

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
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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.

Equality Impact Assessment – Restructure Policy V1.0

Required Actions	Owner	Date	Comment & Review
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	

Equality Impact Assessment – Restructure Policy V1.0

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	

Equality Impact Assessment – Restructure Policy V1.0

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
Age and pregnancy/maternity We advise that the policy would benefit from some wording to reflect SQA's commitment to no compulsory redundancies to mitigate against any heightened concerns older employees may have about losing their job as a result of restructure.	Unlawful discrimination	HR Shared Services Manager	24/9/23	
Review the policy at section 8 to consider adding 'maternity leave' in the examples of absence to ensure inclusion in the restructure communications process	Unlawful discrimination	HR Shared Services Manager	24/9/23	
Consider adding a section in the policy to identify roles and responsibilities to assist understanding for anyone reading the policy	Foster good relations	HR Shared Services Manager		
Advise that a support section detailing where individuals can go to for additional help if needed is included in the policy	Advance equality of opportunity	HR Shared Services Manager		
It would also be advisable to add SQA's Equality, Diversity and Inclusion Policy to related documents (section 11).	Advance equality of opportunity	HR Shared Services Manager		

Equality Impact Assessment – Restructure Policy V1.0

For all equality groups we advise that data, risks and information gathered in the recently introduced 'case for change' EQIA's are used to inform future restructuring activities	Advance equality of opportunity	Head of HR & HRBP's		
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Policy Aims:

Name of Policy or practice	Restructure
New Policy or Revision	New
Name of Policy Owner	Head of HR
Date Policy Owner Confirmed Completion	25/06/20

What is the rationale for this policy or practice?

This policy recognises that organisational change and restructuring can be essential to maintaining high quality services. SQA aims to conduct any restructuring in line with their stated three values of:

- Trusted
- Progressive
- Enabling

The principles followed for any staff restructures are:

- Restructuring will be conducted in a fair, consistent and transparent way.
- A restructure is capable of efficiently and effectively delivering SQA's objectives.
- All parties will work collaboratively to get the best outcomes for the business and staff through positive employee relations and information sharing.

The policy details the definition, principles and process to be followed when restructures are taking place in the organisation.

It is also very important to note that at the time of writing, SQA is subject to a formal disbanding and reorganisation process due in September 2024. The details and arrangements of this process are currently unknown. It is however likely that this policy will be invoked as part of this activity. A key recommendation is that an Equality Analysis is undertaken on the profile of people identified as at 'risk' of redeployment during the future restructuring process taking into consideration all 'Protected Characteristics before any redundancy or redeployment action is implemented in 2024.

This is also in line with the redeployment policy.

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

This policy recognises that organisational change and restructuring can be essential to maintaining high quality services.

As discussed in [Organisation Design | Factsheets | CIPD](#) ([Chartered Institute of Personnel and Development](#))

‘Organisations change over time. They may change direction by altering their strategy, goals or purpose to align with a new vision for the future.’

SQA make a commitment to ensure the continued meaningful employment of staff by using redeployment and job-related training opportunities when planning for and implementing change.

This approach recognises insight such as [Impacts of restructuring strategies on organizations \(linkedin.com\)](#) ‘employee uncertainty affecting their job security’ to be a potentially prominent negative factor when restructuring any organisation.

This policy complies with employment legislation and there is a stated aim to review it every 2 years.

- Legislation relating to this policy is directly referenced in the policy as:
- Policy Trade Union and Labour Relations (Consolidation) Act 1992
- Employment Rights Act 1996
- Employment Relations Act 1999
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (SI 2000/1551)
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (SI 2002/2034)
- Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246)
- Equality Act 2010

See [Legislation.gov.uk](#) for detail on Acts of Parliament.

This policy is also a result of SQA’s commitment to review restructuring processes and policy in partnership with recognised trade unions.

What are the aims of this policy or practice?

SQA aims to conduct restructuring in line with their values Our values - SQA

SQA define a restructure as:

'A structural change to a business area that could have an impact on the fundamental nature of roles and/or responsibilities, location, or numbers of posts. It can include changes to job grades, working patterns and reporting lines.'

The policy aims to explain the process that must be followed during a restructure to ensure due support, approach to communication, job matching, how individual existing flexible working arrangements will be managed, and other related matters are explained clearly to employees.

The policy is associated with other SQA policies and processes:

- Job Evaluation Guidance
- Learning and Development Policy
- Redeployment Policy
- Redundancy Policy
- Recruitment and Selection Policy
- Pay Policy

We noted that this policy structure differs from standard SQA templates. It is written with policy detail and associated appendices.

There are no roles and responsibilities included to show who does what which we feel would be a general improvement for anyone reading this policy.

We also conclude generally that a support section detailing where individuals can go to for additional help if needed is included in the policy. It would also be advisable to add SQA's Equality, Diversity and Inclusion Policy to related documents (section 11).

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

National Evidence:

We feel it is important to note here that SQA has a stated commitment to no compulsory redundancies in line with Scottish public sector pay policy since 2007, which should help alleviate some natural concerns and anxieties for all individuals around the restructuring process.

We recognise and have considered the affect change can have on people generally but concluded that it would specifically impact on individuals with mental health conditions.

We noted that mental health conditions are more prevalent in equality groups – for example people identifying as Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ+) are more than twice as likely to have a mental illness as people who identify as heterosexual.

Additionally, members of the LGBTQ+ community are 2.5 times more likely to experience depression, anxiety, and substance abuse compared to heterosexual people. 31% of older adults in the LGBTQ+ community report depressive symptoms.

(source: <https://thriveworks.com/blog/mental-health-and-illness-statistics-lgbtq>)

Racism and mental health - Mind and Health and mental health statistics - Institute of Race Relations (irr.org.uk) point towards poor mental health as a factor with race. **Government statistics** show that Black / African / Caribbean / Black British people in particular have higher rates of mental illness and are therefore more likely to encounter mental health services. The 2017 **Race Disparity Audit** found that Black women are the group most likely to have experienced a common mental disorder such as anxiety or depression and that Black men are the group most likely to have experienced a psychotic disorder.

We do know from sources such as Full time and part time employment - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures.service.gov.uk) that some ethnic minority groups have higher rates of part time workers but considered that the Restructure policy does not differentiate from part and full time workers so conclude that this is not a factor for this EQIA.

Local Evidence:

SQA has up until February 2020 moved employees from one location to another (Optima site in Glasgow, Lowden site in Dalkeith, Midlothian). However, since Covid lockdown SQA moved to hybrid working The Smarter Working Programme (sharepoint.com) and while this change is still settling into 'business as usual' we conclude that the need to move anyone between work locations will be significantly reduced or no longer required.

It is noted that SQA has not historically reported on restructure impacts by personal characteristics or by 'Protected Characteristics'.

A recent introduction of SQA's requirement for a 'case for change' document in January 2022 is within every new organisational change process has been to include an equality impact assessment initiated by the business area conducting the change activity. It identifies the impact of all protected characteristics of staff affected by the forthcoming changes. Any adverse outcomes will be captured, considered, and published on the case for change document. The output is audited by SQA's internal compliance team. The introduction of this is to ensure we are considering all protected characteristics before any structural change / impacts are made, and to continue to educate the management team involved in the change process.

However, we can analyse the available data set for individuals on the redeployment register **(less than 5 on average at any one time) and conclude that it is not possible to draw any statistically meaningful conclusions from this data in respect of Equality impact.**

There is currently one restructure ongoing using this new process, therefore there is currently no data available to analyse.

This addition to process will help understand and, if necessary, mitigate any future risks to equality groups caused by organisational restructure whilst ensuring the organisation remains an inclusive workforce. For all equality groups we advise that data, risks and information gathered in these EQIA's are used to inform future restructuring activities.

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

Overall Conclusions from this Equality Impact Assessment:

This policy details the overall principles and associated policies that exist within SQA should restructuring be required for business reasons. It sets out at a strategic (and non-specific) level how restructuring will be managed in SQA when / if it arises. If any employees are not matched during the restructuring process, they will be subjected to separate SQA policies e.g. *Redeployment* and *Redundancy*.

Overall, we advise that:

- 1: This policy itself, may not require an EqIA for the reasons stated above. This has been completed but inconclusive impact is largely recorded throughout.
- 2: Any future restructuring proposals in SQA **do however require a comprehensive EqIA** (not initial screening) to identify any equality groups (e.g. *Race, Sex, Disability, Age* etc) who are at risk. This should be undertaken before and not after the restructuring is implemented.
- 3: A new section should be added to this policy detailing SQA commitments to both eliminating discrimination and promoting *Equality of Opportunity* when implementing restructuring. This should read: (example text only):

Prior to the actual implementation of any restructuring programme, SQA will:

- (i) Identify the people 'at risk' and produce a profile indicating the *Age, Sex, Race, Disability* status of all 'at risk' employees.
- (ii) Identify any potential risks of disproportionality, discrimination or unfair disadvantage in the composition of the 'at risk' pool and state how these risks may be eliminated, mitigated or justified.
- (iii) Perform a separate EqIA on any selection criteria used as part of restructuring e.g. use of absence rates, verbal / numeric reasoning testing, disciplinary records etc – again with the aim of identifying potential risks of disproportionality or discrimination within the 'at risk' pool and stating how these risks may be eliminated, mitigated or justified.

Finally, because SQA has not historically collected equality profiling data relating to previous restructuring activities, a retrospective equality analysis is not possible due to an absence of available information.

Evidence, Consultation and Engagement

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

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

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

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

Evidence of Stakeholder Engagement:

Trade Union Consultation Review Group (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 HR policies / activities, sharing resources, recording feedback and scheduling future consultation meetings.

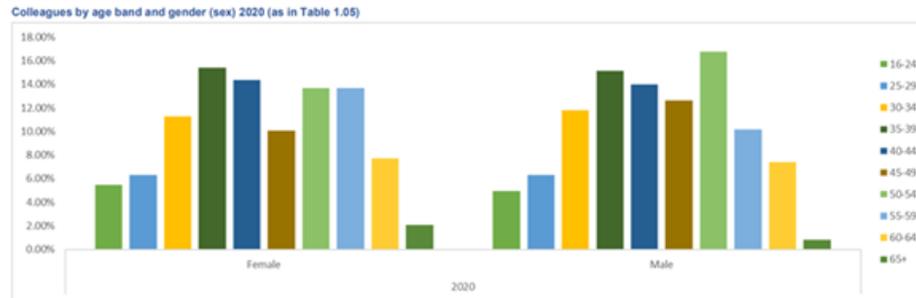
Equality Impact Assessment – Restructure Policy V1.0

Evidence of Staff Network Consultation:

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-Voucher	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



Source: SQA workforce equality report 2019-21

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. This can be found in table 1.05 at [workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/workforce-equality-monitoring-report-2019-2021.pdf)

Nationally, we considered whether age made a difference when coping generally with significant change at work. We found lots of evidence to show that the ageing process does have an impact on the way we generally think and react to events around us – for example [How your thinking skills change with age | Age UK](#).

In 2019, around 10 million or 61% of 50- to 69-year-olds were in paid work, meaning that this age group comprises almost a third (31%) of the workforce in the UK, up from just 21% in 1992.

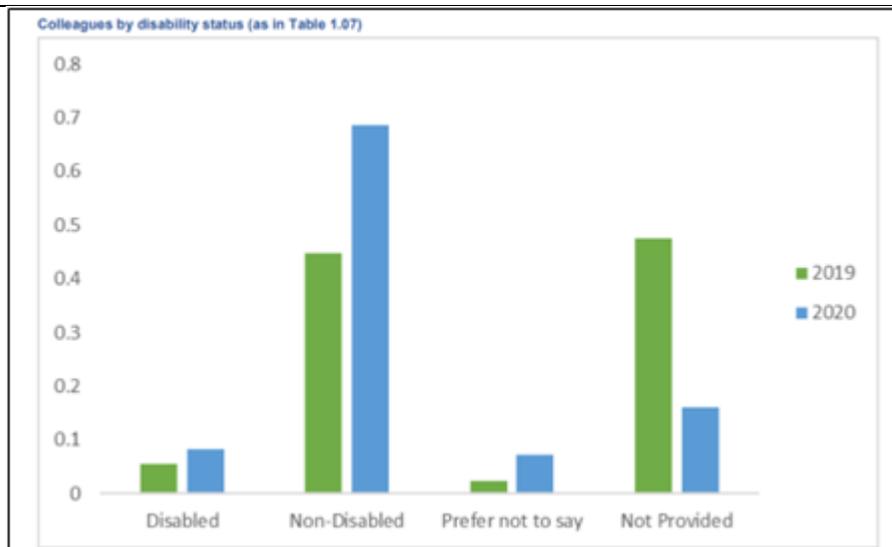
Advisory, Conciliation and Arbitration Service (ACAS) [Managing older workers | Acas](#) cautions against the ‘attempt to categorise individuals.’ Research consistently points to the fact that variation within age groups is just as important as variation between groups and that older workers are not all the same (Posthuma and Campion, 2009; Yeomans, 2011). When does a worker become ‘older’, for example? This may be a matter of official designation or self-identification but can have negative effects’.

[Building productivity in the UK | Acas](#) describes 7 levers to work productivity we think are relevant to reference here:

- well designed work – jobs and work organised in ways that increase efficiency and make the most of people’s skills
- skilled managers – managers with the confidence and training to manage and lead effectively
- managing conflict effectively – systems in place to reduce the likelihood of problems arising and to deal with problems at every stage

Age	<ul style="list-style-type: none">• clarity about rights and responsibilities – a working environment where everyone understands their rights and responsibilities• fairness – employees who feel valued and treated fairly• strong employee voice – informed employees who can contribute and are listened to• high trust – relationships based on trust, with employers sharing information at the earliest opportunity' <p>Our original assumption around age was that younger employees may embrace change better, but we cannot find any evidence to support this. We conclude that a well-managed approach to people management as described above is the most important way to engage successfully during periods of change.</p> <p>We know that older employees generally are more worried about losing their job as a result of restructuring/organisational change for example Older Workers At High Redundancy Risk (ageuk.org.uk) 102939 (peoplemanagement.co.uk) and 102939 (peoplemanagement.co.uk). However SQA has <u>no compulsory redundancies</u> as discussed earlier in this EQIA and we conclude that this mitigates this concern. The policy may benefit from reference to this commitment.</p>
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Disability



Source: SQA workforce equality report 2019-21

A total of 8.2% of SQA employees declared a disability last year. This is shown in table 1.07 at [workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/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%.

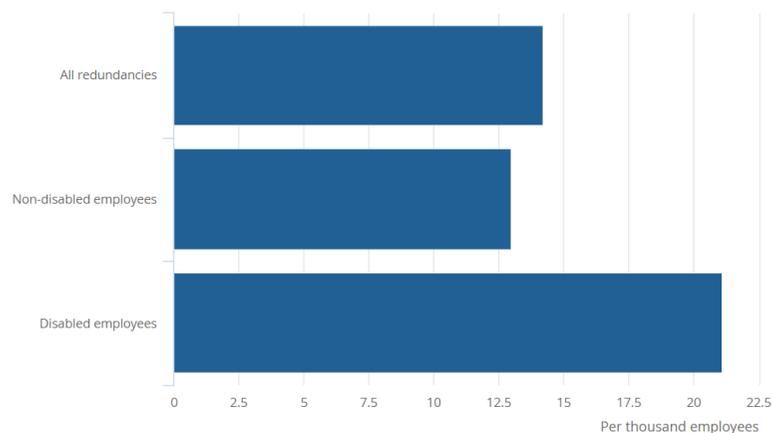
Nationally, a study from citizens advice bureau indicates that parents, carers and disabled people at least twice as likely to face redundancy. They also concluded that Visits to its [redundancy discrimination page](#) doubled from 7,000 in May to 14,000 in July. This highlights the importance of ensuring that this policy considers the impact on staff with a disability.

The SQA restructuring policy has included section 9.2 which discusses the use of equality impact assessments during the restructure process and the importance of these during restructuring activity, therefore minimising impact to those with a disability.

Disability

Figure 4: Employees with disabilities had a higher than average redundancy rate

Redundancy rates by disability status, UK, not seasonally adjusted, September to November 2020



During the coronavirus epidemic the Office for National Statistics ONS advised that staff who identified as having a disability had higher than average redundancy rates.

The [no compulsory redundancies](#) policy of SQA mitigates this concern though clear consideration about support channels for concerned individuals in the policy is advisable.

Disability	Year	Disabled people	Disabled people	Non-disabled people	Non-disabled people
		Full time (%)	Part time (%)	Full time (%)	Part time (%)
	2013/14	65.6	34.4	75.4	24.6
2014/15	65.4	34.6	75.7	24.3	
2015/16	64.6	35.4	75.9	24.1	
2016/17	64.8	35.2	76.2	23.8	
2017/18	65.4	34.6	76.2	23.8	
2018/19	65.9	34.1	76.9	23.1	
2019/20	65.3	34.7	77.1	22.9	
2020/21	68.0	32.0	78.7	21.3	

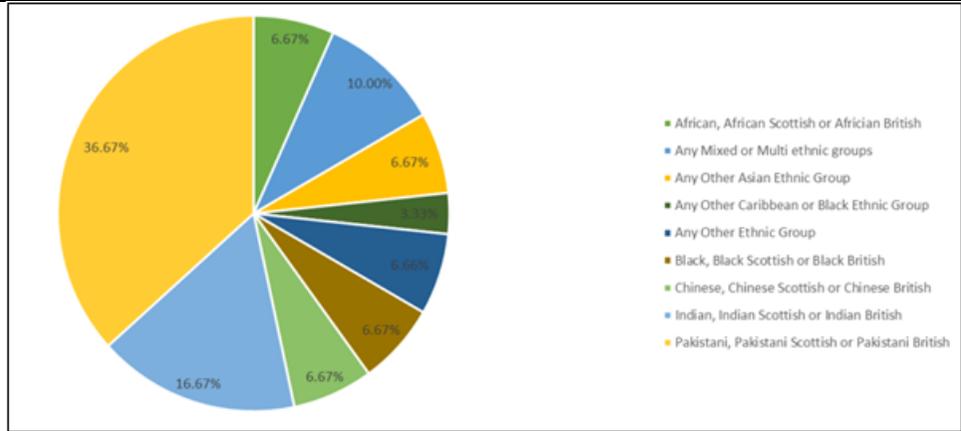
Source: ONS 2021

This shows the higher likelihood of people with a disability working part time. The Restructure policy does not differentiate between part- and full-time workers but does give assurances around Flexible Working arrangements.

We looked at how the policy is worded and presented considering in particular neurodiversity accessibility. For example [neurodiversity-guide1.pdf \(aston.ac.uk\)](#) advises that people with dyslexia would benefit from documents containing ‘wherever possible diagrams, flow charts or pictures within the document.’

[Disability, well-being and loneliness, UK - Office for National Statistics \(ons.gov.uk\)](#) details that ‘Average anxiety ratings are higher for disabled people at 4.27 out of 10, compared with 2.66 out of 10 for non-disabled people.’ It is reasonable to conclude that a period of restructure bringing about change in the workplace will heighten individual’s anxiety levels and may have a higher impact on people with a disability. We considered support channels available in SQA including Employee Assistance Programme, Mental Health First Aiders, self-referral to Occupational Health and use of the Able Futures service [here](#) and referencing this in the policy.

Race



Source: SQA workforce equality report 2019-21

Currently only 3% of SQA employees declared themselves as Minority Ethnicity against a national (Scotland) average of 5%. This can be found in table 1.15 at [workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/workforce-equality-monitoring-report-2019-2021.pdf)

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

Although there is lots of data showing comparably lower employment rates in ethnic minority groups, for example Employment - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures.service.gov.uk) we could find no data to show that people from a different race are more likely to be impacted by restructuring change in organisations.

Racism and mental health - Mind and Health and mental health statistics - Institute of Race Relations (irr.org.uk) point towards poor mental health as a factor with race. Government statistics show that Black / African / Caribbean / Black British people in particular have higher rates of mental illness and are therefore more likely to encounter mental health services. The 2017 Race Disparity Audit found that Black women are the group most likely to have experienced a common mental disorder such as anxiety or depression and that Black men are the group most likely to have experienced a psychotic disorder.

We considered this evidence given that periods of change like restructuring at work will have an impact on mental health general. We concluded that support channels as referenced in Disability above would be useful to include to mitigate against this concern.

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%	

Source: SQA workforce equality report 2019-21

29.82 colleagues say they are Christian, 17.28% are non-Christian, 29.29% declared no religion, 10.33% preferred not to say, 13.28% did not provide any information. This data is available at [Colleagues by religion or belief \(as in table 1.16\) workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/workforce-equality-monitoring-report-2019-2021.pdf)

Religious Discrimination at Work | Factsheets | CIPD explains the requirements to allow for religious observance at work and we considered this and any potential change in working arrangements.

We could find no data nationally to indicate that this equality group may be impacted negatively from this policy. We note that the reference to preservation of flexible working arrangements and the need to undertake an EQIA is referenced in Section 9 of the policy and also the pre restructure ‘case for change’ process highlighted earlier in this EQIA.

Sex

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%

Table 1.01 Colleagues by gender

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

Source: SQA workforce equality report 2019-21

This data can be found in tables 1.01 and 1.02 at [workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/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.

We identified that female employees are, on balance, more likely to work part time than men. [SN06838.pdf \(parliament.uk\)](https://www.parliament.uk/sn06838.pdf) Therefore, as per our comments for Disability, the Restructure policy does not differentiate between part- and full-time workers but does give assurances around Flexible Working arrangements.

We considered whether menopause could cause increased anxiety and/or difficulties in managing symptoms like 'brain fog' during a period of workplace challenge and change like restructure.

'Menopausal women are the fastest-growing demographic in the workforce, so it's important now more than ever to be able to speak openly about menopause at work.

Menopause can affect a woman's working life, especially through times of organisational change. Sometimes menopausal symptoms or working conditions can impact your ability to concentrate or carry out your role to the best of your ability.

Sex

Many women have said that they often find managing their menopause symptoms in the workplace very challenging. Coping with symptoms in the workplace can be hard, especially as many women find it difficult to talk about menopause at work'. Source: www.nhsinform.scot

We considered the action we'd highlighted in Disability to mitigate this risk by advising within the policy that there are well established support channels who could provide specific support in these circumstances such as Employee Assistance Programme, Mental Health 1st Aiders, self-referral to Occupational Health and use of the Able Futures service.

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%	

Source: SQA workforce equality report 2019-21

70.60% colleagues say they are heterosexual, 1.26% bisexual, 2.11% gay man, 1.05% gay woman, 0.21% in another way, 0.11% not sure, 8.01% prefer not to say and 16.65% did not provide information. This data is available at Table 1.18 Colleagues by Sexual Orientation [workforce-equality-monitoring-report-2019-2021.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/workforce-equality-monitoring-report-2019-2021.pdf)

Nationally we found that members of the LGBTQ+ community are 2.5 times more likely to experience depression, anxiety, and substance abuse compared to heterosexual people. 31% of older adults in the LGBTQ+ community report depressive symptoms.
(source: <https://thriveworks.com/blog/mental-health-and-illness-statistics-lgbtq>)

It is reasonable to conclude that a period of restructure bringing about change in the workplace will heighten an individual’s anxiety levels and may have a higher impact on people in this equality group more. We considered support channels available in SQA including Employee Assistance Programme, Mental Health 1st Aiders, self-referral to Occupational Health and use of the Able Futures service and referencing this in the policy.

| **Gender Re-assignment (Gender identity and transgender)** | No equality profiling data is currently captured by the SQA. | | | |

<p>Marriage/Civil Partnership</p>	<p>There is no external evidence relating to this equality group and restructuring or organisational change in general.</p> <p>We note that SQA have a section in their Code of Conduct policy requiring employees to disclose close relationships at work to their line manager. We therefore refer to the EQIA for Code of Conduct for related actions.</p>																			
<p>Pregnancy / Maternity</p>	<table border="1" data-bbox="506 475 1435 699"> <thead> <tr> <th rowspan="2">Pregnancy Status</th> <th colspan="3">Colleagues</th> </tr> <tr> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Not Pregnant</td> <td>98.25%</td> <td>98.95%</td> <td>0.70%</td> </tr> <tr> <td>Pregnant</td> <td>1.75%</td> <td>1.05%</td> <td>-0.70%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> <td>100.00%</td> <td></td> </tr> </tbody> </table> <p>Source: SQA workforce equality report 2019-21</p> <p>98.95% of colleagues are not pregnant, 1.05% are pregnant available at Table 1.20: Colleagues by pregnancy status workforce-equality-monitoring-report-2019-2021.pdf (sqa.org.uk)</p> <p>It's clear from information sources; <u>Redundancy during pregnancy, maternity and parental leave - Maternity Action</u> and <u>Pregnant women and new parents to get enhanced redundancy protections - GOV.UK (www.gov.uk)</u> and <u>Acas guide to managing redundancy for pregnant employees or those on maternity leave Acas</u></p> <p>That employers have to be explicit for statutory reasons on their approach to redundancy. Redundancy can be a consequence of organisational restructuring. We considered the no compulsory policy SQA have committed to previously and this is important to note here too, consideration should be given to reference this commitment.</p> <p>There is clear reference in the policy (section 8) relating to the essential need to include 'staff who are absent on any kind of leave, on secondments elsewhere with a substantive post within the restructured area' at the time of restructure to be included in all communications activity. However, there is no specific mention of maternity leave and we suggest this should be added.</p>	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%	
Pregnancy Status	Colleagues																			
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Total	100.00%	100.00%																		

Care experience (where relevant)	No equality profiling data is currently captured by the SQA.
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Impact and Opportunities for Action

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

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

Protected Characteristic	General Equality Duty
Age	<p data-bbox="488 325 2029 384">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="488 464 824 496">Risks of Discrimination:</p> <p data-bbox="488 544 2029 612">The policy defines the expectations of SQA employees impacted during organisational restructure as defined in the policy.</p> <p data-bbox="488 660 2029 799">Overall risks of Age discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect <i>Age</i> related profiling data relating to restructures. This will change however with the introduction of <i>Case for Change</i> documentation that be accompanied with a specific EQIA before any restructure takes place.</p> <p data-bbox="488 839 1995 908">This addition to SQA processes will help to understand and, if necessary, mitigate any future risks to equality groups caused by organisational restructure whilst ensuring the organisation remains an inclusive workforce.</p> <p data-bbox="488 948 1917 1016">Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>

Age:	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	<u>We advise that the policy would benefit from some wording to reflects SQA’s commitment to no compulsory redundancies to mitigate against any heightened concerns older employees may have about losing their job as a result of restructure.</u> SQA is also overtly committed to a ‘No Compulsory Redundancy’ policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.

Protected Characteristic	General Equality Duty
Disability	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>There may be heightened concerns for individuals with poor mental health during a period of significant change. Whilst the policy is clear and detailed, it could be further enhanced with reference to specific support channels.</p> <p>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	<p><u>Consider an additional 'support' section to add to the policy ensuring employees have access to internal and external specialist support if they have any concerns.</u></p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
<p>Religion or Belief</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>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	<p>Advance equality of opportunity</p>
	<p>No evidence that this policy advances Equality of opportunity to any specific equality groups.</p>
	<p>Foster good relations</p>
	<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
Gender Re-assignment (Gender identity and transgender)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	<p style="text-align: center;">Advance equality of opportunity</p>
	<p>No evidence that this policy advances Equality of opportunity to any specific equality groups.</p>
	<p style="text-align: center;">Foster good relations</p>
	<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>

Protected Characteristic	General Equality Duty
<p>Marriage/Civil Partnership</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>Overall risks of discrimination in SQA cannot be accurately identified, eliminated nor discounted as the Authority does not currently collect Equality profiling data relating to restructures.</p> <p>Conclusion: Unable to neither identify or wholly eliminate equality risks due to an absence of available evidence and the generalist / non specific nature of this policy.</p>
	<p>Advance equality of opportunity</p>
	<p>No evidence that this policy advances Equality of opportunity to any specific equality groups.</p>
	<p>Foster good relations</p>
<p>No evidence that this policy does (or theoretically could) foster good relations between SQA employees who share/ do not share 'Protected Characteristics' as defined by <i>The Equality Act 2010</i>.</p> <p>SQA is overtly committed to a 'No Compulsory Redundancy' policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.</p>	

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>There is clear reference in the policy (section 8) relating to the essential need to include ‘staff who are absent on any kind of leave, on secondments elsewhere with a substantive post within the restructured area’ at the time of restructure to be included in all communications activity.</p> <p><u>There is no specific mention of maternity leave in the communications section and we suggest this should be added.</u></p> <p>Conclusion: Potential adverse impact on employees who are on maternity leave which could be mitigated by rewording the policy as suggested above.</p>
	Advance equality of opportunity
	No evidence that this policy advances Equality of opportunity to any specific equality groups.
	Foster good relations
	SQA is overtly committed to a ‘No Compulsory Redundancy’ policy. We consider this does contribute in promoting good relations between all staff by reinforcing a commitment to job security – regardless of personal characteristics and circumstances.

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
	There is currently no data or evidence to suggest that care experience colleagues are placed at a disadvantage compared to other colleagues.
	Conclusion: Neutral Equality related impact is therefore recorded in this area.
	Advance equality of opportunity
	n/a
	Foster good relations
	n/a

Rationale

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

N/A.