

Equality Impact Assessment (supporting guidance available)

Action Plan

This section is completed at the end of the Equality Impact Assessment. Due to the importance of embedding equality in SQA through our actions the Action Plan will be the focus and record of ongoing actions.

Agreed Schedule Review Date	By September 2024	Additional Schedule Review Date	By September 2023
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Explain how you will monitor and record the actual impact on equality groups, including how the evidence can be revisited to measure the actual impact.

Equality Impact Assessment - Time Off In Lieu (TOIL) V1.0

Required Actions	Owner	Date	Comment & Review
Review and assess monthly establishment management information packs containing fundamental employment data on SQA employees	People Analytics, Governance & Systems Manager	Commencing monthly from October 2022	
Review on a quarterly basis of employment law, case law and legislative changes, and equalities updates (including reviewing EHRC website).	HR Shared Services Manager	Commencing quarterly from January 2023	
Review and assess feedback on a quarterly basis from joint trade unions (Unite and Unison) through SQA's Joint engagement forum and Policy review group.	HR Shared Services Manager	Commencing quarterly from January 2023	
Review and assess feedback on a quarterly basis from each of SQA's staff community network groups	HR Shared Services Manager	Commencing quarterly from January 2023	
Continue to review and assess on an annual basis SQA's engagement People survey	OD Manager	Commencing annually from October 2023	
Review and assess on an annual basis all SQA employee lifecycle data	People Analytics, Governance & Systems Manager	Commencing annually from January 2024	
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	

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
<p>Disability/Religion & Belief/Sex It is recommended that SQA investigate possible options for reporting TOIL on the protected characteristics of Disability/Religion & Belief/Sex.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>	<p>Reward Advisor, People Reward & Equalities and Data Analyst, People Analytics, Governance & Systems</p>	<p>By September 2024</p>	
<p>Disability In order to further mitigate any discrimination in relation to <i>Disability SQA should include a section within the policy to address the needs of disabled employees with suggested wording below:</i></p> <p><i>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</i></p>	<p>Advance equality of opportunity</p>	<p>Reward Advisor, People Reward & Equalities</p>	<p>September 2023</p>	

<p>Religion or Belief In order to further mitigate any discrimination in relation to <i>religion or belief</i> SQA should include a section within the policy to address the needs of employees of different religions or beliefs - suggested wording below:</p> <p><i>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</i></p>	<p>Advance equality of opportunity</p>	<p>Reward Advisor, People Reward & Equalities</p>	<p>September 2023</p>	
<p>Sex In order to further mitigate any discrimination in relation to sex SQA should include a section within the policy to address the needs of employees with caring responsibilities - suggested wording below:</p> <p><i>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</i></p>	<p>Advance equality of opportunity</p>	<p>Reward Advisor, People Reward & Equalities</p>	<p>September 2023</p>	

Policy Aims

Name of Policy or practice	Time Off in Lieu (TOIL) Policy
New Policy or Revision	New
Name of Policy Owner	People Reward & Equalities Manager
Date Policy Owner Confirmed Completion	Draft

What is the rationale for this policy or practice?
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>

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, females with caring responsibilities, pregnant or disabled employees.

It is important to state that the application of this policy in SQA is made on an entirely informal and trust basis. For that reason, no data (Equality related or otherwise) is available to use as part of this assessment.

The development, implementation and analysis of the effects of this policy may, hypothetically, impact on different groups of people. There is however no evidence available in SQA (or nationally) to test the accuracy of these hypothetical impacts.

Evidence, Consultation and Engagement

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

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

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

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

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

Evidence of Stakeholder Engagement:

Trade Union Consultation Review Group (PRG):

Members of SQA Human Resources department and trade union representatives from *Unite the Union* and *Unison* meet weekly in SQA via the PRG. This group has been meeting weekly in SQA since July 2020. SQA's trade union representatives are also given statutory time off to attend relevant training, meetings and other information gathering activities as supported in our union framework agreement.

Evidence of all meeting minutes, actions and consultation undertaken with the PRG group (including Equality considerations in respect of all policies, activities and functions) is detailed on a dedicated SQA shared resources site.

Staff Network Consultations:

In June 2021, we formed a dedicated *Equality Impact Assessment Project Group* (EIAPG) with the aim of reviewing, assessing and providing feedback from staff on all SQA HR policies from Equality perspectives.

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

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

The table below details the consultation undertaken.

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

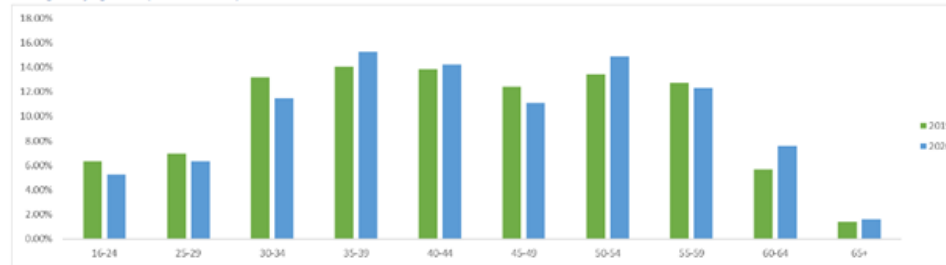
Evidence of Staff Network Consultation Meetings:

Policy-Name	Review-Date	Women's- Network	(ACE)	Disability-Network	Rainbow-Network
Redeployment	02/08/2021	Yes	Yes	Yes	Yes
Restructure	02/08/2021	Yes		Yes	
Standby-&-Call-Out	23/06/2021		Yes	Yes	Yes
Time-Recording	09/08/2021	Yes	Yes	Yes	Yes
Attendance-Management	16/08/2021	Yes		Yes	Yes
Childcare-Voucher	16/08/2021	Yes		Yes	Yes
Dignity-at-Work	10/08/2021	Yes	Yes	Yes	Yes
Disciplinary	01/06/2021	Yes	Yes	Yes	Yes
Equalities,-Diversity-&-Inclusion	23/08/2021	Yes	Yes	Yes	Yes
Fixed-Term-Workers	23/08/2021	Yes		Yes	Yes
Grievance	29/06/2021	Yes	Yes	Yes	Yes
Improving-Performance	07/09/2021	Yes	Yes	Yes	Yes
Probation	06/09/2021	Yes	Yes	Yes	Yes
Recruitment-&-Selection	06/05/2021	Yes	Yes	Yes	Yes
Secondment	13/09/2021	Yes	Yes	Yes	Yes
Whistleblowing	22/07/2021	Yes	Yes	Yes	Yes
Flexible-Working	18/11/2021	Yes		Yes	Yes
Flexitime	26/10/2021	Yes	Yes	Yes	Yes
Pay	09/12/2021	Yes	Yes	Yes	Yes
TOIL	16/12/2021	Yes	Yes	Yes	Yes
Code-of-Conduct	24/02/2022	Yes	Yes	Yes	Yes
Conflict-of-Interest	10/03/2022	Yes	Yes	Yes	Yes
Pensions-Discretion	29/03/2022	Yes		Yes	Yes
Redundancy	22/03/2022	Yes		Yes	Yes
Relocation	31/03/2022	Yes		Yes	Yes
Retirement	15/03/2022	Yes	Yes	Yes	Yes

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

Age

Colleagues by age band (as in Table 1.04)



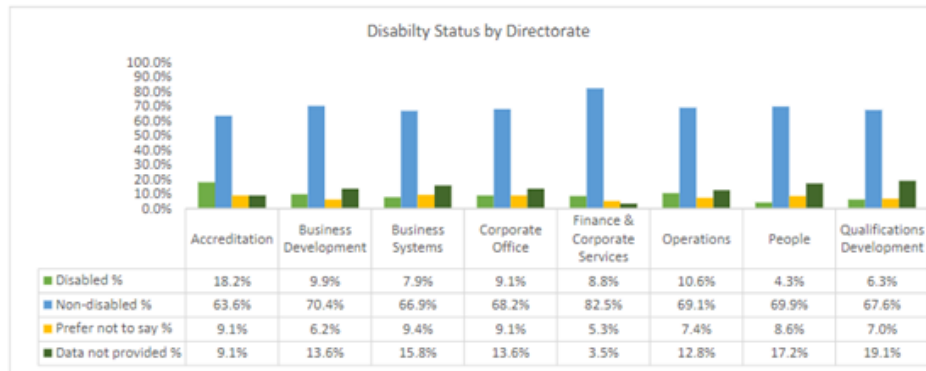
This table (1.04) shows colleagues by age band for 2019 – 2020.

Source: SQA Workforce Equality Monitoring Report 2019-2021

https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf

Disability

Figure 10: Disability by directorate: all colleagues, grade 1 – EMT



This table (Figure 10) shows colleague disability status by Directorate for 2020.

Source: SQA Equality Mainstreaming Report 2019-2021

https://www.sqa.org.uk/sqa/files_ccc/sqa-equality-mainstreaming-report-2019-21.pdf

Race

Figure 12: Ethnicity by directorate — all colleagues, grade one – EMT



The directorate breakdown of ethnicity shows the following:

- The business areas with the largest concentration of ethnic minority colleagues are: Business Systems (7.9% ethnic minority); Qualifications Development (2.9% ethnic minority) and People (2.2% ethnic minority).

This table (Figure 12) shows ethnicity by Directorate for 2020.

Source: SQA Equality Mainstreaming Report 2019-2021

https://www.sqa.org.uk/sqa/files_ccc/sqa-equality-mainstreaming-report-2019-21.pdf

Religion or Belief

Religion or Belief	2019	2020	Variance
Christian	20.69%	29.82%	9.13%
Non-Christian	11.47%	17.28%	5.81%
None	20.69%	29.29%	8.61%
Prefer not to say	3.75%	10.33%	6.58%
Not Provided	43.41%	13.28%	-30.13%
Total	100.00%	100.00%	

An improved declaration rate was also shown for this characteristic in 2020. *Christian* and *No Religion* account for nearly 60% of all responses.

This table (1.16) shows colleague religion / belief data for 2019 – 2020 and variance between the two years.

Source: SQA Workforce Equality Monitoring Report 2019-2021

https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf

<p>Sex</p>	<p>There are more females than males in all business areas but seven out of the 38 business areas: Applications Solutions; Assessment Development and Delivery; Digital Assessment Services; Data Solutions; International; Planning, Governance and Compliance; Service Delivery; and Strategic Design. (The highest percentage of males can be found in Application Solutions (73.3%), Service Delivery (72.9%) and Strategic Design (71.4%).)</p> <p>Source: SQA Equality Mainstreaming Report 2019-2021 https://www.sqa.org.uk/sqa/files_ccc/sqa-equality-mainstreaming-report-2019-21.pdf</p> <p>Around 90 per cent of single parents are women. Source: ONS (2019) <i>Families and households</i>, Table 1.</p> <p>58% of carers are women and 42% are men. Source: Carers UK</p> <p>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/</p>																																								
<p>Sexual Orientation</p>	<table border="1" data-bbox="504 879 1429 1219"> <thead> <tr> <th>Sexual Orientation</th> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Bisexual</td> <td>0.96%</td> <td>1.26%</td> <td>0.30%</td> </tr> <tr> <td>Gay man</td> <td>1.39%</td> <td>2.11%</td> <td>0.71%</td> </tr> <tr> <td>Gay woman / Lesbian</td> <td>0.96%</td> <td>1.05%</td> <td>0.09%</td> </tr> <tr> <td>Heterosexual/straight</td> <td>46.20%</td> <td>70.60%</td> <td>24.41%</td> </tr> <tr> <td>In another way</td> <td>0.11%</td> <td>0.21%</td> <td>0.10%</td> </tr> <tr> <td>Not sure</td> <td>0.11%</td> <td>0.11%</td> <td>0.00%</td> </tr> <tr> <td>Prefer not to say</td> <td>2.79%</td> <td>8.01%</td> <td>5.22%</td> </tr> <tr> <td>Not Provided</td> <td>47.48%</td> <td>16.65%</td> <td>-30.83%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> <td>100.00%</td> <td></td> </tr> </tbody> </table> <p>This table (1.18) shows colleagues by sexual orientation for 2019 – 2020 and the variance between the two years.</p> <p>Source: SQA Workforce Equality Monitoring Report 2019-2021 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf</p>	Sexual Orientation	2019	2020	Variance	Bisexual	0.96%	1.26%	0.30%	Gay man	1.39%	2.11%	0.71%	Gay woman / Lesbian	0.96%	1.05%	0.09%	Heterosexual/straight	46.20%	70.60%	24.41%	In another way	0.11%	0.21%	0.10%	Not sure	0.11%	0.11%	0.00%	Prefer not to say	2.79%	8.01%	5.22%	Not Provided	47.48%	16.65%	-30.83%	Total	100.00%	100.00%	
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<p>Gender Re-assignment (Gender identity and transgender)</p>	<p>No equality profiling data is currently captured by the SQA.</p>																								
<p>Marriage/Civil Partnership</p>	<p>Table 1.10: Colleagues by relationship status</p> <table border="1" data-bbox="501 400 1422 632"> <thead> <tr> <th>Relationship status</th> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Married/Civil Partnership</td> <td>30.01%</td> <td>44.66%</td> <td>14.65%</td> </tr> <tr> <td>Single</td> <td>24.44%</td> <td>35.87%</td> <td>11.44%</td> </tr> <tr> <td>Prefer not to say</td> <td>1.93%</td> <td>5.71%</td> <td>3.79%</td> </tr> <tr> <td>Not Provided</td> <td>43.62%</td> <td>13.76%</td> <td>-29.87%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> <td>100.00%</td> <td></td> </tr> </tbody> </table> <p>This table (1.10) shows colleagues by marriage/civil partnership for 2019 – 2020 and the variance between the two years.</p> <p>Source: SQA Workforce Equality Monitoring Report 2019-2021 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf</p>	Relationship status	2019	2020	Variance	Married/Civil Partnership	30.01%	44.66%	14.65%	Single	24.44%	35.87%	11.44%	Prefer not to say	1.93%	5.71%	3.79%	Not Provided	43.62%	13.76%	-29.87%	Total	100.00%	100.00%	
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<p>Pregnancy / Maternity</p>	<table border="1" data-bbox="501 831 1435 1058"> <thead> <tr> <th rowspan="2">Pregnancy Status</th> <th colspan="3">Colleagues</th> </tr> <tr> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Not Pregnant</td> <td>98.25%</td> <td>98.95%</td> <td>0.70%</td> </tr> <tr> <td>Pregnant</td> <td>1.75%</td> <td>1.05%</td> <td>-0.70%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> <td>100.00%</td> <td></td> </tr> </tbody> </table> <p>This table (1.20) shows colleagues by pregnancy / maternity for 2019 – 2020 and the variance between the two years.</p> <p>Source: SQA Workforce Equality Monitoring Report 2019-2021 https://www.sqa.org.uk/sqa/files_ccc/workforce-equality-monitoring-report-2019-2021.pdf</p>	Pregnancy Status	Colleagues			2019	2020	Variance	Not Pregnant	98.25%	98.95%	0.70%	Pregnant	1.75%	1.05%	-0.70%	Total	100.00%	100.00%						
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<p>Care experience (where relevant)</p>	<p>SQA does not currently collect Care Experience data.</p>																								

Impact and Opportunities for Action

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

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

Protected Characteristic	General Equality Duty
Age	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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 age groups.</p> <p>Positive equality related impact is therefore recorded in this area.</p>
	Advance equality of opportunity
	<p>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.</p> <p>Positive equality related impact is therefore recorded in this area.</p>
	Foster good relations
	<p>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.</p> <p>Neutral equality related impact is therefore recorded in this area</p>

Protected Characteristic	General Equality Duty
Disability	<p data-bbox="488 264 2029 328">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="488 400 824 432">Risks of Discrimination:</p> <p data-bbox="488 459 1648 491">This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p data-bbox="488 518 1966 582"><i>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.</i></p> <p data-bbox="488 619 2018 754">SQA employees with certain disabilities may, on balance have more difficulty working beyond their contractual hours if required due to their condition and less likely to accrue TOIL. SQA does not currently fully capture/analyse TOIL data by disability. It is therefore not possible to establish if any disproportionate trends or risk of discrimination exist within SQA in the use or application of this policy.</p> <p data-bbox="488 791 1771 823"><u>SQA will investigate possible options for reporting TOIL on the protected characteristic of Disability.</u></p> <p data-bbox="488 863 1906 895">In order to mitigate any potential negative impact on disabled employees Section 3 of the TOIL policy states: -</p> <p data-bbox="488 932 2018 1027"><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="488 1064 2018 1200"><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="533 1236 1424 1300" 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 (insert link)</i>

Disability	<p>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.</p> <p><u>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</u></p> <p>Positive equality related impact is therefore recorded in this area.</p>
	Advance equality of opportunity
	<p>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.</p> <p>Positive equality related impact is therefore recorded in this area.</p>
	Foster good relations
<p>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.</p> <p>Neutral equality related impact is therefore recorded in this area</p>	

Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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> <p>Positive equality related impact is therefore recorded in this area.</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 ethnicity.</p> <p>Neutral equality related impact is therefore recorded in this area.</p>
	Foster good relations
	<p>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.</p> <p>Neutral equality related impact is therefore recorded in this area</p>

Protected Characteristic	General Equality Duty
<p>Religion or Belief</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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 can be used to accommodate this.</p> <p>SQA does not fully capture/analyse TOIL data by religion or belief. It is not therefore possible, to establish nor discount if any disproportionate trends or risks of discrimination exist within SQA in the use or application of this policy.</p> <p><u>SQA will investigate possible options for reporting TOIL on the protected characteristic of Religion or Belief.</u></p> <p><u>In order to further mitigate any discrimination in relation to <i>religion or belief</i> SQA should include a section within the policy to address the needs of employees of different religions or beliefs - suggested wording below:</u></p> <p><u>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</u></p> <p>Overall, a positive equality related impact is therefore recorded in this area.</p>

Religion or Belief	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 religion or beliefs.</p> <p>Neutral equality related impact is therefore recorded in this area.</p>
	Foster good relations
	<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> <p>Neutral equality related impact is therefore recorded in this area.</p>

Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination – Direct and Indirect:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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>SQA does not currently analyse TOIL data by sex. It is not therefore possible to establish if any disproportionate trends or risks of discrimination exist within SQA in the use or application of this policy.</p> <p><u>SQA will investigate possible options for reporting TOIL on the protected characteristic of sex.</u></p> <p><u>In order to further mitigate any discrimination in relation to sex SQA should include a section within the policy to address the needs of employees with caring responsibilities - suggested wording below:</u></p> <p><u>“If any aspect of this policy causes you difficulty you should inform your line manager. We will take any reasonable steps to support your needs while working to these arrangements.”</u></p> <p>Overall, a positive equality related impact is recorded in this area.</p>
	Advance equality of opportunity
	<p>Whilst 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>The TOIL policy can promote a positive impact on both men and women, (on balance, more women) as women are more likely to have childcare and caring responsibilities and may be required to adjust their working hours to suit.</p>

	<p>Positive equality related impact is therefore recorded in this area.</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>Neutral equality related impact is recorded in this area.</p>

Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination – Direct and Indirect:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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>Positive equality related impact is therefore recorded in this area.</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 sexual orientation.</p> <p>Neutral equality related impact is therefore recorded in this area.</p>
	Foster good relations
<p>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.</p> <p>Neutral equality related impact is therefore recorded in this area.</p>	

Protected Characteristic	General Equality Duty
Gender Re-assignment (Gender identity and transgender)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination – Direct and Indirect:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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 <i>Gender Identities</i>.</p> <p>Positive equality related impact is therefore recorded in this area.</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 gender identity. Time off for Gender reassignment related absence is dealt with under the SQA <i>Transitioning at Work</i> policy.</p> <p>Neutral equality related impact recorded.</p>
	Foster good relations
	<p>There is no additional evidence to indicate that this policy currently fosters good relations between people of different gender identities or who are LGBTQ+ (Lesbian, Gay, Bi-Sexual, Transgender, Queer/Questioning +). No further recommendations at this stage.</p> <p>Neutral equality related impact recorded.</p>

Protected Characteristic	General Equality Duty
<p>Marriage/Civil Partnership</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>
	<p>Risks of Discrimination – Direct and Indirect:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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 <i>Marriage or Civil Partnerships</i>.</p> <p>Positive equality related impact is therefore recorded in this area.</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 marital status.</p> <p>Neutral equality related impact recorded.</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 marital status. No further recommendations at this stage.</p> <p>Neutral equality related impact recorded.</p>

Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Risks of Discrimination – Direct and Indirect:</p> <p>This policy defines the expectations of all employees in respect of recording TOIL in SQA.</p> <p>The policy clearly states: <i>SQA is committed to creating a supportive environment and ensuring that the health and wellbeing of colleagues is not impacted by working excessive hours.</i></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 <i>Pregnancy and Maternity</i>.</p> <p>Positive equality related impact is therefore recorded in this area.</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 <i>Pregnancy or Maternity</i>. Maternity related absences are dealt with under SQA <i>Pregnancy and Maternity</i> policy.</p> <p>Neutral equality related impact recorded.</p>
	Foster good relations
	<p>There is no additional evidence to indicate that this policy currently fosters good relations for those who are pregnant or on maternity leave.</p> <p>Neutral equality related impact recorded.</p>

Considered by SQA	General Equality Duty
Care experience (where relevant)	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>
	<p>We conclude there is no evidence to suggest that this policy may impact directly on people who are care experienced and therefore make no further recommendations in this area.</p> <p>Neutral equality related impact is therefore recorded in this area</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 care experience.</p> <p>Neutral equality related impact recorded.</p>
	<p>Foster good relations</p>
	<p>There is no additional evidence to indicate that this policy currently fosters good relations for those who are care experienced.</p> <p>Neutral equality related impact recorded.</p>

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.

Miscellaneous

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
- Business in the Community Race at Work Charter Signatory
- Stonewall Diversity Champion
- Dying to Work Charter Member
- Accreditation as a Carer Positive Employer at Engaged Level