

SQA Equality Impact Assessment

Please read the [Equality and Human Rights Commission Guidance on assessing impact](#).

Your policy

1 What is the name of your policy, procedure, proposal, project, or decision*?

*Referred to as 'policy' hereafter.

Policy name	Pay Policy
Completed by	Equality Impact Assessment Working Group
Head of service	Head of Human Resources
Date	9 December 2021
Next scheduled review date	2 years from policy publish date

2 Main purpose of policy

This policy aims to clearly set out SQA's approach to pay and provide guidance on how colleagues are paid and when specific payments or allowances apply.

3 Information and evidence used to evaluate impact

In order to evaluate the impact of this policy on employees who have shared protected characteristics we have sought feedback from colleagues in Human Resources and Equality & Diversity, as well as representatives from our two recognised unions, Unite and Unison, who can feedback on behalf of their representatives' and members' experiences.

We have also included representatives from SQA's employee networks – Disability, and Women's, who are able to provide valuable feedback from a significant part of the organisation.

The equalities mainstreaming report, once available, will provide information on pay gaps relating to all protected characteristics

Public Sector Equality Duty

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

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

4 How might this policy impact on people who share protected characteristics?

Please consider positive or negative impacts. (At the beginning of the process, you may want to record perceived impact. Ongoing monitoring of the policy will allow you to measure the actual impact of the policy.)

Protected characteristic	Impact (positive/negative/neutral)	Please provide more information
Age	Neutral	This policy applies equally to all.
Disability	Neutral	This policy applies equally to all.
Marriage or civil partnership	Neutral	This policy applies equally to all.
Race	Neutral	This policy applies equally to all.
Religion, belief or non-belief	Neutral	This policy applies equally to all.
Sexual orientation	Neutral	This policy applies equally to all.
Gender re-assignment (gender identity and transgender)	Neutral	This policy applies equally to all.
Pregnancy/maternity	Neutral	This policy applies equally to all. However, consideration should be given to making it clear in the policy that those on maternity leave will still be eligible for pay progression.
Sex	Neutral	This policy applies equally to all. See comments above re maternity.
Care experience (where relevant)	Neutral	This policy applies equally to all.

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

It is advised that SQA considers ways in which it can improve the collection and analysis of equality data to ensure statistics are truly reflective. This will enable the identification of pay gap concerns for all protected characteristics. Equality data is currently optional for employees to provide therefore SQA should consider raising awareness of how important it is to have this information and how it is to be used to eliminate any reluctance

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

Not applicable

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

Section 1.1 – we welcome the statement that SQA is committed to promote equality of opportunity and the recognition that women, ethnic minorities, and disabled colleagues tend to be concentrated in lower paid positions and grades, but it would be useful to also refer colleagues to section 3 of the policy at this point.

Section 2.1 – ‘This policy does not form part of your contract of employment, **it does however impose obligations on you that you must observe and comply with.**’ what kind of obligations? The heading refers to ‘contractual obligations’ although this statement says it doesn’t form part of the employment contract, we couldn’t see any other sections in the policy that explains what this refers to.

Section 3 – include links or direct colleagues to the specified published resources to demonstrate how SQA address issues of pay inequality and how these are recorded/monitored/reported (eg Intranet, Workforce Equality Monitoring Report and Equality Mainstreaming Reports 2019-21 etc)

Section 5.1, 5.2, 5.4 – it would be helpful to confirm that when promoted, employees will always start at point ‘0’ of the grade. Also to confirm when employees move to a same graded point, they will retain their pay point – it is a bit vague what is there currently.

Section 5.5.1 – when a colleague has volunteered to move to a lower grade post and the appropriate pay point is determined, is this discussed with the colleague before it is implemented? We would expect for equity, that a colleague at a higher grade would in most cases have more than enough experience and skills to carry out the tasks required in the lower grade, but it would be good for this to be clear.

Section 5.7.2 – require clarity on what the overseas allowance covers. Possibly not an issue if travelling to countries out with the UK for SQA international projects, but in some instances where a colleague’s cultural background and language skills may be considered useful, it would be good to clarify whether this is paid per night as a result of the need to travel abroad, or whether it is to be claimed against specific expenses.

Section 5.7.4 – expect that this payment is for physical first aiders, but what about mental health first aiders? MHFA carry out their roles on a voluntary basis and if this is not covered

General Equality Duty: eliminate discrimination, advance equality; foster good relations

by the Scottish Joint Council, it will be useful to add an explanation in this section reasons why they are not eligible for this annual payment.

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

Consultation with employee networks and members of SQA Equality & Diversity team has been completed. Consultation will also take place with SQA's recognised unions. Together, these groups represent a significant part of the workforce within SQA.

9 How will this policy be monitored and evaluated?

The policy owner will be responsible for reviewing and monitoring this policy on a regular basis to ensure that it is fit for purpose and in line with relevant legislation. All stakeholders involved in the procedure also have a responsibility for ensuring consistency, fairness, and equity throughout the policy

Action plan

Action:	Owners:	Dates:
Review considerations outlined in sections 5, 6 & 8.	Policy Review Group, HR Reward	
Review how SQA can encourage its employees to enter their equality data into Business World.	HR Analytics & Systems, Equality Team	

Approval and publication

Completed equality impact assessments will be published on SQA's website. As such, they must:

- ◆ be discussed and approved
- ◆ be sent electronically to equality@sqa.org.uk
- ◆ have actions identified, recorded and monitored as part of SQA's equality action plan

Summary of the Public Sector Equality Duty (PSED) of the Equality Act 2010

Components

A public authority must, in the exercise of its functions, have **due regard** to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act (**Fairness**)
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (**Opportunity**)
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (**Respect**)

Due regard

Regarding (b) **Opportunity**, having due regard specifically involves taking steps to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic*
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of the persons who do not share it
- c) Encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low

Regarding (c) **Respect**, having due regard specifically involves taking steps to:

- a) Tackle prejudice
- b) Promote understanding

*Due regard comprises two linked elements: proportionality and relevance. The weight that public authorities give to equality should be proportionate to how relevant a particular function is to equality. In short, the more relevant a policy, procedure or practice is to equality and people, then the greater the regard that should be paid.

Protected characteristics

The protected characteristics are:

- ◆ Age
- ◆ Marriage and Civil Partnership**
- ◆ Religion or Belief
- ◆ Disability
- ◆ Pregnancy and Maternity
- ◆ Sex

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- ◆ Gender Re-assignment
- ◆ Race
- ◆ Sexual Orientation

**Although marriage and civil partnership applies to section a) in employment only, this will be considered for all stakeholders.