

SQA EQUALITY IMPACT ASSESSMENT

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

1. Name of policy/procedure/proposal/project/decision*

*Referred to as 'policy' hereafter.

POLICY NAME	Probation Policy
COMPLETED BY	Equality Impact Assessment Working Group
HEAD OF SERVICE	Head of Human Resources
DATE	16 September 2021
SIGNATURE	
NEXT SCHEDULED REVIEW DATE	2 years from policy publish date

2. Name of policy/procedure/proposal/project/decision

Probation Policy

3. What is main purpose of the policy

The purpose of probation is to provide a period for assessment of whether you, as a new employee, are a good fit for your role.

4. This policy recognises that organisational change and restructuring can be essential to maintaining high quality services. SQA will make every effort to ensure the continued meaningful employment of staff by using redeployment and job-related training opportunities when planning for and implementing change. What information, and evidence, is being used to evaluate the impact of this policy on people who share protected characteristics?

In order to evaluate the impact of this policy on employees who share protected characteristics, and in addition to members from Human Resources and Equality & Diversity, we have included 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 – ACE (Appreciate Culture & Ethnicity), Disability, Rainbow, Women's, who are able to provide valuable feedback from a significant part of the organisation

Mainstreaming report could provide information on how many disabled colleagues fare with probation.

PUBLIC SECTOR EQUALITY DUTY

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

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

5. How might this policy impact on people who share protected characteristics? Please consider positive or negative 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). Please copy this symbol into the applicable boxes: ✓

Protected Characteristic	Neutral impact	Positive impact	Negative impact	Please provide more information
Age	✓			
Disability		✓		
Marriage/civil partnership	✓			
Race	✓			
Religion/belief/non-belief	✓			
Sexual orientation	✓			
Gender re-assignment (gender identity and transgender)	✓			
Pregnancy/maternity	✓			
Sex	✓			
Care experience (where relevant)	✓			

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

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

Ensure all of the required reasonable adjustments are in place as soon as possible to allow employee to meet probation objectives

Encourage early intervention and support from Human Resources should there be an issue with a new employees performance and/or behaviours.

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

N/A

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

Reference to “learning disability” is too prescriptive.

Need to be mindful that getting reasonable adjustments takes time and that not having them in place can impact on performance.

Requirement to attend Corporate Induction Event - need to ensure this event is in an accessible venue for staff with disabilities.

Absences related to pregnancy and maternity should be disregarded for probation purposes.

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

Consultation with union representatives, employee networks and members of SQA Equality & Diversity team has been completed which represents a significant part of the workforce within SQA.

10. 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.

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

ACTION PLAN

Ref:	Action:	Owners:	Dates:
	No Actions identified		

Signed: Julia Welsh & Zoey Marshall (EIA Working Group Leads)

Date: 16 September 2021

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

SUMMARY OF THE PUBLIC SECTOR EQUALITY DUTY (PSED) OF THE EQUALITY ACT 2010

Components	Due regard
A public authority must, in the exercise of its functions, have due regard to the need to:	Having due regard specifically involves taking steps 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)	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
c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (Respect)	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.**

The protected characteristics are:

- ◆ Age
- ◆ Marriage and Civil Partnership**
- ◆ Religion or Belief
- ◆ Disability
- ◆ Pregnancy and Maternity
- ◆ Sex
- ◆ Gender Reassignment
- ◆ Race
- ◆ Sexual Orientation

****Although Marriage and Civil Partnership applies to section a) in employment only, this will be considered for all stakeholders.**