

Equality Impact Assessment

Summary

Name of Policy or practice	Time off in Lieu
New Policy or Revision	Revised
Policy Owner (role)	Head of Human Resources
Date Policy Owner Confirmed Completion	26 September 2024
Agreed Schedule Review Date	September 2027

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.

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.

Required Actions	Owner	Date	Comment & Review
No actions were identified when carrying out a review of the Time off in Lieu Policy, but we will continue to monitor for any feedback received.			

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
SQA will consider the collection of care experience data to determine any disproportionate impact on this priority group.	SQA treats this as a protected characteristic under our Corporate Parenting duty and recognises that this is not covered by the Equality Act 2010.	Reward Advisor, People Reward & Equalities and Data Analyst, People Analytics, Governance & Systems		Collation of care experience data will be considered post move to the new organisation – post Autumn 2025.

Policy Aims

What is the rationale for this policy or practice?

We recognise that the nature of our work means that, on occasions, employees will be required to work beyond their contractual hours to meet business needs. We are committed to protecting their health and safety and ensuring a healthy balance between personal and work life by ensuring employees do not regularly work excessive hours and are recompensed by taking time off in lieu (TOIL) for additional hours worked.

We are committed to ensuring that decisions on working additional hours are made in terms of our Equality, Diversity and Inclusion and our health and safety policies.

This policy also endorses the culture of trust between staff and line managers in line with our values and outlines the expected behaviours for supporting TOIL.

We are committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours. Discussions on workload should form part of regular and ongoing conversations between staff and line managers to ensure a shared understanding of the level of workload and where working additional hours may be necessary to meet business needs. Line managers should ensure that support is provided, and alternative solutions are sought in situations where staff are regularly required to work additional hours to meet business needs.

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

If there is not a TOIL policy in place the organisation runs the risk of inconsistent application of time off in lieu across the organisation. SQA wants to ensure clarity for all eligible colleagues on how TOIL operates to ensure fair and consistent application.

What are the aims of this policy or practice?

This policy sets out the circumstances in which employees will be granted TOIL for working additional hours. It sets out the responsibilities of managers and staff in relation to TOIL and provides a framework to ensure treatment is consistent.

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

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

- Have greater difficulties following or complying with the requirements of working beyond their contractual hours to meet business needs.

For example, those with religious beliefs that need to be observed at specific times, individuals with caring responsibilities, pregnant or disabled employees.

The TOIL policy states the following:

SQA does not operate a formal TOIL recording system, however, as outlined in the time recording policy, there is a requirement for colleagues to record all time worked via a weekly timesheet in Business World.

Colleagues and managers are not obliged by SQA to complete or keep separate records of additional hours worked; however, they may choose to do so.

As SQA does not operate a formal TOIL recording system analysis of the effects of this policy and how it may, or may not impact on different groups, is not possible.

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, and in line with SQA's Recognition Agreement.

In addition, as this is an internal policy, SQA has asked for feedback from internal employee network groups in relation to equality impacts groups. These employee network groups 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 (Policy Review Group):

Members of SQA Human Resources department and trade union representatives from *Unite the Union* and *Unison* meet weekly in SQA via the PRG. 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.

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

Age

Table 1.1: Age

Age bracket	2019 no	2019 %	2020 no	2020 %	2021 no	2021 %	2022 no	2022 %	Variance no	Variance %
16–24	59	6.32%	50	5.27%	49	4.93%	36	3.47%	-23	-2.85%
25–29	65	6.97%	60	6.32%	73	7.35%	105	10.14%	40	3.17%
30–34	123	13.18%	109	11.49%	96	9.67%	95	9.17%	-28	-4.01%
35–39	131	14.04%	145	15.28%	146	14.70%	144	13.90%	13	-0.14%
40–44	129	13.83%	135	14.23%	146	14.70%	150	14.48%	21	0.65%
45–49	116	12.43%	105	11.06%	113	11.38%	124	11.97%	8	-0.46%
50–54	125	13.40%	141	14.86%	131	13.19%	126	12.16%	1	-1.24%
55–59	119	12.75%	117	12.33%	122	12.29%	122	11.78%	3	-0.98%
60–64	53	5.68%	72	7.59%	81	8.16%	102	9.85%	49	4.16%
65+	13	1.39%	15	1.58%	36	3.63%	32	3.09%	19	1.70%
Total	933	100.00%	949	100.00%	993	100.00%	1036	100.00%	103	11.04%

Table 1.1 shows the age profile of the organisation from 2019 to 2022

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Disability

Table 3.1: Disability

Disability	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %	Variance number	Variance %
No	417	44.69%	651	68.60%	683	68.78%	697	67.28%	280	22.59%
Not Specified	444	47.59%	152	16.02%	152	15.31%	184	17.76%	-260	-29.83%
Prefer not to say	21	2.25%	68	7.17%	76	7.65%	72	6.95%	51	4.70%
Yes	51	5.47%	78	8.22%	82	8.26%	83	8.01%	32	2.54%
Total	933	100.00%	949	100.00%	993	100.00%	1036	100.00%	103	0.00%

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Table 3.1 shows the composition of the disability self-reporting categories for the period from 2019 to 2022.

Of those staff who have declared a disability, females made up 58.54% (2021) and 53.01% (2022) of the population, and males 41.46% (2021) and 46.99% (2022). Due to the low number of staff declaring a disability within SQA we are unable to publish further intersectional data in relation to disability and other protected characteristics.

Race

Table 7.1: Race

Ethnicity	2019 number	2019%	2020 number	2020%	2021 number	2021%	2022 number	2022%
African, Scottish African or British African	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	<5	<0.48%
Asian, Scottish Asian or British Asian	13	1.39%	20	2.11%	24	2.42%	25	2.41%
Caribbean or Black	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Mixed or multiple ethnic group	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Not specified	383	41.05%	123	12.96%	101	10.17%	122	11.78%
Other ethnic group	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Prefer not to say	10	1.07%	33	3.48%	34	3.42%	30	2.90%
White	523	56.06%	763	80.40%	825	83.08%	849	81.95%

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Table 7.1 shows the ethnic minority background of staff within the organisation for the period from 2019 to 2022

Just under 3.50% staff declared they were from an ethnic minority background in both 2021 (3.32%) and 2022 (3.38%). However, it is encouraging to note that the percentage of staff declaring they are from an ethnic minority background has increased overall by 3.97% between 2019 and 2022. The percentage of staff within each ethnic minority category has remained relatively stable over the last three years.

Religion or Belief

Table 8.1: Religion or belief

Religion or belief	2019 number	2019%	2020 number	2020%	2021 number	2021%	2022 number	2022%
Another religion or body	< 5	< 0.54%	< 5	< 0.53%	6	0.60%	6	0.58%
Buddhist	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Church of Scotland	91	9.75%	122	12.86%	127	12.79%	125	12.07%
Hindu	< 5	< 0.54%	< 5	< 0.53%	7	0.70%	8	0.77%
Jewish	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
Muslim	7	0.75%	11	1.16%	10	1.01%	11	1.06%
None	286	30.65%	421	44.36%	462	46.53%	489	47.20%
Not specified	405	43.41%	126	13.28%	102	10.27%	123	11.87%
Other Christian	26	2.79%	43	4.53%	44	4.43%	44	4.25%
Prefer not to say	35	3.75%	98	10.33%	103	10.37%	103	9.94%
Roman Catholic	76	8.15%	118	12.43%	129	12.99%	123	11.87%
Sikh	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%

Table 8.1 shows the religion, belief or non-belief status of staff within the organisation for the period from 2019 to 2022.

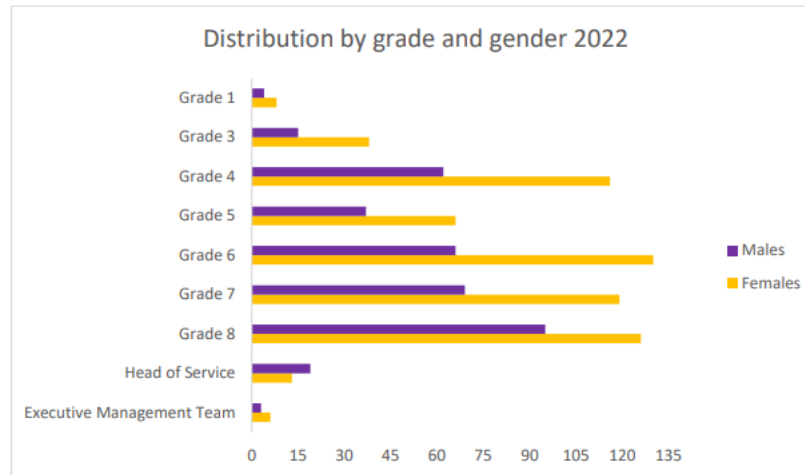
Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Sex

Gender

Distribution by grade and gender of SQA grade 1 – EMT



Source: SQA Summary of Equal Pay Audit 2023

[Scottish Qualifications Authority \(sqa.org.uk\)](https://www.sqa.org.uk)

The majority of the 2.9 million lone-parent families in 2022 were headed by a lone mother (2.5 million, 84%)

Source: <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2022>

59% of unpaid carers are women (Census 2021). Women are more likely to become carers and to provide more hours of unpaid care than men. More women than men provide high intensity care at ages when they would expect to be in paid work (Petrillo and Bennett, 2022)

Source: Carers UK

There are 1.25 million sandwich carers in the UK. These are people caring for an older relative as well as bringing up a family. 68% (850,743) are women.

Source: <https://www.ageuk.org.uk/our-impact/campaigning/care-in-crisis/breaking-point-report/>

Sexual Orientation	Table 10.1: Sexual orientation								
	Sexual Orientation	2019 number	2019%	2020 number	2020%	2021 number	2021%	2022 number	2022%
	Bisexual	9	0.96%	12	1.26%	15	1.51%	16	1.54%
	Gay man	13	1.39%	20	2.11%	21	2.11%	23	2.22%
	Gay woman / lesbian	9	0.96%	10	1.05%	12	1.21%	12	1.16%
	Heterosexual / straight	431	46.20%	670	70.60%	700	70.49%	702	67.76%
	In another way	< 5	< 0.54%	< 5	< 0.53%	< 5	< 0.50%	< 5	< 0.48%
	Not specified	< 5	< 0.54%	< 5	< 0.53%	156	15.71%	189	18.24%
	Not sure	26	2.79%	76	8.01%	< 5	< 0.50%	< 5	< 0.48%
	Prefer not to say	443	47.48%	158	16.65%	84	8.46%	88	8.49%
Gender Reassignment (Gender identity and transgender)	<p>Table 10.1 shows the composition of staff sexual orientation within the organisation for the period 2019 to 2022.</p> <p>Source: SQA Workforce Equality Monitoring Report 2021-23 Equalities: SQA workforce monitoring report 2021-23</p>								
	<p>Due to the low number of staff reporting as transgender or describing their gender identity ‘in another way’, we are unable to publish further data in relation to gender reassignment or gender identity. This data is, however, monitored internally.</p>								

Marriage/Civil Partnership

Table 5.1: Relationship status

Relationship status	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %
Civil Partnership	7	0.75%	7	0.74%	8	0.81%	9	0.87%
Co-habiting/in a relationship	80	8.57%	112	11.80%	122	12.29%	122	11.78%
Divorced/Dissolved Civil Partnership	14	1.50%	16	1.69%	17	1.71%	19	1.83%
Married	265	28.40%	370	38.99%	425	42.80%	416	40.15%
Married/Civil Partnership	8	0.86%	12	1.26%	14	1.41%	16	1.54%
Not Specified	407	43.62%	179	18.86%	102	10.27%	127	12.26%
Other	< 5	< 0.54%	< 5	< 0.53%	7	0.70%	9	0.87%
Prefer not to say	18	1.93%	49	5.16%	55	5.54%	59	5.69%
Separated	6	0.64%	12	1.26%	12	1.21%	13	1.25%
Single	122	13.08%	183	19.28%	224	22.56%	239	23.07%
Widowed/surviving partner from Civil Partnership	< 5	< 0.54%	6	0.63%	7	0.70%	7	0.68%

Table 5.1 shows the marriage and civil partnership status of staff within the organisation for the period from 2019 to 2022.

Source: SQA Workforce Equality Monitoring Report 2021-23

[Equalities: SQA workforce monitoring report 2021-23](#)

Pregnancy / Maternity

Table 6.1: Pregnancy and maternity

Pregnancy and maternity	2019 number	2019 %	2020 number	2020 %	2021 number	2021 %	2022 number	2022 %
Contract ended as planned					1	3.33%		0.00%
Due to return to work					0	0.00%	11	40.00%
Resigned					0	0.00%	1	4.00%
Returned to work	20	100.00%	10	100.00%	29	96.67%	14	56.00%
Total	20	100.00%	10	100.00%	30	100.00%	26	100.00%

	<p>Table 6.1 details the number of staff who have taken maternity leave, whether they are still on maternity leave (due to return to work), have returned to work following maternity leave, resigned following maternity leave, or their fixed-term contract ended (contract ended as planned).</p> <p>Source: SQA Workforce Equality Monitoring Report 2021-23 Equalities: SQA workforce monitoring report 2021-23</p>
Care experience (where relevant)	SQA does not currently collect Care Experience data.

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 Age	General Equality Duty
	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	This policy defines the expectations of all employees in respect of recording TOIL in SQA.
	The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.
	We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of different age groups.
	Conclusion: Probable positive impact
Advance equality of opportunity	
This policy could have a potential positive impact for older workers allowing adjustment of working hours to support individual needs which may be more relevant this group e.g. caring responsibilities, requirement to work less hours etc.	
Foster good relations	
There is no additional evidence to indicate that this policy currently fosters good relations between people of different ages. No further recommendations in respect of this at this stage.	

Protected Characteristic	General Equality Duty
Disability	<p data-bbox="533 268 2018 331">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="517 373 1682 405">This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p data-bbox="517 453 1995 517">The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p data-bbox="517 564 2029 628">SQA employees with certain disabilities may, on balance have more difficulty working beyond their contractual hours if required due to their condition and be less likely to accrue TOIL.</p> <p data-bbox="517 676 1939 708">In order to mitigate any potential negative impact on disabled employees Section 3 of the TOIL policy states: -</p> <p data-bbox="517 756 2018 868"><i>“Staff are expected to manage their own time in a way that accommodates the demands of their role, while ensuring they look after their own health and wellbeing. Where it is not possible to balance these factors, it is important that this is raised and discussed with line managers at the earliest opportunity.</i></p> <p data-bbox="517 916 2018 1059"><i>Line managers are expected to manage the workload of their team(s) and ensure, as far as possible, that work can be carried out within normal contractual hours. At times, where it cannot be avoided, there may be a requirement for colleagues to work additional hours to meet business needs. In considering how to apply TOIL both fairly and consistently, all managers and heads of service should ensure that:</i></p> <ul data-bbox="517 1107 1379 1187" style="list-style-type: none"> ▪ <i>Both the needs of the individual and the business are considered</i> ▪ <i>Colleagues do not breach Working Time Regulations</i> <p data-bbox="517 1235 2007 1331"><i>Both staff members and line managers have a responsibility to ensure that excessive TOIL is not regularly accrued. Line managers have a responsibility to support team members and seek alternative solutions where staff are regularly required to work additional hours to meet business needs.”</i></p>

	<p>In addition, a new section has been added to the TOIL policy as follows:</p> <p>“4.7 Personal Circumstances</p> <p><i>If any aspect of this policy causes you difficulty including in relation to disability, carer responsibilities or religion/belief you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</i></p> <p>Conclusion: Probable positive impact</p>
	Advance equality of opportunity
	This policy could equally have a potential positive impact for workers with Disabilities by allowing adjustment of working hours to support individual needs which may be related to a Disability.
	Foster good relations
	There is no additional evidence to indicate that this policy currently fosters good relations between disabled/non-disabled people. No further recommendations in respect of this at this stage.
Protected Characteristic	General Equality Duty
Race	<p style="text-align: center;">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of different ethnicities, citizenships or nationalities.</p>

	Conclusion: Probable positive impact.
	Advance equality of opportunity
	All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their ethnicity
	Foster good relations
	There is no additional evidence to indicate that this policy currently fosters good relations between people of different ethnicities. No further recommendations in respect of this at this stage.
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>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of different Religions/ Beliefs.</p> <p>SQA colleagues who observe / hold certain religions and/or beliefs may have difficulty working beyond their contractual hours due to, for example, religious festivals or holidays may use TOIL to accommodate this.</p> <p>A new section has been added to the TOIL policy as follows:</p> <p>4.7 Personal Circumstances</p>

	<p>If any aspect of this policy causes you difficulty including in relation to disability, carer responsibilities or religion/belief you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.</p> <p>Conclusion: Probable positive impact</p>
	<p>Advance equality of opportunity</p>
	<p>All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their religion or beliefs.</p>
	<p>Foster good relations</p>
	<p>There is no additional evidence to indicate that this policy currently fosters good relations between people of different religions or beliefs. No further recommendations in respect of this at this stage.</p>
Protected Characteristic	General Equality Duty
Sex	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of Sexes.</p> <p>A new section has been added to the TOIL policy as follows:</p>

	<p>4.7 Personal Circumstances</p> <p>If any aspect of this policy causes you difficulty including in relation to disability, carer responsibilities or religion/belief you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements</p> <p>Conclusion: Probable positive impact</p> <p style="text-align: center;">Advance equality of opportunity</p> <p>While all SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy, whether or not the policy actually promotes/advances the “same chance” to employees by sex remains unclear.</p> <p style="text-align: center;">Foster good relations</p> <p>There is no additional evidence to indicate that this policy currently fosters good relations by Sex. No further recommendations in respect of this at this stage.</p>
<p>Protected Characteristic</p>	<p style="text-align: center;">General Equality Duty</p>
<p>Sexual Orientation</p>	<p style="text-align: center;">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of different Sexual Orientations.</p> <p>Conclusion: Probable positive impact</p>

	Advance equality of opportunity
	All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their sexual orientation.
	Foster good relations
	There is no additional evidence to indicate that this policy currently fosters good relations between people of different sexual orientations. No further recommendations at this stage.
Protected Characteristic	General Equality Duty
Gender Reassignment (Gender identity and transgender)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people of different Gender Identities.</p> <p>Conclusion: Probable positive impact</p>
	Advance equality of opportunity
	All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their gender identity. Time off for Gender reassignment related absence is dealt with under the SQA Gender Identity and Transitioning at Work policy.

	Foster good relations
	<p>There is no additional evidence to indicate that this policy currently fosters good relations between people of different gender identities. No further recommendations at this stage.</p>
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
	<p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people on the grounds of Marriage or Civil Partnerships.</p> <p>Conclusion: Probable positive impact.</p>
	Advance equality of opportunity
	<p>All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their marital status.</p>
	Foster good relations
	<p>There is no additional evidence to indicate that this policy currently fosters good relations between people of different marital status. No further recommendations at this stage.</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>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</p> <p>We therefore conclude that this is, fundamentally, a positive policy and there is no evidence to suggest that this may impact adversely on people on the grounds of Pregnancy and Maternity</p> <p>Conclusion: Probable positive impact.</p>
	Advance equality of opportunity
	All SQA employees are entitled to use, access, and of course, be subjected to the TOIL policy and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of Pregnancy or Maternity. Maternity related absences are dealt with under SQA Pregnancy and Maternity policy.
	Foster good relations
	There is no additional evidence to indicate that this policy currently fosters good relations for those who are pregnant or on maternity leave.
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
	While there is currently no evidence to suggest that care experience colleagues are placed at a disadvantage compared to other colleagues, 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.
	Advance equality of opportunity
	All eligible SQA employees are entitled to use, access and be subjected to the TOIL policy and there is no evidence to indicate that this scheme 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.
	Foster good relations
	There is no evidence to indicate that the TOIL policy currently fosters good relations between employees that are Care Experienced.

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.
Not applicable.