



Equality Impact Assessment (supporting guidance available)

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.

Agreed Schedule Review Date	September 2024	Additional Schedule Review Date	September 2023
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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 monitor the implementation of policy and the impact on equality groups (evidence and consultation)			[ONGOING RECORD]
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	
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	



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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	
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 to review and assess on an annual basis SQA's engagement People survey	OD Manager	Commencing annually from October 2023	
Review and assess on an annual basis all SQA employee lifecycle data	People Analytics, Governance & Systems Manager	Commencing annually from January 2024	
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 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	



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Identified Actions: General Equality Duty	Owner	Date	Comment & Review
We advise that SQA captures data for formal grievances.	Head of HR	By September 2023	
Commence collection and analysis of data, by 'Protected Characteristic' for all employees that both raise a formal grievance or have a formal grievance raised against them.	Head of HR	By September 2023	
It is recommended that <i>Gender Identity</i> (i.e., people who identify as more than one gender or none) to all future Equality Monitoring reporting within SQA.	Head of HR	By September 2023	
It is recommended that consideration be given to providing line managers and investigating managers with Equality, Diversity, and Inclusion training to avoid the risk of discrimination in the grievance process.	Head of HR	By September 2023	
<p>Section 5.5.1 of the policy (Raising a formal grievance) states:</p> <p>'We recognise that the majority of grievances will be raised in good faith.'</p> <p>It is recommended consideration is given to the language used in this section regarding 'good faith' and 'bad faith' and whether that language will be understood by everyone.</p>	Head of HR	By September 2023	
Implement gender reassignment (Transitioning at Work) policy using policy review process. A draft policy is currently underway	Head of HR	By September 2023	
Care Experience to be added to the list of equalities under this section of the procedure.	Head of HR	By September 2023	



Equality Impact Assessment - Grievance Policy V1.0

Policy Aims

Name of Policy or Practice:	Grievance
New Policy or Revision?	New (previously included in Dispute Resolution Policy)
Name of Policy Owner:	Head of Human Resources
Date Policy Owner Confirmed Completion:	25/02/2022

What is the rationale for this policy or practice?
<p>The policy outlines SQA’s commitment to ensuring fair and consistent treatment for all colleagues and to encourage behaviour in line with that set out in SQA’s code of conduct and stated values: trusted, progressive, and enabling and the principles outlined in SQA’s Equality, Diversity, and Inclusion policy.</p> <p>The policy acknowledges that there may be occasions where colleagues have concerns about their work, working conditions or their relationships with colleagues and provides a procedure to follow to support colleagues in seeking a resolution to their concerns fairly and without reasonable delay.</p> <p>The policy (and accompanying procedure) complies with the Advisory conciliation and Arbitration Service (ACAS) Code of Practice and meets all current, relevant legislation.</p>



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

SQA, as an employer, is obligated to follow a full and fair procedure in line with the ACAS code for any grievance case. The ACAS Code states that: “fairness and transparency are promoted by developing and using rules and procedures for handling grievance situations. These should be set down in writing, be specific and clear.” See the [ACAS Code](#) for more information. Therefore, without a written grievance policy and procedure, SQA would be in breach of the ACAS code.

Additionally, the *Equality Act 2010* sets out the nine characteristics that are protected from unlawful discrimination meaning that SQA is required to protect employees from less favourable treatment because of a protected characteristic.

A written grievance policy encourages managers to follow a fair procedure and act consistently and should reduce the risk of discrimination and constructive unfair dismissal claims. The procedure an employer follows, and an employee's actions will be taken into account if the case reaches an employment tribunal. A failure to follow the Code does not, in itself, make a person or organisation liable to proceedings. However, employment tribunals will take the Code into account when considering relevant cases.

Tribunals will also be able to adjust any awards made in relevant cases by up to 25 per cent for unreasonable failure to comply with any provision of the Code. This means that if the tribunal feels that an employer has unreasonably failed to follow the guidance set out in the Code, they can increase any award they have made by up to 25 per cent. Conversely, if they feel an employee has unreasonably failed to follow the guidance set out in the Code, they can reduce any award they have made by up to 25 per cent. For these reasons, it is important that this grievance policy (and accompanying procedure) is developed and implemented within SQA.



What are the aims of this policy or practice?

The policy aims to ensure consistent and fair treatment for all colleagues and to encourage behaviour in line with that set out in SQA's code of conduct and with SQA's stated values: trusted, progressive and enabling and the principles outlined in our Equality, Diversity and Inclusion policy.

The policy and accompanying procedure aim to provide colleagues with informal and formal routes to raise a concern about their employment and for their concerns to be addressed consistently and fairly without reasonable delay.

Associated Policies:

The policy links directly to other SQA policies, we directly reference these to help the reader understand context, alternative routes for solutions and practical application within the policy.

- Equality, Diversity and Inclusion (not published yet)
- Matters concerning grading are dealt with separately under the appeals system in SQA's Job Evaluation Scheme.
- If you are unhappy with the outcome of disciplinary proceedings, you should lodge an appeal under the procedure in our Disciplinary policy.
- Concerns relating to bullying and harassment are initially addressed under the Dignity at Work policy.
- Concerns relating to whistleblowing are addressed under the Whistleblowing policy.
- Collective disputes raised by trade unions on behalf of their members will be handled in line with the collective disputes' procedure outlined in the documents setting out terms of recognition of our trade unions.



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

One of the main reasons for having a grievance policy and procedure is to provide colleagues with informal and formal routes to raise a concern about their employment and for their concerns to be addressed fairly and consistently throughout the grievance 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 equality data for employees going through the grievance process**. Whilst the overall sample size of people that went through the grievance process in SQA the past twelve months is low (less than 10), Equality 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 that both raise a formal grievance or have a formal grievance raised against them.



Evidence, Consultation and Engagement

What stakeholders have you engaged within the development of this policy or practice?

Evidence of Stakeholder Engagement:

Trade Union Consultation Review Group (PRG):

Members of SQA Human Resources department and trade union representatives from *Unite the Union* and *Unison* meet weekly in SQA via the PRG. This group has been meeting weekly in SQA since July 2020. 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.

Staff Network Consultations:

In June 2021, we formed a dedicated *Equality Impact Assessment Project Group* (EIAPG) with the aim of reviewing, assessing, and providing feedback from staff on all SQA HR policies from Equality perspectives.

The EIAPG group consists of representatives from each of the SQA staff networks listed on the previous page of this document.

Evidence, feedback, and actions from all EIAPG staff network consultations are recorded on a dedicated SQA *Microsoft Teams* page which was specifically created with the aim of listing potential equality risks that exist in H.R (Human Resources) (Human Resources). policies / activities, sharing resources, recording feedback and scheduling future consultation meetings.



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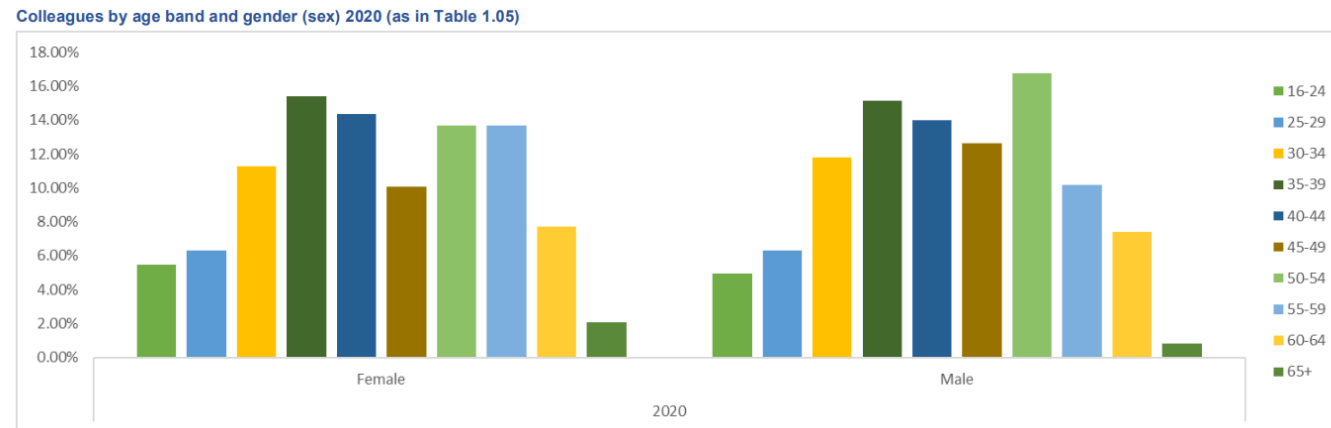
The table below details the evidence of staff network consultation meetings.

Policy Name	Review Date	Women's Network	(ACE)	Disability Network	Rainbow Network
Redeployment	02/08/2021	Yes	Yes	Yes	Yes
Restructure	02/08/2021	Yes	▯	Yes	▯
Standby & Call-Out	23/06/2021	▯	Yes	Yes	Yes
Time Recording	09/08/2021	Yes	Yes	Yes	Yes
Attendance Management	16/08/2021	Yes	▯	Yes	Yes
Childcare Vouchers	16/08/2021	Yes	▯	Yes	Yes
Dignity at Work	10/08/2021	Yes	Yes	Yes	Yes
Disciplinary	01/06/2021	Yes	Yes	Yes	Yes
Equalities, Diversity & Inclusion	23/08/2021	Yes	Yes	Yes	Yes
Fixed Term Workers	23/08/2021	Yes	▯	Yes	Yes
Grievance	29/06/2021	Yes	Yes	Yes	Yes
Improving Performance	07/09/2021	Yes	Yes	Yes	Yes
Probation	06/09/2021	Yes	Yes	Yes	Yes
Recruitment & Selection	06/05/2021	Yes	Yes	Yes	Yes
Secondment	13/09/2021	Yes	Yes	Yes	Yes
Whistleblowing	22/07/2021	Yes	Yes	Yes	Yes
Flexible Working	18/11/2021	Yes	▯	Yes	Yes
Flexitime	26/10/2021	Yes	Yes	Yes	Yes
Pay	09/12/2021	Yes	Yes	Yes	Yes
TOIL	16/12/2021	Yes	Yes	Yes	Yes
Code of Conduct	24/02/2022	Yes	Yes	Yes	Yes
Conflict of Interest	10/03/2022	Yes	Yes	Yes	Yes
Pensions Discretion	29/03/2022	Yes	▯	Yes	Yes
Redundancy	22/03/2022	Yes	▯	Yes	Yes
Relocation	31/03/2022	Yes	▯	Yes	Yes
Retirement	15/03/2022	Yes	Yes	Yes	Yes

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

Age:

Local Evidence:



The above table shows colleagues by age band and gender as of 2020. This table 1.05 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

The majority of SQA employees are in the mid-range age bandings. A total of 79% workers are aged between 30 – 59. Less than 2% of SQA employees are aged 60+ and the SQA has recently seen a decrease in younger (under 35) employees.

Comparisons between 2019 and 2020 data show that the greatest increase in the proportion of female colleagues is within the 60–64 age band - an increase of 12 colleagues. The 30–34 age band saw the largest reduction of female colleagues – a total of seven people. Over the same period, there was an increase in the proportion of male colleagues within the 50-54 age band - an overall increase of nine people. The largest decline in the proportion of male colleagues was in the 30-34 age band, with seven fewer people. The largest decrease was seen in the 30–34 age band for both male and female colleagues - with an overall reduction of 14 people.



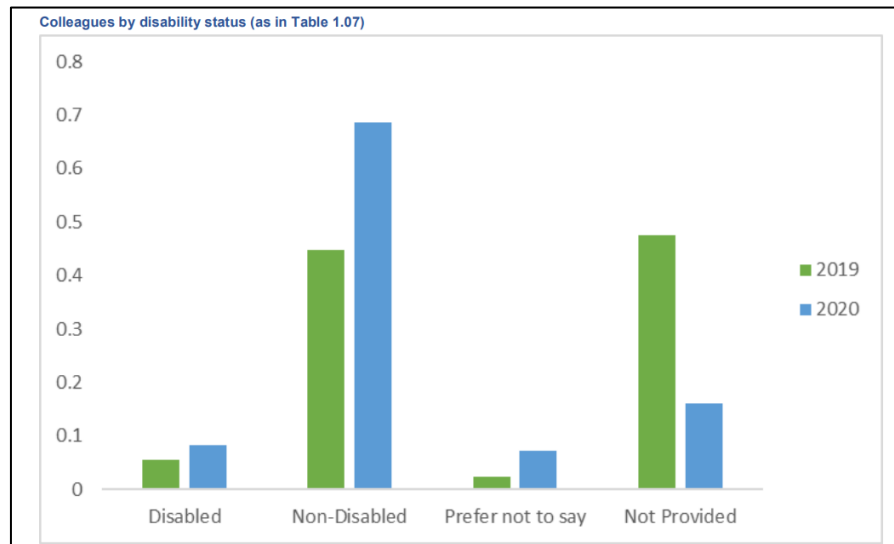
Age:	<p>National Evidence:</p> <p>Statistics from the Ministry of Justice, analysed by <i>Rest Less</i>, found there were 3,668 complaints of age discrimination made to employment tribunals in 2020, up from 2,112 in 2019 – an increase of 74 per cent and the largest rise of any complaint.</p> <p>Traditionally, age discrimination is perceived as affecting older workers, but there is evidence to demonstrate that younger workers also face similar issues. A Glassdoor diversity and inclusion survey found that 48% of 18- to 34-year-olds employed in the UK reported that they had experienced ageism, in comparison to 25% of those aged 55 and over.</p>
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Disability

Local Evidence:

A total of 8.2% of SQA employees declared a Disability last year. Declaration rates have significantly improved from a total response rate under the *Not Disclosed / Prefer not to say* category of 49.9% in 2019 (roughly half of employees) to a much reduced 23.1 % in 2020.



The above table shows colleagues by Disability status. This table 1.07 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

The highest proportion of colleagues who have declared a disability (53%) falls within the lowest age bands (16 – 44) and second highest (47%) within the upper age bands (45–64)

A total of 55% of disabled employees are female and 45% are male. 63% of colleagues who have declared a disability are within the grade range 06 to Head of Service. Head of Service has the largest **percentage** of colleagues declaring a disability (13%) whereas Grade 6 has the largest overall **number** of colleagues declaring a disability at 23%.



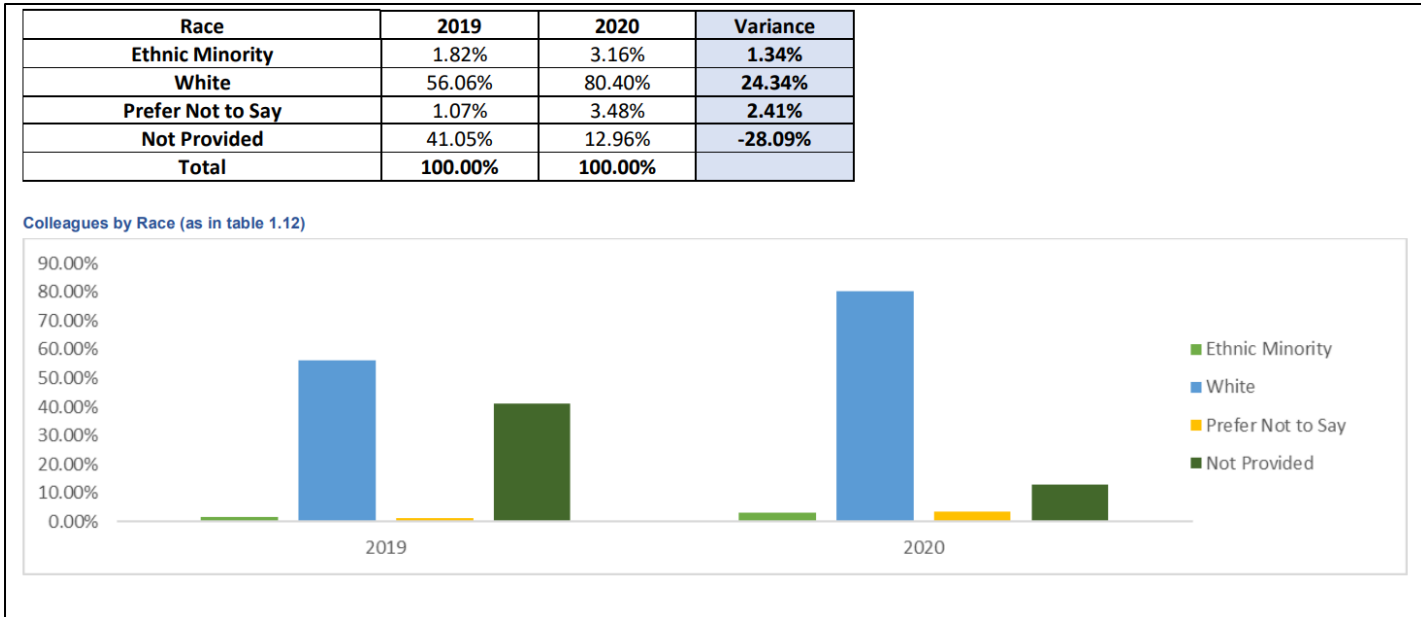
Disability	<p>National Evidence:</p> <p>Research shows that disabled people are significantly more likely to experience unfair treatment at work than non-disabled people. In 2008, 19% of disabled people experienced unfair treatment at work compared to 13% of non-disabled people (https://www.gov.uk/government/statistics/disability-facts-and-figures/disability-facts-and-figures#discrimination)</p> <p>Employers may discriminate against people with disabilities, because of misconceptions about their capabilities, or because they do not wish to include them in their workforce. Different impairments elicit different degrees of prejudice, with the strongest prejudice exhibited towards people with mental health conditions. Of people with schizophrenia, 29% experienced discrimination in either finding or keeping a job, and 42% felt the need to conceal their condition when applying for work, education, or training (World report on disability 2011 – World Health Organisation)</p> <p>Scope (https://www.scope.org.uk/media/disability-facts-figures/) have raised considerations for attitudes towards people with disabilities:</p> <ul style="list-style-type: none">• 1 in 3 disabled people feel there is a lot of disability prejudice.• 1 in 3 people see disabled people as being less productive than non-disabled people.• In 2000, 37% of disabled people and 34% of non-disabled people felt that there was a lot of prejudice around disability. The gap trebled by 2017, with 32% of disabled people and 22% of non-disabled people feeling there is a lot of prejudice against disabled people
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Race
Ethnicity

Local Evidence:



The above table shows colleagues by Race. This table 1.12 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

Currently only 3% of SQA employees declared themselves as Minority Ethnicity against a national (Scotland) average of 5%.

A further breakdown of ethnicity (overleaf) indicates that *Chinese, Indian* and *Mixed Ethnicity* groups are currently the predominant minority ethnicities in the SQA.

**Race
Ethnicity
(continued)**

Local Evidence (continued)

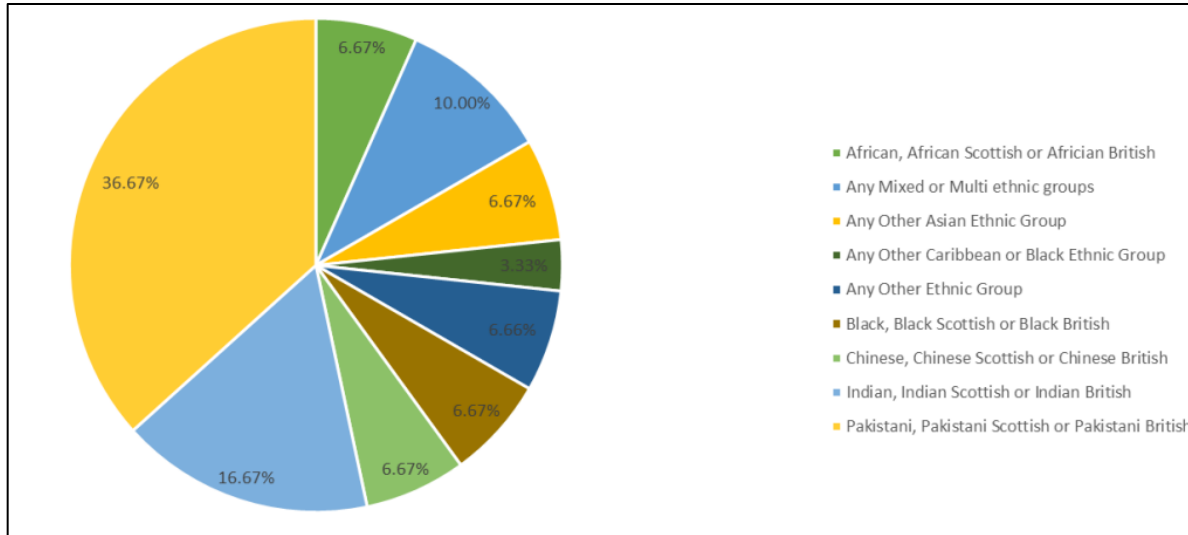


Table 1.15 Race: Colleagues by black and minority ethnicities

Black and Minority Ethnicities	2019	2020	Variance
African, African Scottish or African British	5.88%	6.67%	0.78%
Any Mixed or Multi ethnic groups	11.76%	10.00%	-1.76%
Any Other Asian Ethnic Group	5.88%	6.67%	0.78%
Any Other Caribbean or Black Ethnic Group		3.33%	3.33%
Any Other Ethnic Group		6.66%	6.66%
Black, Black Scottish or Black British	5.88%	6.67%	0.78%
Chinese, Chinese Scottish or Chinese British	11.76%	6.67%	-5.10%
Indian, Indian Scottish or Indian British	17.65%	16.67%	-0.98%
Pakistani, Pakistani Scottish or Pakistani British	41.18%	36.67%	-4.51%
Total	100.00%	100.00%	

The above tables show colleagues by Race. This table 1.15 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



**Race
Ethnicity
(continued)**

National Evidence:

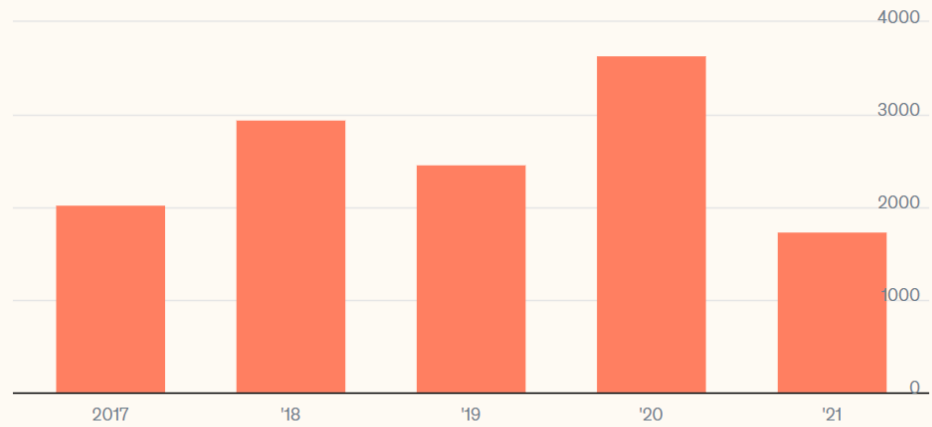
- Varying promotion rates may also signify discrimination, with more ethnic minority employees overall saying that experiencing discrimination contributed to them failing to achieve their career expectations than those from a White British background (20% compared to 11%). Black employees had a higher rate of experiencing discrimination at 29%, but this was still not the experience of the majority. (<https://www.gov.uk/government/publications/the-report-of-the-commission-on-race-and-ethnic-disparities/employment-fairness-at-work-and-enterprise#bias-at-work-and-what-to-do-about-it>)
- Subjective factors and unconscious bias may also affect perceptions of discrimination. We are all susceptible to differentiating between in-groups and out-groups and will be prone to favour those we perceive as belonging. (<https://www.fnlondon.com/articles/race-discrimination-cases-spike-nearly-50-during-pandemic-as-wave-of-complaints-hits-tribunal-20210902>)
- Employment tribunals across the UK saw a dramatic 48% surge in the number of race discrimination claims in 2020, as the pandemic slams ethnic minorities hardest There were 3,641 employment tribunal cases with the jurisdiction code for race discrimination during the year, according to the Advisory, Conciliation and Arbitration Service.

**Race
Ethnicity
(continued)**

National Evidence:

Cases spike in 2020

Data shows the total number of employment tribunal cases where race discrimination jurisdictional code has been recorded



Note: 2021 data is until 30 June.

Source: Acas Freedom of Information request.



What evidence about equality groups do you have to support this assessment? (continued)

Religion or Belief

Local Evidence:

Religion or Belief	2019	2020	Variance
Christian	20.69%	29.82%	9.13%
Non-Christian	11.47%	17.28%	5.81%
None	20.69%	29.29%	8.61%
Prefer not to say	3.75%	10.33%	6.58%
Not Provided	43.41%	13.28%	-30.13%
Total	100.00%	100.00%	

The above table shows colleagues who have declared their Religion or Belief. This table 1.16 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

An improved declaration rate was also shown for this characteristic in 2020. *Christian* and *No Religion* account for nearly 60% of all responses.

National Evidence:

A survey by ComRes Faith Research Centre, found that around one million UK employees have experienced discrimination because of their religion. The survey of 984 British workers found that 3% of employees had experienced discrimination because of their religion. And 4% said they'd been aware that somebody else was being discriminated against because of their faith.

Source: [Belief at Work: Faith in the Workplace 2017 Survey](#)



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Sex

Local Evidence

Grade	Gender (Sex)					
	Female			Male		
	2019	2020	Variance	2019	2020	Variance
1	83.33%	66.67%	-16.67%	16.67%	33.33%	16.67%
3	65.15%	65.00%	-0.15%	34.85%	35.00%	0.15%
4	63.28%	64.71%	1.43%	36.72%	35.29%	-1.43%
5	58.02%	61.54%	3.51%	41.98%	38.46%	-3.51%
6	69.90%	69.90%		30.10%	30.10%	
7	59.76%	57.89%	-1.86%	40.24%	42.11%	1.86%
8	53.54%	56.34%	2.80%	46.46%	43.66%	-2.80%
HOS	39.39%	40.00%	0.61%	60.61%	60.00%	-0.61%
EMT	57.14%	42.86%		57.14%	42.86%	
Total	61.20%	61.64%	0.44%	38.80%	38.36%	-0.44%

The above table shows colleagues by sex and grade. This table 1.02 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

A greater number of SQA employees overall are female - 62% female versus 38% male. A 60% representation of females across most grades is evident with a decrease to circa 40% for more senior grades.

National Evidence:

CIPD (Chartered Institute of Personnel and Development) 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).

Reports of high levels of workplace harassment and recorded sexual crimes in Scotland 2021 and 2022 can be found here: The National (March 2022):

<https://www.thenational.scot/news/19975579.report-shocking-levels-workplace-harassment-scotland/>

The Times (Feb 2022):

<https://www.thetimes.co.uk/article/scores-of-police-face-sexual-abuse-claims-6533jh7q2>

The Herald (April 2022)

<https://www.heraldscotland.com/politics/20083471.recorded-sexual-crime-figures-scotland-worst-50-years/>



What evidence about equality groups do you have to support this assessment? (continued)

Sexual Orientation

Local Evidence:

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%
Total	100.00%	100.00%	

The above table shows colleagues by sexual orientation. This table 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



Sexual Orientation	<p>National Evidence:</p> <p>We know from the <i>Scottish Government Equality Outcomes and Mainstreaming Report 2019</i>, that the proportion of staff identifying as lesbian, gay, bisexual, or 'other' (LGBO) increased from 2% in 2015 to 4% in 2018. Recruitment within this self-identified group also increased from 4% to 9% in the same time-period. Higher rates of discrimination were also reported by LGBO compared to straight respondents in the people survey, however this gap is narrowing and fell from 18% in 2016 to 14% in 2018. Respondents who identified as bisexual or 'other' consistently report higher rates of discrimination than gay or lesbian respondents: in 2018, 13% of gay or lesbian respondents had experienced discrimination in the previous 12 months compared to 17% of bisexual and 23% (n= 7) of 'other' respondents.</p> <p>The Scottish Government's ranking for diversity and inclusion among employers rose between 2018 and 2019, from 101 to 72 according to Stonewall Workplace Equality Index reports. In 2018, Stonewall marked the Scottish Government's 'Trans inclusion work' at 13% which rose to 58% in 2019.</p> <p>Further, a 2019 staff survey demonstrated that among lesbian, gay and bisexual (LGB) respondents, 81% would feel confident reporting homophobic or biphobic bullying and harassment they experience, 82% would feel confident disclosing their sexual orientations on a monitoring form and 82% would feel confident challenging homophobic, biphobic or transphobic behaviour at work.</p> <p>Currently, no equality data on Sexual Orientation is collected from those who have undergone the grievance procedure at SQA. In addition, the numbers are too low to allow any data analysis. <u>It is a recommendation of this EQIA that equality data is collected to allow it to be analysed when numbers are sufficient.</u></p>
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What evidence about equality groups do you have to support this assessment? (continued)

Gender Re-assignment (Gender identity and transgender)

National Evidence:

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 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.

A report by Crossland Employment solicitors found a strong prejudice among UK employers towards transgender workers: <https://www.crosslandsolicitors.com/site/hr-hub/transgender-discrimination-in-UK-workplaces> and a survey by The National in 2021 suggests that 60% of transgender people in Scotland experience workplace harassment:

<https://www.thenational.scot/news/19556842.60-transgender-people-scotland-experience-workplace-harassment-survey-says/>

A freedom of information request to Police Scotland revealed the following statistics:

Categories	Scotland	Highlands and Islands Division
Hate Incidents	7,270	138
Sexual Orientation Crimes	1,772	18
Transgender Crimes	143	1

www.scotland.police.uk/spa-media/ga3b2fc0/21-2780-response.pdf

No equality profiling data is currently captured in respect of this 'Protected Characteristic by SQA. One of the recommendations from this Equality Impact Assessment is that the SQA adds Gender Identity (i.e., people who identify as more than one gender or none) to all future Equality Monitoring reporting.



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Marriage/Civil Partnership	<p>Currently, no equality data on Marriage/Civil Partnership is collected from those who have undergone the grievance procedure at SQA. In addition, these numbers are too low to allow any data analysis.</p> <p><u>It is a recommendation of this EQIA that equality data is collected to allow it to be analysed when numbers are sufficient.</u></p>



Pregnancy / Maternity

National Evidence:

The *Equality and Human Rights Commission* 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.

The principal 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. 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.

The report is available at: www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy

Local Evidence:

Pregnancy Status	Colleagues		
	2019	2020	Variance
Not Pregnant	98.25%	98.95%	0.70%
Pregnant	1.75%	1.05%	-0.70%
Total	100.00%	100.00%	

The above table shows colleagues by pregnancy status. This table 1.20 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

Currently, no equality data on Pregnancy/Maternity is collected from those who have undergone the grievance procedure at SQA. In addition, these numbers are too low to allow any data analysis. It is a recommendation of this EQIA that equality data is collected to allow it to be analysed when numbers are sufficient.



What evidence about equality groups do you have to support this assessment? (continued)

**Care experience
(where relevant)**

Human Resources currently have no data for SQA that shows how many colleagues are Care Experienced, however SQA acknowledges that:

Nationally **Who Cares? Scotland** say:

Education

In 2019/20 64% of all school leavers had 1 or more qualification at SCQF level 6 or better, whereas only 14% of school leavers looked after within the last year had qualifications of that level.

Care Experienced children are less likely to be in positive destinations nine months after leaving school. Figures from 2019-20 show that 75% of school leavers looked after within the last year were in positive destinations. This is compared to 92% of all schools' leavers.

At all levels, Care Experienced students have lower rates of completing courses compared to all students at university and college. Between Care Experienced students and non-Care Experienced students, there is a difference of 5.3% for retention at university, and the largest gap is in successful completion of full-time further education courses at college where the gap is 15.6% ([SFC \(Scottish Funding Council\), 2019](#)).

Unemployment

9 months after leaving school, 22% of school leavers looked after within the last year people were classed as unemployed, compared to 7% of their non-Care Experienced peers ([Scottish Government, 2021](#)).



Care experience (where relevant)	<p>Criminalisation</p> <p>In a Scottish Prison Service survey carried out in 2019, 1/4 of the adult prison population indicated that during their upbringing they had been in care (25%) (<u>Scottish Prison Service, 2020</u>).</p> <p>Around 40% of young people in custody report that they have been in care (<u>Scottish Prison Service, 2021</u>).</p> <p>Health</p> <p>In a study conducted in 2002, among young people aged 5–17 years who were looked after by local authorities in Scotland, 45% were assessed as having a mental health issue (<u>Office for National Statistics, 2004</u>).</p> <p>Homelessness</p> <p>Practitioners estimate that between 30-50% of individuals who are homeless could be Care Experienced.</p> <p>Currently, no equality data on Care Experience is collected from those who have undergone the grievance procedure at SQA. In addition, these numbers are too low to allow any data analysis. <u>It is a recommendation of this EQIA that equality data is collected to allow it to be analysed when numbers are sufficient.</u></p>
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Equality Impact Assessment - Grievance Policy V1.0

Impact and Opportunities for Action

The impact that a policy or practice has on an equality group may be different and needs 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.

Use of the term Discrimination:

Please note that for the purposes of this document we have used the term Discrimination as a generic descriptor which considers six discrete elements:

- Direct Discrimination
- Indirect Discrimination
- Harassment
- Victimisation
- Discrimination by perception
- Associative discrimination



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Protected Characteristic	General Equality Duty
Age	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.</p> <p>Risks of Discrimination The grievance policy itself does not reference <i>Age</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – irrespective of their <i>Age</i>. This policy and procedure apply to all employees. However, the number of grievances raised in SQA over the past twelve months are too low (less than 10) to be able to establish any significant data regarding equality.</p> <p>There is, however, as previously considerable national evidence to indicate a causal link between employee <i>Age</i>, employee’s dissatisfaction, and discrimination.</p> <p>The policy does refer to our Equality, Diversity and Inclusion policy and <u>it is recommended that consideration be given to providing line managers and investigating managers with Equality, Diversity and Inclusion training to avoid the risk of discrimination in the grievance process on the grounds of <i>Age</i>.</u></p> <p>Whilst we accept that the current data sample in SQA of less than ten people could be statistically insignificant, overall risks of <i>Age</i> 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 grievances. We therefore ultimately conclude:</p> <p>Neutral impacts recorded (in respect of the policy itself) potentially negative impacts recorded (in the actual application of this policy).</p> <p>Please also refer to the separate EqIA for the SQA <i>Dignity at Work</i> Policy.</p>



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Age	Advance equality of opportunity
	<p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i> regardless of their <i>Age</i>.</p> <p>However, because there is no age-related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between employees of different ages.</p> <p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
	Foster good relations
	<p>There is no evidence to indicate that this policy itself fosters good relations between employees according to their <i>Age</i>.</p> <p>The outcomes of the policy should continue to be monitored for any trends that suggests employees may be disadvantaged directly or indirectly because of their <i>age</i>.</p>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
Disability	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Risks of Discrimination</p> <p>The grievance policy itself does not reference <i>Disability</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – irrespective of whether they have a <i>Disability</i> or not. This policy applies to all employees and the number of grievances raised in SQA are too low (less than 10) to be able to establish any meaningful data regarding equality.</p> <p>However, there is considerable national evidence (see early section of this report) to indicate a causal link between Disability and unfair treatment at work meaning that employees who are disabled, may, on balance be at a greater risk of being discriminated against at work than non-disabled employees.</p> <p>Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:</p> <p>Neutral impacts recorded (in respect of the policy itself) potentially negative impacts recorded (in the actual application of this policy).</p> <p><u>Advisory Comment:</u> The policy stipulates that a grievance (and appeal) should be placed in writing or by using / e-mail.</p> <p>Whilst we acknowledge that the policy also states <i>We will ensure throughout this procedure, that we do not discriminate against anyone because of a protected characteristic, please read our Equalities, Diversity, and Inclusion policy for more information.</i> We recommend that the policy should be amended to explicitly state that a grievance may be recorded verbally if a person has any difficulties submitting it in writing on the grounds of, for example, <i>Disability</i>, literacy, or where English is not an employee’s first language.</p>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
Disability (continued)	Advance equality of opportunity
	<p>Whilst this policy does not explicitly reference <i>Disability</i>, all SQA employees are entitled to use, access, and be subject to the Grievance Policy. There is no local evidence in SQA to indicate that this policy affects employees differently or less favourably, on the grounds of <i>Disability</i>.</p> <p>As previously referenced, the policy does state the following to ensure additional support can be provided:</p> <p>5.2 Reasonable adjustments:</p> <p>We will ensure throughout this procedure that we do not discriminate against anyone because of a protected characteristic, please read our Equalities, Diversity and Inclusion policy for more information. 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. It is important to note that any reasonable adjustment made must never negatively impact on the investigative and/or decision-making process outlined in this policy and procedure.</p> <p>For more information about reasonable adjustments generally please visit www.acas.co.uk.</p> <p>5.3 Right to be accompanied</p> <p>You may be accompanied by a trade union representative, a workplace colleague or a companion accompanying you as part of an agreed reasonable adjustment (see 5.2 above and 1.1 of the procedure) at any formal stage of the grievance procedure.</p> <p>Please also refer to the separate EqlA for the SQA <i>Dignity at Work</i> Policy.</p>



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	Foster good relations
Disability (continued)	<p>There is no evidence to indicate that this policy fosters good relations between employees according to <i>disability</i>. Outcomes of the policy should continue to be monitored for any trends that suggests employees may be disadvantaged directly or indirectly because of their <i>disability</i>.</p>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
Race	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Risks of Discrimination</p> <p>The grievance policy itself does not reference <i>Race</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – <i>irrespective of Nationality, Citizenship or Ethnic Origin (Race)</i>. Whilst this policy applies to all employees, the number of grievances raised in SQA are too low (less than 10) to be able to establish any meaningful data regarding equality.</p> <p>However, there is considerable national evidence to indicate a causal link between <i>Race/Ethnicity</i> and unfair treatment at work (please see earlier section) meaning that some employees, may, on balance be at a greater risk of being discriminated against at work.</p> <p>Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:</p> <p>Neutral impacts recorded (in respect of the policy itself) potentially negative impacts recorded (in the actual application of this policy).</p> <p>Please also refer to the separate EqIA for the SQA <i>Dignity at Work</i> Policy.</p>



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	<p style="text-align: center;">Advance equality of opportunity</p> <p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i> regardless of their <i>Race/Ethnicity</i>.</p> <p>However, because there is no <i>Race/Ethnicity</i> related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between employees of different <i>rac</i>es/<i>ethnicities</i>.</p> <p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
Race (continued)	<p style="text-align: center;">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>



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Protected Characteristic	General Equality Duty
Religion or Belief	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination</p> <p>The grievance policy itself does not reference <i>Religion/Belief</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – irrespective of their <i>Religion or Philosophical Belief System</i>. Once again, the number of grievances raised in SQA are too low to be able to establish any meaningful data regarding equality.</p> <p>This policy applies to all - regardless of <i>Religion</i> and <i>Belief</i>, there is no evidence to suggest that this policy affects employees differently or less favourably, on the grounds of their <i>Religion or Belief</i>. However, there is national evidence to indicate a causal link between <i>Religion/Belief</i> and unfair treatment at work meaning that some employees, may, on balance be at a greater risk of being discriminated against at work.</p> <p>Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:</p> <p>Neutral impacts recorded (in respect of the policy itself) potentially negative impacts recorded (in the actual application of this policy).</p>



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Religion / Belief f	Advance equality of opportunity
	<p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i> regardless of their <i>Religion or Belief</i>. However, because there is no <i>Religion/Belief</i> related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between employees of different <i>Religions/Beliefs</i>.</p> <p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
	Foster good relations
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different Religion or Belief. No further recommendations are made in respect of this at this stage.</p>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
Sex	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 (continued)</p> <p>Risks of Discrimination</p> <p>The grievance policy itself does not reference Sex, therefore, in theory, the policy should have an entirely neutral impact on employees – irrespective of whether they are a man or women. Again, the number of grievances raised in SQA are too low to be able to establish any meaningful data regarding equality.</p> <p>As previously illustrated, there is national evidence to indicate a causal link between Sex and unfair treatment at work meaning that some employees, may, on balance be (i) at a greater risk of being discriminated against at work and (ii) more reluctant to raise a grievance against a person on the ground of their Sex.</p> <p>Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:</p> <p>Neutral impacts recorded (in respect of the policy itself) potentially negative impacts recorded (in the actual application of this policy).</p>



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Sex (continued)	<p style="text-align: center;">Advance equality of opportunity</p> <p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i>. This includes employees of both sexes. However, because there is no Sex related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between Men and Women.</p> <p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
Sex (continued)	<p style="text-align: center;">Foster good relations</p> <p>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.</p>



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Protected Characteristic	General Equality Duty
Sexual Orientation	<p data-bbox="443 357 1984 419">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="443 459 775 488">Risks of Discrimination</p> <p data-bbox="443 528 2022 627">The grievance policy itself does not reference <i>Sexual Orientation</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – <i>irrespective of their Sexual Orientation</i>. This policy also applies to all employees, however, the number of grievances raised in SQA are too low to be able to establish any meaningful data regarding equality.</p> <p data-bbox="443 663 1995 847">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). There is considerable national evidence to indicate a causal link between <i>Sexual Orientation</i> and unfair treatment at work meaning that some employees, may, on balance be at a greater risk of being discriminated against at work.</p> <p data-bbox="443 895 1991 1007">For example, CIPD research on inclusion at work found that LGB+ employees are more likely to experience workplace conflict and harassment than their heterosexual counterparts (and less likely to raise a grievance). SQA's Equality Data shows that although most staff identify as heterosexual, there are a number who do not:</p>



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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%
Total	100.00%	100.00%	

The above table shows colleagues by sexual orientation. This table 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

The *Grievance Policy* reinforces SQA's commitment to Equality, Diversity and Inclusion and the expected standards of conduct and behaviour. It explicitly mentions that the policy and procedure will be followed without discrimination on the grounds of *Sexual Orientation* and makes direct reference to SQA's *Dignity at Work Policy* (Please also refer to the separate EqIA for the SQA *Dignity at Work Policy*).

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

Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:

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



Equality Impact Assessment - Grievance Policy V1.0

	Advance equality of opportunity
	<p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i>. This includes employees of any sexual orientation. However, because there is no <i>Sexual Orientation</i> related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between employees of different sexual orientations.</p> <p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
	Foster good relations
	<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>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
<p>Gender Identity.</p> <p>This includes:</p> <p>Gender Re-assignment</p> <p>Non-Binary</p> <p>Gender Fluid</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Risks of Discrimination</p> <p>The grievance policy itself does not reference <i>Gender Identity</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – <i>irrespective of this 'protected characteristic'</i>.</p> <p>This policy and procedure applies to all employees, however, the number of grievances raised in SQA over the past twelve months are too low to be able to establish any significant data regarding equality.</p> <p>There is, however, considerable national evidence to indicate a causal link between employee <i>Gender Identity</i> and discrimination. For example, 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 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. A report by Crossland Employment solicitors found a strong prejudice among UK employers towards transgender workers: https://www.crosslandsolicitors.com/site/hr-hub/transgender-discrimination-in-UK-workplaces and a survey by The National in 2021 suggests that 60% of transgender people in Scotland experience workplace harassment: https://www.thenational.scot/news/19556842.60-transgender-people-scotland-experience-workplace-harassment-survey-says/</p>



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A freedom of information request to Police Scotland revealed the following statistics:

Categories	Scotland	Highlands and Islands Division
Hate Incidents	7,270	138
Sexual Orientation Crimes	1,772	18
Transgender Crimes	143	1

www.scotland.police.uk/spa-media/ga3b2fc0/21-2780-response.pdf

No internal data is available to consider but the clear external evidence shows that individuals in this equality group are at risk of being discriminated against. The *Grievance Policy* reinforces SQA's commitment to Equality, Diversity and Inclusion and the expected standards of conduct and behaviour. It explicitly mentions that the policy and procedure will be followed without discrimination on the grounds of *Gender Identity* and makes direct reference to SQA's *Dignity at Work Policy* (Please also refer to the separate EqIA for the SQA *Dignity at Work Policy*).

It is a recommendation of this EQIA that the gender reassignment (Transitioning at Work) policy is implemented using policy review process.

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

Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:

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



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Gender Identity. This includes: Gender Re-assignment Non-Binary Gender Fluid (continued)	Advance equality of opportunity
	The implementation of our gender reassignment (Transitioning at Work) policy will contribute greatly to advancing equality of opportunity for employees who identify as different genders.
	Foster good relations
	There is no evidence to indicate that this policy currently fosters good relations between employees of different gender identities.
Protected Characteristic	General Equality Duty
Marriage/Civil Partnership	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	We can identify no reasonable risks or evidence to indicate how or why this policy could disproportionately impact a person on the grounds of this 'Protected Characteristic'.
	A neutral impact has been recorded for this characteristic.
	Please also refer to the separate EqIA for the SQA <i>Dignity at Work</i> Policy.
	Advance equality of opportunity
	All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i> . This includes employees of any <i>Marital Status</i> . However, because there is no <i>Marital Status</i> related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity between those of different <i>Marital Status</i> .



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	<p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
	<p>Foster good relations</p>
	<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>



Equality Impact Assessment - Grievance Policy V1.0

Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination</p> <p>The grievance policy itself does not reference <i>Gender Identity</i>, therefore, in theory, the policy should have an entirely neutral impact on employees – <i>irrespective of this ‘protected characteristic’</i>.</p> <p>This policy and procedure applies to all employees, however, the number of grievances raised in SQA over the past twelve months are too low to be able to establish any significant data regarding equality.</p> <p>There is, however, considerable national evidence to indicate a causal link between employee <i>Pregnancy/Maternity</i> and discrimination. For example, the Equalities and Human Rights Commission 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>The principal 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. 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>The report is available at: www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-</p>



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It is recommended that SQA provide all managers with Equality, Diversity & Inclusion training to ensure that they are aware of their role and responsibilities under the Equality Act 2010.

Overall risks of discrimination cannot currently be accurately identified, eliminated nor wholly discounted in SQA as the Authority does not currently collect any related profiling data relating to formal or informal grievances. We therefore ultimately conclude:

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

Please also refer to the separate EqlAs for the SQA *Pregnancy and Maternity* policy and *Dignity at Work* policy.

Advance equality of opportunity

All SQA employees are entitled to use, access and be subject to *the Grievance Policy*. However, because there is no *Pregnancy/Maternity* related profiling data available relating to those who have gone through the *Grievance procedure* in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity for pregnant employees/employees on maternity leave.

The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.

Foster good relations

Whilst this policy does not explicitly reference *Pregnancy/Maternity* there is little evidence to indicate that this policy does not foster good relations between employees.

No further recommendations are made in respect of this in relation to this policy.



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Considered by SQA	General Equality Duty
Care experience (where relevant)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination</p> <p>Whilst there is currently no evidence to suggest that care experience colleagues are placed at a disadvantage compared to other colleagues (or vice versa), it is recommended that data is collected and analysed, by care experience, to identify any adverse trends.</p> <p>The policy does make provision for the right to be accompanied in section 1.1 if there was a requirement where additional support would help an employee, they may be accompanied by a family member or friend including to allow their companion to support them with communication.</p> <p>Section 2.3 (Equalities) of the grievance procedure states:</p> <p>‘If any aspect of this policy causes you difficulty on account of a disability, please inform HR Shared Services. The grievance policy and procedure will be followed without discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.’</p> <p><u>It is recommended that Care Experience be added to the list of equalities under this section of the procedure.</u></p> <p>Neutral Equality impact recorded in this area.</p>
	<p style="text-align: center;">Advance equality of opportunity</p>
	<p>All SQA employees are entitled to use, access and be subject to <i>the Grievance Policy</i>. However, because there is no <i>Care Experience</i> related profiling data available relating to those who have gone through the <i>Grievance procedure</i> in SQA, it is not possible to conclude if this policy does effectively advance equality of opportunity for <i>Care Experienced</i> employees.</p>



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	<p>The policy states that SQA will ensure that throughout the procedure nobody is discriminated against because of a protected characteristic and ensures all employees are aware that reasonable adjustments can be made to ensure that they do not put anyone with a protected characteristic at a substantial disadvantage.</p>
	<p>Foster Good Relations</p>
	<p>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</p>