adjustments will be made to the process following advice from Occupational Health provider.</i></p>
	Foster good relations
	<p>There is no evidence to indicate that this policy fosters good relations between employees according to disability. Outcomes of the policy should continue to be monitored for any trends that suggests employees may be disadvantaged directly or indirectly because of their disability.</p>

Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<b>Risks of Discrimination</b>
	<p>The disciplinary policy itself and associated procedure does not reference <i>Race / Ethnicity</i> whatsoever. So, in theory, the policy should have an entirely neutral impact on employees – irrespective of <i>Nationality, Citizenship or Ethnic Origin (Race)</i>.</p>
	<p><b>However, once again, there is evidence to indicate a causal link between employee performance and <i>Ethnicity</i> meaning that some employees may, on balance be at a greater risk of being the subject of disciplinary action than others.</b></p>
	<p>Examples of external research includes:</p> <ul style="list-style-type: none"> <li>• <i>BME people are faced with a distinct lack of role models, they are more likely to perceive the workplace as hostile, they are less likely to apply for and be given promotions and they are more likely to be disciplined or judged harshly. (Race in the workplace: The McGregor-Smith review)</i></li> <li>• <i>BME staff were 1.16 times more likely to enter the formal disciplinary process compared to white staff. This is an improvement on 2019 (1.22) and a significant improvement from 2017 when it was 1.37. (Workforce Race Equality Standard 2020 report)</i></li> </ul> <p>Overall risks of <i>Race</i> discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect <i>any</i> related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:</p> <p><b>Neutral impacts recorded</b> (in respect of the policy itself) <b>potentially negative impacts recorded</b> (in the actual application of this policy).</p>
Advance equality of opportunity	
<b>All SQA employees regardless of race/ethnicity are entitled to use, access and be subject to the <i>Disciplinary Policy</i>.</b>	
<b>The policy does state in section 3.2 Reasonable adjustments:</b>	

	<p>We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (<a href="#">Equalities policy</a>).</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p>
	<p>Foster good relations</p>
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different Race or Ethnicity. No further recommendations are made in respect of this at this stage.</p>
<p><b>Protected Characteristic</b></p>	<p><b>General Equality Duty</b></p>
<p><b>Religion or Belief</b></p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p><b>Risks of Discrimination</b></p> <p>The disciplinary policy itself and associated procedure should in theory, have an entirely neutral impact on employees – irrespective of their Religion or Philosophical Belief System.</p> <p>This policy applies to all - regardless of religion and belief, there is no evidence to suggest that this policy <b>affects employees differently or less favourably, on the grounds of their Religion or Belief.</b></p> <p><b>Again, consideration should be taken into the subjective language around what is considered misconduct</b>, the list is not exhaustive but could be taken subjectively and may have cultural differences as to what is considered obscene, offensive, or reasonable. The numbers of SQA employees taken through disciplinary action are low and insignificant data source so unable to quantify any evidence, <u>however again it is recommended that we provide all managers with Equality, Diversity &amp; Inclusion</u></p>

	<p><u>training to ensure that they are aware of their role and responsibilities under the Equality Act and any considerations that should be taken into account throughout the disciplinary process.</u></p> <p>Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect <i>any</i> related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:</p> <p><b>Neutral impacts recorded</b> (in respect of the policy itself) <b>potentially negative impacts recorded</b> (in the actual application of this policy).</p>
	<p>Advance equality of opportunity</p>
	<p><b>All SQA employees regardless of religion or belief are entitled to use, access and be subject to <i>the Disciplinary Policy</i>.</b></p> <p><b>There is no evidence to indicate that this policy affects employees differently or less favourably, on the grounds of their Religion or Belief.</b></p> <p><b>The policy does state in section 3.2 Reasonable adjustments:</b></p> <p>We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (<a href="#">Equalities policy</a>).</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p>
	<p>Foster good relations</p>
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different Religion or Beliefs. No further recommendations are made in respect of this at this stage.</p>
<b>Protected Characteristic</b>	<b>General Equality Duty</b>
<b>Sex</b>	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

A greater number of SQA employees overall are female - 62% female versus 38% male.

Table 1.01 Colleagues by gender

Gender (Sex)	2019	2020	Variance
Female	61.20%	61.64%	0.44%
Male	38.80%	38.36%	-0.44%
Total	100.00%	100.00%	

The above table shows colleagues by gender. This table 1.01 is available to view on SQA workforce Equality monitoring report 2019-2020 [https://www.sqa.org.uk/sqa/files\\_ccc/workforce-equality-monitoring-report-2019-2021.pdf](https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf)

CIPD report that women are significantly more likely than men to report they have experienced both *bullying* and *sexual harassment* in the workplace (17% versus 13% and 7% versus 2%, respectively). The *Disciplinary Policy* differentiates between examples of misconduct and gross misconduct and states that *bullying and harassment* and *unlawful discrimination or harassment* are examples of gross misconduct which is considered to be misconduct that “is so serious or has such serious consequences, that it is likely to result in dismissal (even for a first act of misconduct)”. If applied correctly, the policy should ensure that allegations of *bullying* and *harassment on the grounds of sex* are treated seriously, and those behaviours are not tolerated at SQA. However, it is recommended to align with the *Dignity at Work Policy* that under Section 4.2 of the Policy, *Sexual Harassment* is specifically listed as an example of gross misconduct and that “*Unlawful Discrimination and Harassment*” is amended to be more overt and specific by stating “*Discrimination, harassment or bullying related to a ‘relevant protected characteristic’*”. This is for anyone reading the policy that is not aware of what constitutes unlawful discrimination.

It is also recommended that consideration be given to providing investigating and hearing managers with *Equality, Diversity, and Inclusion* training to avoid the risk of discrimination in the disciplinary process on the grounds of sex.

There is a further recommendation that more explicit signposting to both the *Dignity at Work Policy* and the *Grievance Policy* and Procedure to ensure that employees and Line Managers have increased awareness of their rights and responsibilities.



**Risks of Discrimination**

The disciplinary policy itself and associated procedure does not reference Sex whatsoever so in theory, the policy should have an entirely neutral impact on employees – irrespective of their Sex.

We do however consider that on balance, women may be more likely to take time off for caring responsibilities which may indirectly affect performance. Also, the Menopause is of material consideration – ultimately meaning that female employees may be at a marginally greater risk of being the subject of disciplinary action (relating to attendance) than male employees.

Once again, discrimination cannot currently be accurately identified, eliminated nor wholly discounted in respect of this policy as SQA does not currently collect *any* related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy).

**Advance equality of opportunity**

All SQA employees are entitled to use, access and be subject to *the Disciplinary Policy*. This includes employees of both sexes. However, because there is no Sex related profiling data available relating to *disciplinary* rates in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between Men and Women.

We will ensure throughout this procedure that we do not discriminate against anyone because of a protected characteristic. For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a protected characteristic at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.

**Foster good relations**

There is no evidence to indicate that this policy currently fosters good relations between employees of different sexes.

	No further recommendations are made in respect of this at this stage.																																								
<b>Protected Characteristic</b>	<b>General Equality Duty</b>																																								
<b>Sexual Orientation</b>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>The law states that you should not be discriminated against because of your <i>Sexual Orientation</i> or 'perceived' <i>Sexual Orientation</i>. This includes orientation towards someone of the same sex (lesbian/ gay), opposite sex (heterosexual) or both (bisexual). Due to the insignificant data sample of people being subject to this policy at SQA, it is not possible to draw meaningful conclusions in respect of Equality Impact.</p> <p>CIPD research on inclusion at work found that LGB+ employees are more likely to experience workplace conflict and harassment than their heterosexual counterparts. SQA's Equality Data shows that although most staff identify as heterosexual, there are a number who do not:</p> <table border="1"> <thead> <tr> <th>Sexual Orientation</th> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Bisexual</td> <td>0.96%</td> <td>1.26%</td> <td>0.30%</td> </tr> <tr> <td>Gay man</td> <td>1.39%</td> <td>2.11%</td> <td>0.71%</td> </tr> <tr> <td>Gay woman / Lesbian</td> <td>0.96%</td> <td>1.05%</td> <td>0.09%</td> </tr> <tr> <td>Heterosexual/straight</td> <td>46.20%</td> <td>70.60%</td> <td>24.41%</td> </tr> <tr> <td>In another way</td> <td>0.11%</td> <td>0.21%</td> <td>0.10%</td> </tr> <tr> <td>Not sure</td> <td>0.11%</td> <td>0.11%</td> <td>0.00%</td> </tr> <tr> <td>Prefer not to say</td> <td>2.79%</td> <td>8.01%</td> <td>5.22%</td> </tr> <tr> <td>Not Provided</td> <td>47.48%</td> <td>16.65%</td> <td>-30.83%</td> </tr> <tr> <td><b>Total</b></td> <td><b>100.00%</b></td> <td><b>100.00%</b></td> <td></td> </tr> </tbody> </table> <p>The above table shows colleagues by sexual orientation. This table is available to view on SQA workforce Equality monitoring report 2019-2020 <a href="https://www.sqa.org.uk/sqa/files_ccc/workforce-Equality-monitoring-report-2019-2021.pdf">https://www.sqa.org.uk/sqa/files_ccc/workforce-Equality-monitoring-report-2019-2021.pdf</a></p>	Sexual Orientation	2019	2020	Variance	Bisexual	0.96%	1.26%	0.30%	Gay man	1.39%	2.11%	0.71%	Gay woman / Lesbian	0.96%	1.05%	0.09%	Heterosexual/straight	46.20%	70.60%	24.41%	In another way	0.11%	0.21%	0.10%	Not sure	0.11%	0.11%	0.00%	Prefer not to say	2.79%	8.01%	5.22%	Not Provided	47.48%	16.65%	-30.83%	<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	
Sexual Orientation	2019	2020	Variance																																						
Bisexual	0.96%	1.26%	0.30%																																						
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<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>																																							

The *Disciplinary Policy* reinforces SQA's commitment to *Equality, Diversity and Inclusion* and the expected standards of conduct and behaviour and sets out what action will be taken if those standards of conduct are breached. This is positive in terms of reinforcing SQA's zero-tolerance approach to discrimination on the grounds of *Sexual Orientation*.

The Policy differentiates between examples of misconduct and gross misconduct and states that *bullying and harassment* and *unlawful discrimination or harassment* are examples of gross misconduct which they consider to be misconduct that "is so serious or has such serious consequences, that it is likely to result in dismissal (even for a first act of misconduct)".

Therefore, if applied fairly and correctly, the policy should ensure that allegations of discrimination, bullying and harassment on the grounds of *Sexual Orientation* are treated seriously, and those behaviours are not tolerated at SQA.

However, it is recommended that under Section 4.2 of the Policy that "*Unlawful Discrimination and Harassment*" is amended to be more overt and specific by stating "*Discrimination, harassment or bullying related to a 'relevant protected characteristic'*". This is for anyone reading the policy that is not aware of what constitutes '*unlawful discrimination.*'

It is recommended that consideration be given to providing investigating and hearing managers with Equality, Diversity, and Inclusion training to avoid the risk of discrimination in the disciplinary process on the grounds of *Sexual Orientation*.

There is a further recommendation that more explicit signposting to both the Dignity at Work Policy and the Grievance Policy and Procedure to ensure that employees and Line Managers have increased awareness of their rights and responsibilities.

#### **Risks of Discrimination**

The disciplinary policy itself and associated procedure does not reference *Sexual Orientation whatsoever* so in theory, the policy should have an entirely neutral impact on employees – irrespective of this 'Protected Characteristic.'

Given the high numbers of mental health absences nationally within the LGBTQ+ community, we consider that this may, in turn, have an impact on performance at work. As per the other characteristics listed in this assessment, due to an absence of data, we conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy).

	<b>Advance equality of opportunity</b>
	<p>All SQA employees are entitled to use, access and be subject to the <i>Disciplinary Policy</i> and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their <i>Sexual Orientation</i>.</p> <p><b>The policy does state:</b></p> <p>We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (<a href="#">Equalities policy</a>).</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p>
	<b>Foster good relations</b>
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different sexual orientations.</p> <p>No further recommendations are made in respect of this at this stage.</p>
<b>Protected Characteristic</b>	<b>General Equality Duty</b>
<b>Gender Re-assignment (Gender identity and transgender)</b>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>An evidence review commissioned by the Government Equalities Office, published by the National Institute of Economic and Social Research in July 2016 stated that many trans people (up to 50% of respondents) experienced harassment and bullying at</p>

work. They reported extremely poor service from HR departments, lack of understanding of trans issues by managers and little support when they faced discrimination and harassment

Unauthorised absence is specifically mentioned in the Disciplinary Policy as an example of misconduct. It is a recommendation of this EqIA that there is specific signposting to both the Attendance Management Policy and the Transitioning Policy to ensure that managers have an understanding that medical appointments related to transitioning do not constitute an unauthorised absence

It is recommended that we provide all managers with Equality, Diversity & Inclusion training to ensure that they are aware of their role and responsibilities under the Equality Act and any considerations that should be considered throughout the disciplinary process. There is a further recommendation that more explicit signposting to both the Dignity at Work Policy and the Grievance Policy and Procedure to ensure that employees and Line Managers have increased awareness of their rights and responsibilities.

#### **Risks of Discrimination**

The disciplinary policy itself and associated procedure does not reference *Sexual Orientation whosoever* so in theory, the policy should have an entirely neutral impact on employees – irrespective of this ‘Protected Characteristic.’

Given the high numbers of mental health absences nationally within the LGBTI+ community, we consider that this may, in turn, have an impact on performance at work. As per the other characteristics listed in this assessment, due to an absence of data, we conclude:

**Neutral impacts recorded** (in respect of the policy itself) **potentially negative impacts recorded** (in the actual application of this policy).

Advance equality of opportunity

**All SQA employees regardless of religion or belief are entitled to use, access and be subject to *the Disciplinary Policy*.**

**There is no evidence to indicate that this policy affects employees differently or less favourably, on the grounds of their Gender Identity**

**The policy does state in section 3.2 Reasonable adjustments:**

	<p>We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic (<a href="#">Equalities policy</a>).</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p> <ul style="list-style-type: none"> <li>• See also the separate SQA policy Gender Identity and Transitioning at Work.</li> </ul>
	Foster good relations
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees.</p> <p>No further recommendations are made in respect of this at this stage.</p>
<b>Protected Characteristic</b>	<b>General Equality Duty</b>
<b>Marriage/Civil Partnership</b>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>
	<p>We can identify <b>no reasonable risks</b> or evidence to indicate how or why this policy could disproportionately impact a person on the grounds of this ‘Protected Characteristic.’</p> <p><b>Neutral equality related impact is therefore recorded in this area.</b></p>
	Advance equality of opportunity
	<p>We will ensure throughout this procedure that we do not discriminate against anyone because of a protected characteristic.</p> <p>For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a protected characteristic at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.</p>
	Foster good relations
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of differing marital status.</p> <p>No further recommendations are made in respect of this at this stage.</p>

Protected Characteristic	General Equality Duty
Pregnancy / Maternity	<p data-bbox="524 309 2024 336">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="524 352 801 379"><b>Risks of Discrimination:</b></p> <p data-bbox="524 435 1980 504">The disciplinary policy itself and associated procedure does not reference <i>Pregnancy and Maternity</i> whatsoever so in theory, the policy should have an entirely neutral impact on employees – irrespective of their <i>Pregnancy and Maternity</i> status.</p> <p data-bbox="524 560 1995 667"><b>There is, however, considerable national evidence to indicate a causal link between <i>Pregnancy</i> and performance</b> meaning that some workers may, on balance be at a greater risk of being the subject of disciplinary action than others. (Please see below.)</p> <p data-bbox="524 722 2029 871"><i>The Equality and Human Rights Commission</i> conducted a formal investigation into pregnancy discrimination in 2015. Their final report found that 54,000 women a year are forced out of their job because of pregnancy discrimination, one in five mothers experienced harassment and negative comments because of their pregnancy and 10% of mothers were discouraged from taking time off for their antenatal care.</p> <p data-bbox="524 927 2002 995">The main areas of unfair treatment during pregnancy were found to be denial of a pay increase, refusal of promotion, having to take lower-paid work, being excluded from training and refusal of time off for antenatal care.</p> <p data-bbox="524 1051 2029 1158">Women involved in the in-depth interviews experienced a wide range of negative treatment at work, ranging from more subtle changes in the attitudes of their colleagues and employers, to unfair selection for redundancy, dismissal, denial of promotion opportunities and sexual and verbal harassment. Many also reported enforced changes to their job during pregnancy.</p> <p data-bbox="524 1214 1962 1241">The report is available at: <a href="http://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-">www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-</a></p>

	<p>Once again, discrimination cannot currently be accurately identified, eliminated nor wholly discounted in respect of this policy as SQA does not currently collect <i>any</i> related profiling data relating to formal or informal disciplinary action. We therefore ultimately conclude:</p> <p><b>Neutral impacts recorded</b> (in respect of the policy itself) <b>potentially negative impacts recorded</b> (in the actual application of this policy).</p> <p style="text-align: center;"><b>Advance equality of opportunity</b></p> <p>Please see separate Pregnancy and Maternity policy (and associated EqIA) for details of this.</p> <p style="text-align: center;"><b>Foster good relations</b></p> <p>3.2.1 Health and well-being considerations it may be appropriate for us, with your agreement, to seek guidance from Occupational Health or a medical professional as to how the disciplinary process can proceed fairly. If there are clear and repeated signs of distress from you at any stage of the disciplinary procedure for example, we will encourage you to use our employee assistance programme or consider suggesting that you seek specific advice from your GP. If you have an existing health condition which may be considered a disability, we will make appropriate reasonable adjustments to the process following advice from our Occupational Health provider. Any reasonable adjustments will never negatively impact on the investigative and/or decision-making process outlined in this policy and procedure.</p> <p>Currently it states in the policy if you have ‘an existing health condition which may be considered a disability, we will make appropriate adjustments. A consideration would be to adjust the wording to include adjustments to be made for all protected characteristics to be consistent with section 3.2 reasonable adjustments.</p>
<b>Considered by SQA</b>	<b>General Equality Duty</b>
<b>Care experience (where relevant)</b>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Based on data from <i>whocaresscotland.org</i> 25% of the adult prison population has been brought up in care and further to this 40% of young people in custody have been in care. This data shows there is a higher possibility employees at SQA with Care experience may have a criminal conviction. However, due to section 4.4.3 (listed below) SQA states that they will consider if the conviction ‘is relevant to your employment.’ therefore this policy does not impact directly / indirectly on people who have care experience and therefore make no further recommendations in this area.</p> <p><b>4.4.3 Disciplinary Policy</b></p>



	A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment.
	<u>There is a recommendation that more explicit signposting to both the Dignity at Work Policy and the Grievance Policy and Procedure to ensure that employees and Line Managers have increased awareness of their rights and responsibilities.</u>
	Advance equality of opportunity
	All SQA employees must familiarise themselves with the content of Disciplinary policy and act in accordance with it. There is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of care experience.
	Foster good relations
Whilst this policy does not explicitly reference care experience there is little evidence to indicate that this policy does not foster good relations between employees of upbringings.	
No further recommendations are made in respect of this in relation to this policy.	

**Rationale**

If you are proceeding with a decision that may have a negative impact and are not putting in place actions to mitigate against this, please explain how this is objectively justified.
N/A