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	By September 2024	Additional Schedule Review Date	By September 2023

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.

Equality Impact Assessment – Paternity Policy V1.0

Required Actions	Owner	Date	Comment & Review
			[ONGOING RECORD]
Actions taken to **monitor the implementation of policy and the impact on equality groups** (evidence and consultation)			
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	
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	

Identified Actions: General Equality Duty	Owner	Date	Comment & Review
Eliminate unlawful discrimination We advise that SQA captures data for applications for *Paternity Leave* and all other family/parental related leave.	Head of HR	By September 2024	
Advance equality of opportunity and to foster good relations It may also be useful to include this policy within a suite of related parental/family related policies when published on the intranet to help people access all relevant information in one place.	Head of HR	By September 2024	
Moving forward equality profiling data is collected for all those applying for paternity leave and pay.	People Reward and Equalities Manager	By September 2024	
Linked statutory legislation referred to in the policy needs to be reviewed to check it is up to date.	Head of HR	By September 2024	
Language changed in the eligibility section to • "Be the child's biological father, or *biological* mother's husband, civil partner or partner etc..."	Head of HR	By September 2024	
To enhance development of the policy share it with the ACE network to measure impact.	Head of HR	By September 2024	
Consulting the policy's aims and processes with the Disability network group would both help to check its development but also explore opportunities for further development.	Head of HR	By September 2024	
Speaking to members of the Women's community network directly will help SQA develop this policy and explore ways we can improve its direction and profile in SQA.	Head of HR	By September 2024	

Measure potential to improve the development of the policy by speaking directly to the Rainbow network.	Head of HR	By September 2024	

Policy Aims

Name of Policy or Practice:	Paternity
New Policy or Revision?	New
Name of Policy Owner:	Head of Human Resources
Date Policy Owner Confirmed Completion:	Draft

What is the rationale for this policy or practice?
This policy sets out to inform staff of their paternity rights and explains the internal process to be followed for those that are eligible. The policy has been developed in line with the *Paternity and Adoption Leave Regulations 2002* and the *Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003.*

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

The policy is developed in line with legislation explained here Paternity pay and leave: Overview - GOV.UK (www.gov.uk) and has been reviewed against the Advisory, Conciliation and Arbitration Service (ACAS) guide on paternity leave and rights here Checking you can get paternity leave: Your paternity leave, pay and other rights - Acas.

We ultimately conclude that the policy closely reflects the ACAS guidelines and covers SQA's statutory obligations.

As a general point, the linked statutory legislation referred to in the policy needs to be reviewed at regular intervals to check it is up to date.

The policy has a predominately internal focus and is written from the 1st person point of view to help access what is sometimes complex information. The policy is part of a suite of 7 other separate related 'leave' policies and will, we understand, be accessed on SQA's intranet under a general policy heading.

What are the aims of this policy or practice?

The policy recognises that when raising a family, individuals have a statutory right to time off work (paid and unpaid).

The policy also aims to ensure easily found appropriate information about time off work for paternity leave is available. There is a stated link to valuing employees and supporting time off for parental responsibilities.

The policy itself is divided in two discrete sections:

Policy Structure:

1: Part A – Policy detail.

2: Part B – Procedures for SQA employees to follow.

The following SQA policies are also related to the *Paternity* policy:

- Adoption
- Compassionate leave
- Flexible Working
- Maternity
- Shared Parental Leave

| How is the content of these aims relevant to equality groups? |
|---|
| **Lesbian, gay, bisexual, transgender, queer/questioning and other sexual identities (LGBTQ+) Parents:**

We researched externally and noted that now more than ever LGBTQ+ couples are adopting in the UK.

https://www.gov.uk/government/news/record-number-of-children-adopted-by-lgbt-families

The numbers of same-sex couple families have increased substantially in recent years with an increase of 53.2% from 152,000 in 2015 to 232,000 in 2018. We do feel this policy clearly defines from the outset, that paternity leave not only applies to a child's biological father, but it also applies to the mother's civil partner or partner or to one of a couple jointly adopting and this is regardless of gender as long as they have (or expect to have) responsibility for the child's upbringing. |

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

Age:	
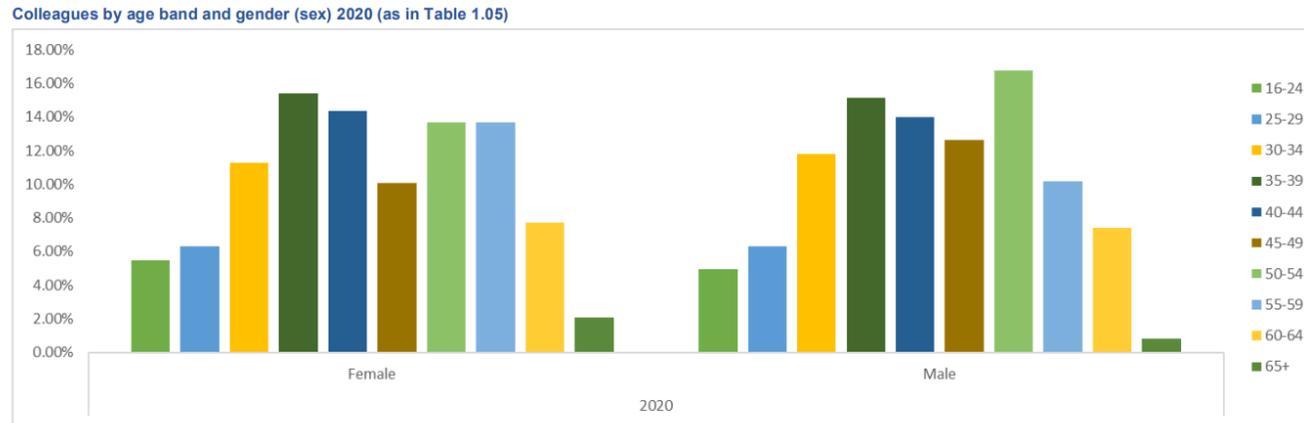
The above table shows colleagues by age band and gender as of 2020. This table 1.05 is available to view on SQA workforce equality monitoring report 2019-2020 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf

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

Comparisons between 2019 and 2020 data show that the 30–34 age band saw the largest reduction of female colleagues – a total of seven 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.

Disability	**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.

Colleagues by disability status (as in Table 1.07)
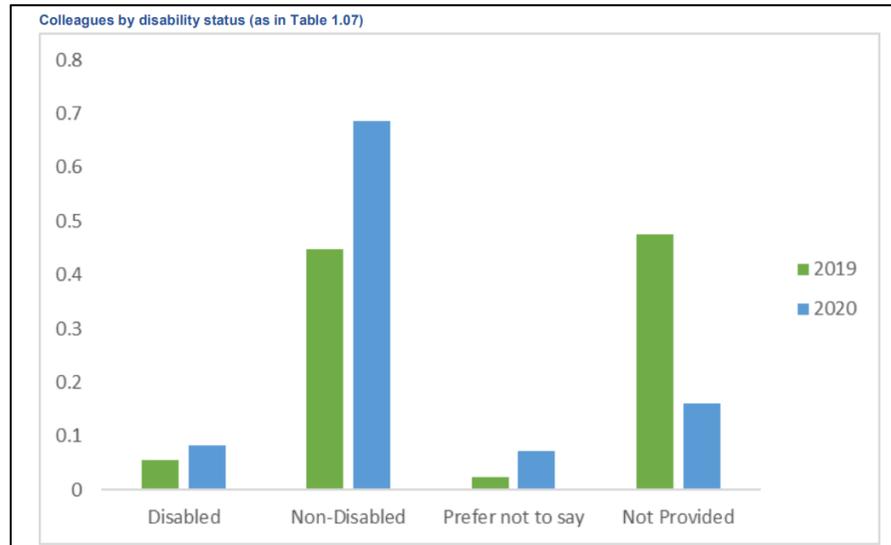
The above table shows colleagues by Disability status. This table 1.07 available to view on SQA workforce equality monitoring report 2019-2020 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf
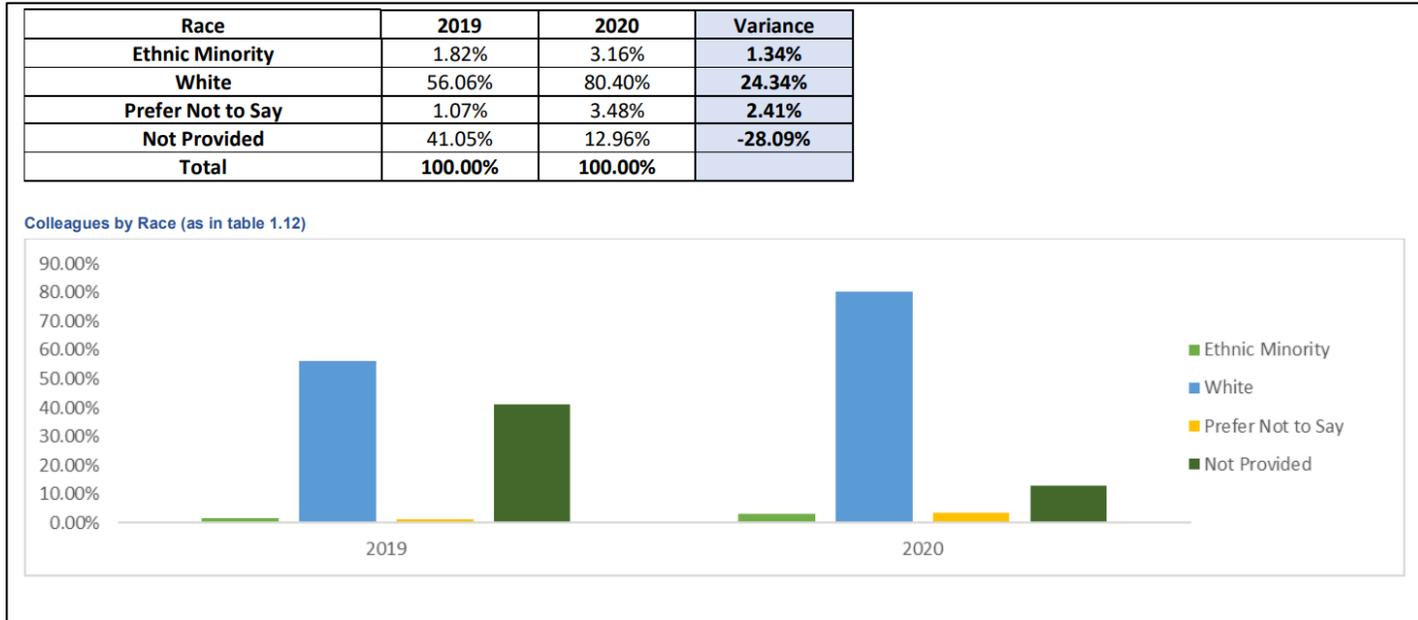
The highest proportion of colleagues who have declared a disability (53%) falls within the lowest age bands (16 – 44) and second highest (47%) within the upper age bands (45–64)

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%.

Race Ethnicity

| Race	2019	2020	Variance
Ethnic Minority	1.82%	3.16%	1.34%
White	56.06%	80.40%	24.34%
Prefer Not to Say	1.07%	3.48%	2.41%
Not Provided	41.05%	12.96%	-28.09%
Total	100.00%	100.00%	

Colleagues by Race (as in table 1.12)

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)	
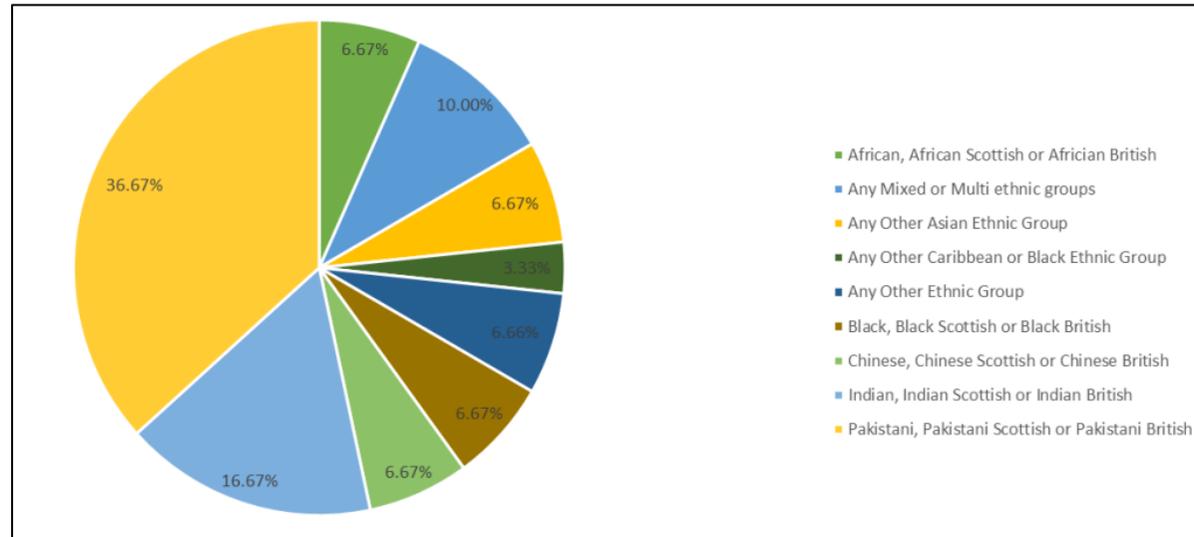
The above tables show colleagues by Race. This table 1.15 is available to view on SQA workforce equality monitoring report 2019-2020 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf

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

Religion or Belief	

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.

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

Sex

	Gender (Sex)					
	Female			Male		
Grade	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.

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

Sexual Orientation

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

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

Gender Re-assignment (Gender identity and transgender)	No equality profiling data is currently captured by the SQA.
Marriage/Civil Partnership	No equality profiling data is currently captured by the SQA.
Pregnancy / Maternity	

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

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.

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

Protected Characteristic	General Equality Duty
Age	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on people all *Ages* as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of *Age* discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *age r*elated profiling data relating to Paternity Leave. <u>It is therefore recommended that moving forward, equality profiling data relating to *Age* is collected for all those applying for paternity leave and pay.</u> **Neutral Equality Impact Recorded**
	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for those in different age groups.
	Foster good relations
	There is no specific evidence within the policy to indicate how it fosters good relations between people who share / do not share 'Protected Characteristics'.

Protected Characteristic	General Equality Duty
Disability	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of *Disability* discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *disability r*elated profiling data relating to Paternity Leave. It is therefore recommended that moving forward, equality profiling data relating to *Disability* is collected for all those applying for paternity leave and pay. **Neutral Equality Impact Recorded** Advisory Comment / Query for EMRG: The policy states the (page 4) that all paternity requests should be place in writing. Should we be providing an alternative to this ?
Protected Characteristic	General Equality Duty
	Advance equality of opportunity
Disability (continued)	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for disabled and non-disabled employees.

	Foster good relations
Disability	SQA's **Disability** network have an overall remit to: 1: Promote and enhance disability equality in SQA 2: Position SQA as an inclusive employer of choice that welcomes, embraces and celebrates the contribution of a diverse workforce 3: Supporting SQA to become a Disability Confident leader in Scotland'. <u>Consulting the policy's aims and processes with this group would both help to check its overall impact but also explore opportunities for further development.</u> SQA are also a Disability Confident employer so continued promotion and engagement with the objectives of the scheme is also essential in continuing to foster good relations between employees who are disabled / not disabled.

Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees – irrespective of *Race/ Ethnicity* as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of overall discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *Race r*elated profiling data relating to Paternity Leave. It is therefore recommended that moving forward, equality profiling data relating to *Race* is collected for all those applying for paternity leave and pay. **Neutral Equality Impact Recorded**
	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees of different races/ethnicities.
	Foster good relations
Race (continued)	The Appreciate Culture and Ethnicity (ACE) Network exists to foster good relations, provide support, create an overall sense of belonging that may not exist elsewhere in the organisation. It also exists with the aim of sharing experiences, providing feedback and recommendations as to how SQA can promote a more diverse and inclusive workplace. Measuring the impact of this policy with the ACE group will help SQA understand if there are any issues and opportunities to raise awareness and improve on the policy generally.

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

Equality Risks:

This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees as the policy clearly defines the links to external legislative requirements and internal processes to be followed.

However, overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *Religion/ Belief r*elated profiling data relating to Paternity Leave.

It is therefore recommended that moving forward, equality profiling data relating to *Religion or Belief* is collected for all those applying for paternity leave and pay.

Neutral Equality Impact Recorded

Advance equality of opportunity

There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees of different *Religions/ Beliefs.*

Foster good relations

The ACE Network exists to foster good relations, provide support, create an overall sense of belonging that may not exist elsewhere in the organisation. It also exists with the aim of sharing experiences, providing feedback and recommendations as to how SQA can promote a more diverse and inclusive workplace.

Measuring the impact of this policy with the ACE group will help SQA understand if there are any issues and opportunities to raise awareness and improve on the policy generally.

Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 (continued)
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees – **irrespective of *Sex*** as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of *Sex* discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *sex r*elated profiling data relating to Paternity Leave. It is therefore recommended that moving forward, equality profiling data for *Sex* is collected for all those applying for paternity leave and pay. **Neutral Equality Impact Recorded**
	Advance equality of opportunity
Sex (continued)	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees of different *Sexes.*
	Foster good relations
Sex (continued)	In SQA the Women's network 'provides a welcoming space for women across the organisation. Through open meetings and events there are opportunities to get to know one another, offer and receive support, and influence SQA policy development in areas of equality and inclusion. Speaking to members of this network directly will help SQA develop this policy and explore ways we can improve its direction and profile in SQA.

Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Equality Risks: The policy states that to be eligible for paternity leave an employee must • Be the child's biological **father**, or mother's **husband**, civil partner or partner and have (or expect to have) responsibility for the child's upbringing, • Be one of a couple jointly adopting a child, • Be taking leave to care for the child or support the child's mother/primary adopter Otherwise, this policy clearly references different types of families and should therefore have a positive impact on all employees including staff who are LGBTIQ+. However, we recommend that in the section of the policy above, the language should be changed to state: • "Be the child's biological father, or ***biological*** mother's husband, or ***biological*** mother's wife civil partner or partner etc..." The reason for this is to give full clarity and weight to same sex female couples' roles in the child's life. **Negative Impact Recorded for some same sex couples which could be mitigated by rephrasing one section in the policy.**

Sexual Orientation	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for LGBTQ+ employees
	Foster good relations
	The Rainbow Network is SQA's LGBTQ+ colleague network. They are 'part of a vibrant global movement for change made up of LGBTQ+ people and our allies. We play a pivotal role in making sure that SQA is a workplace that embraces LGBTQ+ diversity and inclusion'. Speaking to members of this network directly will help SQA effectively develop this policy and explore ways we can improve its direction and profile in SQA. Specifically appropriate support links can be discussed to help access external advice/guidance. Measure potential to improve the development of the policy by speaking directly to the Rainbow network.

Protected Characteristic	General Equality Duty
Gender Identity. **This includes:** **Gender Re-assignment** **Non Binary** **Gender Fluid**	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of *Gender Identity* discrimination in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *Gender Identity r*elated profiling data relating to Paternity Leave. It is therefore recommended that moving forward, equality profiling data for *Gender Identity* is collected for all those applying for paternity leave and pay. **Neutral Equality Impact Recorded**
Gender Identity. **This includes:**	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees of differing gender identities
Gender Re-assignment **Non Binary** **Gender Fluid** **(continued)**	Foster good relations
	Suggestion action of measuring the potential to improve the development of the policy by speaking directly to the Rainbow network.

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
	Equality Risks: This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees as the policy clearly defines the links to external legislative requirements and internal processes to be followed. However, overall risks of discrimination on grounds of *Marriage/Civil Partnership* in SQA cannot be accurately identified, eliminated nor discounted as the organisation does not currently collect *Marital Status r*elated profiling data relating to Paternity Leave. It is therefore recommended that moving forward, equality profiling data relating to *Marital Status* is collected for all those applying for paternity leave and pay. **Neutral Equality Impact Recorded**
	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees of differing marital status.
	Foster good relations
	There is no evidence to indicate that this policy currently fosters good relations between employees of different *Marital Status*. No further recommendations are made in respect of this at this stage.

Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Please refer to the separate EqIA for SQA's Maternity policy. **Neutral Equality Impact Recorded**
	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for employees who are pregnant/on maternity.
	Foster good relations
	There is no evidence to indicate that this policy currently fosters good relations between employees who are *Pregnant or on Maternity Leave.* No further recommendations are made in respect of this at this stage.

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
	This policy details the entitlements and process to be followed for any employee who is applying for paternity leave and pay. This policy should therefore have a **positive impact** on all employees as the policy clearly defines the links to external legislative requirements and internal processes to be followed.
	Advance equality of opportunity
	There is no specific evidence to suggest that the Paternity Policy advances equality of opportunity for care experienced employees
	Foster Good Relations
	There is no evidence to indicate that this policy currently fosters good relations between employees who are *Care Experienced.* No further recommendations are made in respect of this at this stage.