



## 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 Retention and Redeployment Policy – V1.0

| Required Actions   | Owner  | Date                                   | Comment & Review        |
|--|--|--|-------------------------|
| Actions taken to <b>monitor the implementation of policy and the impact on equality groups</b> (evidence and consultation)                               |  |  | <b>[ONGOING RECORD]</b> |
| 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 |                         |



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| Identified Actions: General Equality Duty   | Owner   | Date      | Comment & Review |
|---|---|-----------|------------------|
| 1: Add <i>Gender Identity</i> (i.e. people who identify as more than one gender or none) to all future Equality Monitoring reporting.                                   | HR Reward and Equalities Manager.<br>HR People Analytics and Governance Systems Manager | Sept 2024 |                  |
| 2: We recommend that the SQA create a new <i>Gender Identity</i> policy to facilitate and advance equality of opportunity to employees who are LGBTQ+.                  | HR Reward and Equalities Manager  | Sept 2024 |                  |
| 4. It is recommended that some consideration is given to developing a specific policy that supports older workers during their SQA career.                              | HR Shared Service Manager   | Sept 2024 |                  |
| 5. Add Equality, Diversity and Inclusion Policy to related documents (section 10)   | HR Business Partner   | Sept 2024 |                  |
| 6. Remove “other exceptional circumstances” as a reason for redeployment in section 2.1   | HR Shared Service Manager in Consultation with recognised Trade Unions                  | Sept 2024 |                  |
| 7. Add in Employee Assistance number to section 4.4 and add additional support information such as SQA networks, Mental Health First Aiders and Able Futures            | HR Shared Service Manager in Consultation with recognised Trade Unions                  | Sept 2023 |                  |
| 8. Include a link to Fair work Framework  | HR Shared Service Manager in Consultation with recognised Trade Unions                  | Sept 2023 |                  |
| It is recommended that outcomes of the policy should be monitored for any trend that suggests employees may be disadvantaged directly or indirectly as a result of age. | HRBP  | Sept 2024 |                  |



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|  |      |           |  |
|--|------|-----------|--|
| If this policy is relied on as SQA reforms by Sept 2024 an Equality Analysis is undertaken on the profile of people identified as at 'risk' of redeployment by all 'Protected Characteristics is undertaken before any redundancy or redeployment action is implemented in 2024. | HRBP | Sept 2024 |  |
|--|------|-----------|--|



## Equality Impact Assessment Retention and Redeployment Policy – V1.0

### Policy Aims:

|  |                                   |
|--|-----------------------------------|
| <b>Name of Policy or Practice:</b>             | Retention and Redeployment Policy |
| <b>New Policy or Revision?</b>                 | Revision                          |
| <b>Name of Policy Owner:</b>                   | Head of Human Resources           |
| <b>Date Policy Owner Confirmed Completion:</b> | 29 July 2020                      |

### What is the rationale for this policy or practice?

The stated aims of the SQA *Retention and Redeployment* policy are:

SQA recognise that security of employment, work and income are important foundations of a successful life. We acknowledge and value the contribution of all our employees and we are committed to maintaining continuity of employment wherever possible.

There might, however, be circumstances when colleagues can't stay in their post and this will mean they are 'displaced'. This could be because of changes in the organisation or for health reasons. Where this happens, we will make all reasonable efforts to help a person secure an alternative position (*Redeployment*) so that they can continue working with SQA and we retain their knowledge, skills and experience (*Retention*.)

This is not a Redundancy policy. SQA have a separate Redundancy Policy for that process.



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

As stated above, SQA may look to redeploy a colleague when there is a change that means their post is no longer needed or on health grounds when a colleague is no longer able to undertake their role. The policy aims to ensure that there is a consistent and fair means of facilitating a redeployment.

**It is important to note that a total of three people were subjected to this policy in SQA in the last twelve months.** (0.03% of the overall workforce.)

**We therefore conclude (i) This is a very insignificant data sample (ii) It is practically impossible to draw any meaningful conclusions in respect of Equality impact.**

**Whilst this EqlA has identified some potential (in some cases hypothetical) impacts, there is little evidence either nationally or locally within SQA to specifically support some of the findings of this assessment.**

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 process and a key recommendation is that an Equality Analysis is undertaken on the profile of people identified as at 'risk' of redeployment by all 'Protected Characteristics is undertaken before any redundancy or redeployment action is implemented in 2024.

**What evidence is there to support the implementation or development of this policy or practice?****National Guidance:**

The Advisory, Conciliation and Arbitration Service (ACAS) Redundancy Advice states:

*“You must try and move employees selected for redundancy into other jobs within your organisation instead (offer 'suitable alternative employment').*

*You must identify any available jobs in your organisation and talk to the affected employees to see if they agree they're suitable. If a role is suitable, you should offer it instead of redundancy. If you do not, the employee could make a claim to an employment tribunal for unfair dismissal.*

*They should not have to apply for the role. But if more than one employee is interested in the same role, you must offer the role to any employees on maternity leave or Shared Parental Leave first. For all other employees, you must follow a fair process, for example holding interviews for the role.”*

Equality and Human Rights Commission (EHRC) states in its Advice and Guidance on Workplace Adjustments that:

*“An employer should consider whether a suitable alternative post is available for a worker who becomes disabled (or whose disability worsens), where no reasonable adjustment would enable the worker to continue doing the current job.*

*This might also involve retraining or other reasonable adjustments such as:*

- *Providing equipment for the new post*
- *Transferring a position to a higher grade”*



## Equality Impact Assessment Retention and Redeployment Policy – V1.0

### What are the aims of this policy or practice?

As previously stated, the aims of this policy are:

SQA recognise that security of employment, work and income are important foundations of a successful life. We acknowledge and value the contribution of all our employees and are committed to maintaining continuity of employment wherever possible.

There might, however, be circumstances when colleagues can't stay in their post and this will mean they are displaced. This could be because of changes in the organisation or health reasons. If this happens, we will make all efforts to help them find another post so that they can continue working with SQA, retaining knowledge, skills and experience (redeployment).

### What are the aims of this policy or practice? (continued)

The following SQA policies are also related to the Retention and Redeployment policy:

- Restructure Policy
- Attendance Management Policy
- Improving Performance Policy
- Pay Policy





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

The SQA acknowledges that people who share / do not share, certain 'Protected Characteristics' may, on balance:

- Experience compound discrimination or intersectionality i.e. where a person has one or more characteristics and may be subjected to consequentially greater levels of disadvantage as part of a redundancy process.
- Have greater difficulties following or complying with the written requirements of a workplace policy e.g. articulating a reason for suitability for an alternative post in writing, taking part in one to one meetings, following a reporting flowchart etc.
- Experience higher levels of anxiety in respect of finding an alternative post
- Feel less comfortable discussing their suitability for an alternative post with people of the opposite Sex.

**The development, implementation and analysis of the effects of this policy are therefore highly relevant to people from all Equality groups as they may risk experiencing disproportionate impacts or outcomes.**

**It is important that the SQA identifies and takes action to mitigate or remove any disadvantage identified which is the overall purpose of this Equality Impact Assessment.**



## Evidence, Consultation and Engagement

### What stakeholders have you engaged within 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 only 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.



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

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

The table below details the consultation undertaken.



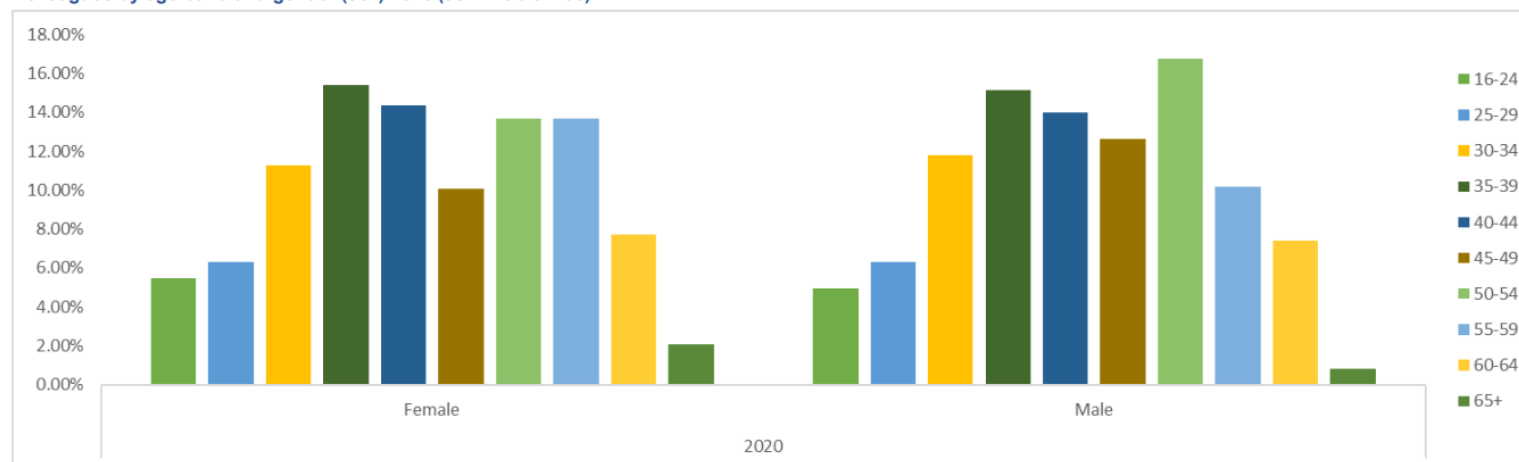
# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Policy-Name                       | Review-Date | Women's-<br>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:

Colleagues by age band and gender (sex) 2020 (as in Table 1.05)



The above table shows colleagues by age band and gender. 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](https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf)

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

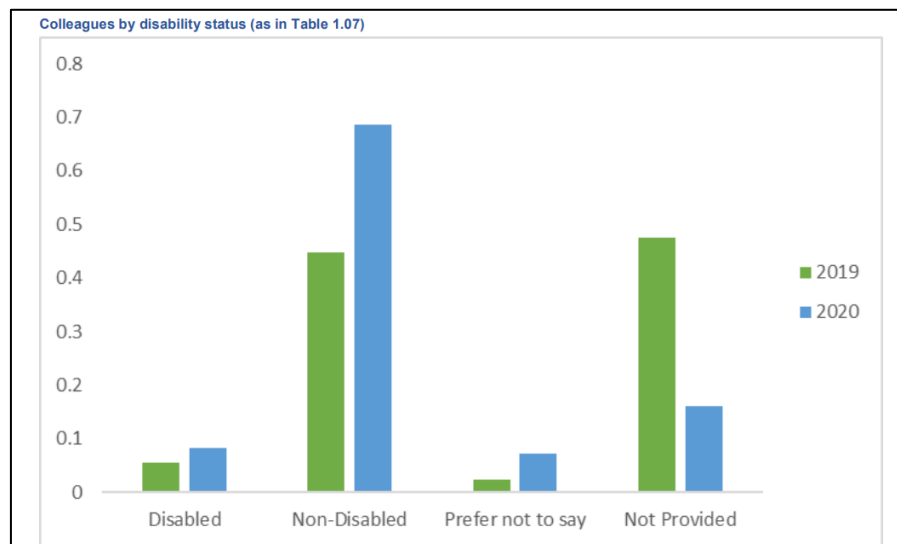
Comparisons between 2019 and 2020 data show that the greatest increase in the proportion of female colleagues is within the 60–64 age band - an increase of 12 colleagues.

The 30–34 age band saw the largest reduction of female colleagues – a total of seven people. Over the same period, there was an increase in the proportion of male colleagues within the 50-54 age band - an overall increase of nine people. The largest decline in the proportion of male colleagues was in the 30-34 age band, with seven fewer people. The largest decrease was seen in the 30–34 age band for both male and female colleagues - with an overall reduction of 14 people.

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

**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.



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](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)

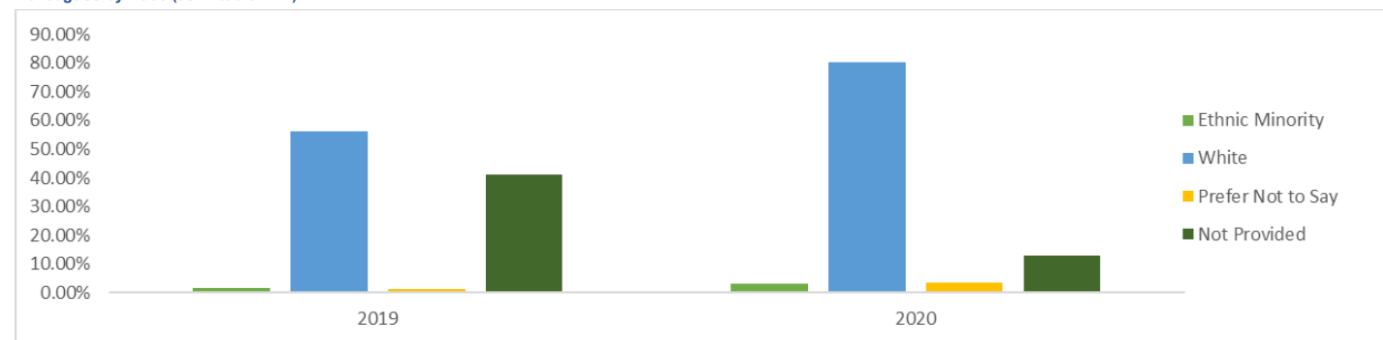
A total of 55% of disabled employees are female and 45% are male. 63% of colleagues who have declared a disability are within the grade range 06 to Head of Service. Head of Service has the largest **percentage** of colleagues declaring a disability (13%) whereas Grade 6 has the largest overall **number**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

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

### 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](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.

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

### Race Ethnicity (continued)

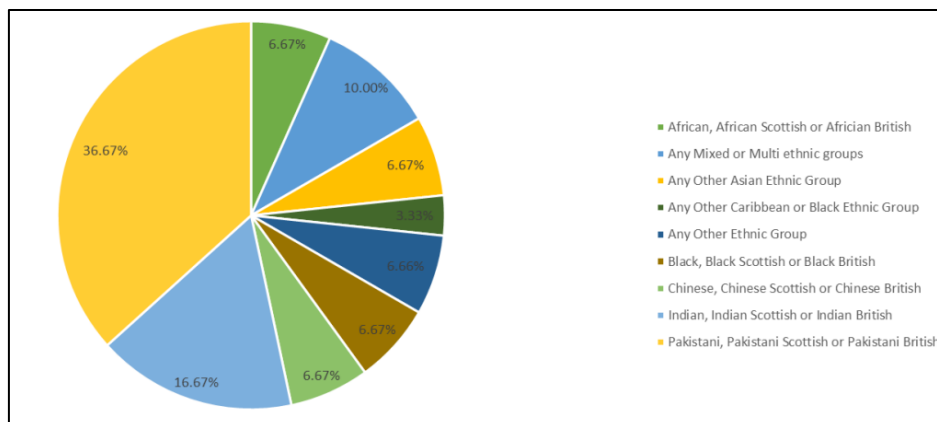


Table 1.15 Race: Colleagues by black and minority ethnicities

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

The above tables show colleagues by Race. This table 1.15 is available to view on SQA workforce equality monitoring report 2019-2020 [https://www.sqa.org.uk/sqa/files\\_ccc/workforce-equality-monitoring-report-2019-2021.pdf](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%  |
| <b>Total</b>       | <b>100.00%</b> | <b>100.00%</b> |          |

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](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.

**Sex**

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

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](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.

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% |          |

The above table shows SQA colleagues by gender. This table 1.01 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](https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf)

Our policy has been created with the purpose of ensuring that all staff are treated fairly and reasonably irrespective of gender. There is an insignificant data sample within SQA to draw any conclusions.



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

**Sexual Orientation**

**SQA Workforce**

| 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%  |
| <b>Total</b>          | <b>100.00%</b> | <b>100.00%</b> |          |

The above table shows SQA colleagues by Sexual Orientation. This table 1.18 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](https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf)



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

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

|   |   |                |                 |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
|---|---|----------------|-----------------|--|--|-------------------------|-------------|-------------|-----------------|---------------------|--------|--------|--------------|-----------------|-------|-------|---------------|--------------|----------------|----------------|--|
| <b>Gender Re-assignment<br/>(Gender identity and transgender)</b> | <p>No equality profiling data is currently captured by the SQA.</p> <p>One of the recommendations from this Equality Impact Assessment is that the <u>SQA adds <i>Gender Identity</i> (i.e. people who identify as more than one gender or none) to all future Equality Monitoring reporting.</u></p>   |                |                 |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Marriage/Civil Partnership</b>                                 | <p>No equality profiling data is currently captured by the SQA.</p>   |                |                 |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Pregnancy / Maternity</b>                                      | <table><tr><td></td><td colspan="3">Colleagues</td></tr><tr><td><b>Pregnancy Status</b></td><td><b>2019</b></td><td><b>2020</b></td><td><b>Variance</b></td></tr><tr><td><b>Not Pregnant</b></td><td>98.25%</td><td>98.95%</td><td><b>0.70%</b></td></tr><tr><td><b>Pregnant</b></td><td>1.75%</td><td>1.05%</td><td><b>-0.70%</b></td></tr><tr><td><b>Total</b></td><td><b>100.00%</b></td><td><b>100.00%</b></td><td></td></tr></table> <p>The above table shows colleagues by pregnancy status. This table 1.20 is available to view on SQA workforce equality monitoring report 2019-2020 <a href="https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf">https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf</a></p> |                | Colleagues      |  |  | <b>Pregnancy Status</b> | <b>2019</b> | <b>2020</b> | <b>Variance</b> | <b>Not Pregnant</b> | 98.25% | 98.95% | <b>0.70%</b> | <b>Pregnant</b> | 1.75% | 1.05% | <b>-0.70%</b> | <b>Total</b> | <b>100.00%</b> | <b>100.00%</b> |  |
|   | Colleagues  |                |                 |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Pregnancy Status</b>   | <b>2019</b>   | <b>2020</b>    | <b>Variance</b> |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Not Pregnant</b>   | 98.25%  | 98.95%         | <b>0.70%</b>    |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Pregnant</b>   | 1.75%   | 1.05%          | <b>-0.70%</b>   |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |
| <b>Total</b>  | <b>100.00%</b>  | <b>100.00%</b> |                 |  |  |                         |             |             |                 |                     |        |        |              |                 |       |       |               |              |                |                |  |



Equality Impact Assessment Retention and Redeployment Policy – V1.0

**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 takes into account six discrete elements:

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



Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty   |
|--------------------------|---|
| Age                      | <p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the <i>Equality Act 2010</i>.</p>  |
|                          | <p>The majority of SQA employees are in the mid-range age bandings. A total of 79% workers are aged between 30 – 59. Less than 2% of SQA employees are aged 60+ and the SQA has recently seen a decrease in younger (under 35) employees. Comparisons between 2019 and 2020 data show that the greatest increase in the proportion of female colleagues is within the 60–64 age band - an increase of 12 colleagues.</p>  |
|                          | <p>The 30–34 age band saw the largest reduction of female colleagues – a total of seven people. Over the same period, there was an increase in the proportion of male colleagues within the 50-54 age band - an overall increase of nine people. The largest decline in the proportion of male colleagues was in the 30-34 age band, with seven fewer people. The largest decrease was seen in the 30–34 age band for both male and female colleagues - with an overall reduction of 14 people.</p> |
|                          | <p>Older and younger employees may face prejudicial assumptions about their performance and productivity. This in turn may result in prejudicial assumptions about how suitable a redeployee will be in an alternative post. Sample sizes of SQA employees accessing redeployed posts through the Retention and Redeployment policy are so small, that there is no evidence of age impacting on redeployment in a positive or negative way.</p>   |

|                               |  |
|-------------------------------|--|
| <p><b>Age (continued)</b></p> | <p><b>Risks of Direct Discrimination:</b></p> <p>There is evidence to suggest that older workers may be disproportionality discriminated against as part of a redundancy or deployment selection process.</p> <p>Links to recent case examples are shown below:</p> <p><i>Constandinou and Kakkoufa v Supadance International Ltd and Others, a</i></p> <p><i>Perrin v Fred Christophers Ltd. T</i></p> <p><i>Donkor v Royal Bank of Scotland.</i></p> <p><i>Nolan v CD Bramall Dealership Ltd t/a Evans Halshaw Motorhouse Workshop</i></p> <p>Whilst, as previously stated, the existing sample size of employees subjected to this policy in SQA are very small indeed, <u>should this policy be invoked on a much larger scale in the future, <b>particular attention should be placed on identifying and eliminating potential risks of Age discrimination</b> – particularly against older workers who may, on balance, be disproportionately affected by redeployment activities.</u></p> |
|-------------------------------|--|





Equality Impact Assessment Retention and Redeployment Policy – V1.0

|  |  |
|--|--|
|  | Advance equality of opportunity  |
|  | <p>The Retention and Redeployment policy states that managers must “ensure applications are considered objectively and not unreasonably declined”.</p> <p>All SQA employees are entitled to use, access and be subjected to the Retention and Redeployment Policy. However, because there is no protected characteristics profiling data available, there is no evidence to indicate that this policy currently advances equality of opportunity between employees of different ages.</p> <p><u>It is recommended that outcomes of the policy should be monitored for any trends that suggests employees may be disadvantaged directly or indirectly as a result of age.</u></p> |
|  | Foster good relations  |
|  | <p>All SQA employees are entitled to use, access and be subjected to the Retention and Redeployment Policy. However, because there is no protected characteristics related profiling data available, there is no evidence to indicate that this policy currently fosters good relations between employees of different ages.</p>   |



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty   |
|--------------------------|---|
| Disability               | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010   |
|                          | <p>Disabled employees may face prejudice, assumptions and ultimately risk discrimination when being subject to this policy and the redeployment process.</p> <p>As a result of this, disabled employees may experience anxiety or stress due to being in redeployment. This is however mitigated by ensuring a fair, consistent, and transparent redeployment process and support available to employees such as an identified HR Advisor.</p> <p>The sample sizes of SQA employees accessing redeployed posts through the Retention and Redeployment policy are so small (insignificant data sample), that there is no evidence of disability impacting on redeployment in a positive or negative way.</p> <p><u>Should this policy be invoked on a much larger scale in the future, <b>particular attention should be placed on identifying and eliminating potential risks of Disability discrimination in any proposed redeployment activities.</b></u></p> |
| Protected Characteristic | General Equality Duty   |
| Disability (continued)   | Advance equality of opportunity   |
|                          | <p>ACAS states that an employer must make reasonable adjustments when a disabled employee is having difficulty with any part of their job.</p> <p>SQA redeployment policy takes cognisance of the fact that an employee may be unable to carry out their role due to health reasons. SQA in this situation would place the employee in the redeployment register where they would have</p>  |



Equality Impact Assessment Retention and Redeployment Policy – V1.0

|  |   |
|--|---|
|  | <p>priority consideration for posts, development options, training to refresh and enhance skills, interview guidance, one to one coaching and a trial period in the post.</p> <p>The policy also provides reasonable adjustments for disabled employees which include, adapting the selection process, providing specialist equipment, and supporting flexible working arrangements.</p> <p>One of the objectives of this policy is to redeploy colleagues who can't stay in their post perhaps due to health reasons. Under this policy SQA will make all reasonable efforts to help a person secure an alternative position so that they can continue working with SQA and we retain their knowledge, skills and experience (<i>Retention</i>). This is a positive means of retaining the skills of workers including those who would be considered disabled.</p>                         |
|  | <p>Foster good relations</p>  |
|  | <p>We conclude there is no evidence to suggest that this policy may impact directly on people with a disability.</p> <p><u>SQA will continue to review this policy to ensure no direct or indirect discrimination is taking place, this will be reported more thoroughly on HR case work, informal and formal and through the implementation of a case management system.</u></p> <p>SQA are also committed to the Fair Work framework, which covers five dimensions, effective voice, opportunity, security, fulfilment and respect. Further information on this framework should be available for all staff to access. The dimension of 'security' of employment is critical to the concept of fair work and this policy proactively assists colleagues who are unable to continue in their role (including for reasons of disability), to be retained and employed elsewhere in SQA.</p> |



Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty   |
|--------------------------|---|
| Race                     | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010   |
|                          | <p>SQA has seen an increase in colleagues declaring Ethnic Minority. This is an increase from 1.82% in 2019 to 3.16% in 2020. An overall increase of 1.34%. White colleagues also increased from 56.06% in 2019 to 80.40% in 2020.</p> <p>Research from Chartered Institute of Personnel Development (CIPD) shows that Ethnic minority employees are more likely than those from a white British background to say they have experienced discrimination in the workplace.</p> <p>SQA currently does not record Redeployment by Race or Ethnicity. Once again, it is therefore not possible to either establish or discount if any disproportionate rates of performance are experienced by SQA employees drawn from different ethnic groups</p> |
|                          | Advance equality of opportunity   |
|                          | <p>This policy provides support to employees of all Race and Ethnic backgrounds, helping employees find another post so that they can continue working with SQA and their knowledge, skills and experience can be retained. People in redeployment will be given equal opportunities through alternative posts, priority consideration and where relevant salary preservation.</p> <p>The process for redeployment does not specifically mention <i>Race</i>, however there is no evidence to indicate that this policy currently advances or disadvantages equality of opportunity for employees of different races or ethnicities.</p>  |
| Race<br>(continued)      | Foster good relations   |
|                          | There is no evidence to indicate that this policy currently fosters good relations between employees of different religions or beliefs.   |



Equality Impact Assessment Retention and Redeployment Policy – V1.0

|  |  |
|--|--|
|  | <p><u>To tackle prejudice and promote understanding of different needs for different groups of employees, SQA should include a section in this policy on Equality, Diversity and Inclusion in the workplace.</u></p> |
|--|--|



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty  |
|--------------------------|--|
| Religion or Belief       | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010  |
|                          | <p>Colleagues may fear that they will face discriminatory outcomes based on their religion or belief. We accept this is a marginal risk.</p> <p>The policy does not allow criteria or process that would use selection criteria for redeployment other than those that are objectively justified. The objective of the policy is to retain colleagues and their skills: its objective is to achieve positive outcomes for SQA and colleagues, so the risk of discriminatory outcomes is very low.</p> <p>Sample sizes of SQA employees accessing redeployed posts through the Retention and Redeployment policy are so small, that there is no evidence of religion or belief impacting on redeployment in a positive or negative way.</p> |
|                          | Advance equality of opportunity  |
|                          | <p>The Retention and Redeployment policy states that managers must “ensure applications are considered objectively and not unreasonably declined”.</p> <p>There is no further evidence to indicate that this policy currently advances equality of opportunity between employees of different religions or beliefs. No further recommendations are made in respect of this at this stage.</p>  |
|                          | Foster good relations  |
|                          | There is no evidence to indicate that this policy currently fosters good relations between employees of different religions or beliefs. No further recommendations are made in respect of this at this stage.  |



## Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty  |              |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
|--------------------------|--|--------------|--------|----------|----------|--------|--------|--------|-------|------|--------|--------|--------|-------|---------|---------|--|----------|------------|----------|-------|------|------|-------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------|------|-----|------|------|
| Sex                      | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010  |              |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
|                          | <p>Our policy has been created with the purpose of ensuring that all staff are treated fairly and reasonably irrespective of gender. There is limited data on redeployment and gender given the small numbers of redeployment in SQA (2022 – 3 people on redeployment – 0.3%).</p> <p>The gender split in SQA is as follows:</p> <p>Table 1.01 Colleagues by gender</p> <table><tr><th>Gender (Sex)</th><th>2019</th><th>2020</th><th>Variance</th></tr><tr><td>Female</td><td>61.20%</td><td>61.64%</td><td>0.44%</td></tr><tr><td>Male</td><td>38.80%</td><td>38.36%</td><td>-0.44%</td></tr><tr><td>Total</td><td>100.00%</td><td>100.00%</td><td></td></tr></table> <p>Colleagues by age band and gender (sex) 2020 (as in Table 1.05)</p> <table><caption>Colleagues by age band and gender (sex) 2020 (as in Table 1.05)</caption><thead><tr><th>Age Band</th><th>Female (%)</th><th>Male (%)</th></tr></thead><tbody><tr><td>16-24</td><td>5.5%</td><td>5.0%</td></tr><tr><td>25-29</td><td>6.5%</td><td>6.5%</td></tr><tr><td>30-34</td><td>11.5%</td><td>12.0%</td></tr><tr><td>35-39</td><td>15.5%</td><td>15.0%</td></tr><tr><td>40-44</td><td>14.5%</td><td>14.0%</td></tr><tr><td>45-49</td><td>10.0%</td><td>13.0%</td></tr><tr><td>50-54</td><td>13.5%</td><td>17.0%</td></tr><tr><td>55-59</td><td>13.5%</td><td>10.5%</td></tr><tr><td>60-64</td><td>8.0%</td><td>7.5%</td></tr><tr><td>65+</td><td>2.0%</td><td>1.0%</td></tr></tbody></table> | Gender (Sex) | 2019   | 2020     | Variance | Female | 61.20% | 61.64% | 0.44% | Male | 38.80% | 38.36% | -0.44% | Total | 100.00% | 100.00% |  | Age Band | Female (%) | Male (%) | 16-24 | 5.5% | 5.0% | 25-29 | 6.5% | 6.5% | 30-34 | 11.5% | 12.0% | 35-39 | 15.5% | 15.0% | 40-44 | 14.5% | 14.0% | 45-49 | 10.0% | 13.0% | 50-54 | 13.5% | 17.0% | 55-59 | 13.5% | 10.5% | 60-64 | 8.0% | 7.5% | 65+ | 2.0% | 1.0% |
|                          | Gender (Sex)   | 2019         | 2020   | Variance |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| Female                   | 61.20%   | 61.64%       | 0.44%  |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| Male                     | 38.80%   | 38.36%       | -0.44% |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| Total                    | 100.00%  | 100.00%      |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| Age Band                 | Female (%)   | Male (%)     |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 16-24                    | 5.5%   | 5.0%         |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 25-29                    | 6.5%   | 6.5%         |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 30-34                    | 11.5%  | 12.0%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 35-39                    | 15.5%  | 15.0%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 40-44                    | 14.5%  | 14.0%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 45-49                    | 10.0%  | 13.0%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 50-54                    | 13.5%  | 17.0%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 55-59                    | 13.5%  | 10.5%        |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 60-64                    | 8.0%   | 7.5%         |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
| 65+                      | 2.0%   | 1.0%         |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |
|                          | <p>The above table and graph show colleagues by gender and colleagues by age band and gender. Table 1.01 and 1.05 are available to view on SQA Workforce Equality Monitoring Report 2019-2021 <a href="https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf">https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf</a></p>  |              |        |          |          |        |        |        |       |      |        |        |        |       |         |         |  |          |            |          |       |      |      |       |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |      |      |     |      |      |



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|                                   |  |
|-----------------------------------|--|
| <p><b>Sex<br/>(continued)</b></p> | <p>Advance equality of opportunity</p> <p>Sample sizes of SQA employees accessing redeployed posts through the Retention and Redeployment policy are so small, that there is no evidence of Sex impacting on redeployment in a positive or negative way.</p> <p><u>Menopause</u></p> <p>The breakdown of ages of female employees in SQA (previous page) suggests that we have a percentage of females who are of perimenopause or menopause age. Research (<a href="http://www.nhsinform.scot">www.nhsinform.scot</a>) suggests that symptoms can have a detrimental impact on performance and SQA should consider this when reviewing performance.</p> <p><u>As performance history is considered during redeployment we should look to advise Managers on the needs of each individual and make reasonable adjustments.</u></p> <p>The policy relates to internal colleagues of SQA. Its intention is to retain colleagues who can not continue in their role. Women are more likely to be part time employees and more likely to have gaps in their employment history due to caring. This will have marginal or no impact on the application of this policy as SQA positions are by default all considered appropriate for part time workers. The policy states that managers have a responsibility to “accommodate your existing flexible working arrangement where possible”. SQA also know the employment history of anyone accessing this policy so career gaps are not an issue.</p> |
| <p><b>Sex<br/>(continued)</b></p> | <p>Foster good relations</p> <p>We conclude there is no evidence to suggest that this policy may impact directly on people of different Sex and therefore make no further recommendations in this area.</p>  |





Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty   |
|--------------------------|---|
| Sexual Orientation       | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010   |
|                          | We conclude there is no evidence to suggest that this policy may impact directly on people of different <i>Sexual Orientations</i> and therefore make no further recommendations in this area.<br><br><b>Neutral Equality related impact is therefore recorded in this area.</b>  |
|                          | Advance equality of opportunity   |
|                          | All SQA employees are entitled to use, access and be subjected to the Retention and Redeployment Policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their <i>Sexual Orientation</i> .<br><br>Sample sizes of SQA employees accessing redeployed posts through the Retention and Redeployment policy are so small, that there is no evidence of sexual orientation impacting on redeployment in a positive or negative way. |
|                          | Foster good relations   |
|                          | We conclude there is no evidence to suggest that this policy may impact directly on people of different sexual orientation and therefore make no further recommendations in this area.  |



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic   | General Equality Duty   |
|--|---|
| <p><b>Gender Identity.</b></p> <p><b>This includes:</b></p> <p><b>Gender Re-assignment</b></p> <p><b>Non Binary</b></p> <p><b>Gender Fluid</b></p>                           | <p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>The <i>Equality Act 2010</i> protects employees against discrimination if they are absent from work related to <i>Gender Reassignment</i>. This is defined when a person transitions from one Gender to another. The protection against discrimination includes:</p> <ul style="list-style-type: none"> <li>▪ Proposing to undergo a Gender transition.</li> <li>▪ Undergoing the process of Gender transitioning.</li> <li>▪ As a result of Gender transition.</li> </ul> <p>It is possible that those undergoing gender reassignment may face prejudice that may manifest itself in unfair treatment from colleagues and managers. Once again, we conclude this is a marginal risk and there is no current evidence of this within SQA. There is therefore no evidence to suggest that this policy impacts directly / indirectly on people based on their <i>Gender Identity</i>.</p> |
| <p><b>Gender Identity.</b></p> <p><b>This includes:</b></p> <p><b>Gender Re-assignment</b></p> <p><b>Non Binary</b></p> <p><b>Gender Fluid</b></p> <p><b>(continued)</b></p> | <p>Advance equality of opportunity</p> <p>The SQA currently does not have a <i>Gender Identity</i> policy providing background information to SQA managers and employees in respect of:</p> <ul style="list-style-type: none"> <li>▪ People who identify as the Gender they were assigned at birth. (<i>Cisgender</i>)</li> <li>▪ People who identify with Gender that is different to that assigned at birth. (<i>Transgender</i>)</li> <li>▪ People who identify with multiple Genders. (e.g. <i>Non Binary</i> and <i>Gender Fluid</i>.)</li> </ul> <p>(Note this list is illustrative and is not intended to be definitive.)</p>  |



Equality Impact Assessment Retention and Redeployment Policy – V1.0

|  |   |
|--|---|
|  | <p>Whilst, with the exception of <i>Gender Reassignment</i>, there is currently no legal obligation placed on the SQA to provide Equality of Opportunity to people who identify as different Genders, it is a very relevant modern consideration – particularly in academic environments such as schools, colleges and universities. (Once again, highly relevant to the SQA.)</p> <p>The Retention and Redeployment policy states that managers must “ensure applications are considered objectively and not unreasonably declined”.</p> <p><u>We recommend that the SQA create a new <i>Gender Identity</i> policy to facilitate and advance equality of opportunity to employees who are lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ+).</u></p> |
|  | Foster good relations   |
|  | <p>There is no evidence to indicate that this policy currently fosters good relations between people of different <i>Gender Identities</i> or who are LGBTQ+.</p> <p>Implementing the actions listed within this section of the document would begin to improve this situation somewhat.</p>  |



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic   | General Equality Duty  |
|----------------------------|--|
| Marriage/Civil Partnership | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010  |
|                            | We conclude there is no evidence to suggest that this policy may impact directly / indirectly on people who are <i>Married</i> or in a <i>Civil Partnership</i> and therefore make no further recommendations in this area.<br><br><b>Neutral Equality related impact is therefore recorded in this area.</b>  |
|                            | Advance equality of opportunity  |
|                            | All SQA employees are entitled to use, access and be subjected to the <i>Retention and Redeployment Policy</i> and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their <i>Marital Status</i> .<br><br>The Retention and Redeployment policy states that managers must “ensure applications are considered objectively and not unreasonably declined”. |
|                            | Foster good relations  |
|                            | There is no evidence to indicate that this policy currently fosters good relations between employees of different <i>Marital Status</i> .<br><br>No further recommendations are made in respect of this in relation to this policy.  |



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

| Protected Characteristic | General Equality Duty   |
|--------------------------|---|
| Pregnancy / Maternity    | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.  |
|                          | <p>Please refer to the separate SQA policy – <i>Maternity, Paternity and Adoption</i></p> <p>We recognise that a redundancy process becomes particularly challenging if the employee is on maternity leave. The law recognises the vulnerable position of pregnant workers and those on maternity leave and affords them additional legal protections. The SQA policy recognises this:</p> <p>It clearly states:</p> <p><i>“Those employees who are pregnant or on maternity will receive priority consideration over other redeployees.”</i></p> <p><i>“If you are on maternity leave, adoption leave, or shared parental leave, you have special protection and have an automatic right to be offered any available alternative posts.”</i></p> <p>We conclude there is no evidence to suggest that this policy may impact directly / indirectly on people who are pregnant or on maternity and therefore make no further recommendations in this area.</p> |
|                          | Advance equality of opportunity   |
|                          | All SQA employees are entitled to use, access and be subjected to the Retention and Redeployment Policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of pregnancy/maternity.   |
|                          | Foster good relations   |
|                          | <p>There is no evidence to indicate that this policy currently fosters good relations on the grounds of pregnancy / maternity.</p> <p>No recommendations are made in respect of this in relation to this policy.</p>  |



# Equality Impact Assessment Retention and Redeployment Policy – V1.0

|   | <b>General Equality Duty</b>   |
|---|--|
| <b>Care experience<br/>(where relevant)</b> | Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010  |
|   | <p>Care experienced individuals may be more likely to have missed opportunities to gain qualifications in early life and this may also impact on their ability to perform in their employed role and this may give the individual and the organisation cause for concern should they be faced with redeployment.</p> <p>Whilst there is currently no evidence to suggest that care experience colleagues are placed at a disadvantage compared to other colleagues (or vice versa), <u>it is recommended that data is collected and an analysis, by care experience, be performed of the 'lifecycle' of colleagues to identify any adverse trends and consider what support for growth and performance is needed.</u></p> <p>Section 4 of the policy provides specific details of the support available to all employees. Section 4.3 details the support that is available to all staff which includes training and development to enhance skills should they be needed to be placed in another post.</p> |
|   | <b>Advance equality of opportunity</b>   |
|   | All SQA employees are entitled to use, access and be subjected to the <i>Retention Redeployment Policy</i> and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of Care Experience. The absence of evidence should be rectified, if possible, by collection of data relating to care experience.  |
|   | <b>Foster Good Relations</b>   |
|   | No evidence identified.  |



## Equality Impact Assessment Retention and Redeployment Policy – V1.0

### **Miscellaneous:**

#### **Other impacts identified as part of this EqIA which generally have a positive impact on all SQA employees include:**

- A SQA employee assistance programme providing employees with confidential support and guidance 24 hours a day, 7 days a week.
- Trade union representatives who can provide members with advice, help and support relating to sickness absences
- Mental Health First Aiders who are available as a first point of contact in the SQA.
- The *Able Futures* service who can be contacted for ongoing professional support for mental health and wellbeing.
- The SQA occupational health provider offers medical advice and support on staying healthy at work.
- Internally, the SQA Human Resources team can provide confidential support and advice to employees.
- The SQA Parent and Carers Network provides support to colleagues. This network aims to provide a safe and confidential space to allow parents and carers to support each other, share ideas, current challenges, knowledge and experiences.

#### **Additionally, the SQA is committed to being a supportive and inclusive employer and is members of and/or accredited by various organisations these include:**

- Disability Confident Employer
- Hidden Disability Sunflower Scheme Member
- Employers Network for Equality & Inclusion Member
- Happy to Talk Flexible Working Employer
- Accreditation as a Scottish Living Wage Employer
- Business in the Community Race at Work Charter Signatory
- Stonewall Diversity Champion
- Dying to Work Charter Member
- Fair Work Framework