



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 Whistleblowing Policy – V1.0

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



Equality Impact Assessment Whistleblowing Policy – V1.0

Identified Actions: General Equality Duty	Owner	Date	Comment & Review
Annual People Survey 2022 to continue to ask questions specifically relating to culture and reporting any wrongdoing. These results should be monitored.	OD Manager	Oct – Dec 2022	
Include this policy in induction for new starters.	OD Manager	Sept 2023	
Appoint a whistle-blower' champion to drive the commitment to valuing whistleblowing and protecting whistle-blowers within the new organisation	People Director	Aug 2024	
Continue to raise awareness of the policy or procedures through all available means such as staff engagement, intranet sites, and other marketing communications. Consider forming an Age networking group in SQA.	Internal Communications Manager	Sept 2023	
Provide training to all workers on how disclosures should be raised and how they will be acted upon.	HR Advisor	Sept 2023	
Provide training to managers on how to deal with disclosures.	HR Advisor	Sept 2023	
Add a short paragraph be added to the policy entitled <i>“Supporting you in raising a concern”</i> .	HR Shared Service Manager	Sept 2023	
Consult with all relevant staff networks regarding the application of this policy.	HR Shared Service Manager	Sept 2023	
Ensure the policy stipulates a diverse investigations panel including at least one person of the opposite Sex to the whistle-blower.	HR Shared Service Manager	Sept 2023	



Equality Impact Assessment Whistleblowing Policy – V1.0

Policy Aims

Name of Policy or Practice:	Whistleblowing Policy and Procedure
New Policy or Revision?	Revision
Name of Policy Owner:	Head of Human Resources
Date Policy Owner Confirmed Completion:	25-2-22

What is the rationale for this policy or practice?
<p>The stated aim of the Scottish Qualifications Authority (SQA) <i>Whistleblowing</i> policy is:</p> <p>To provide an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing. Wrongdoing is anything which causes colleagues legitimate concern and which they feel it is in the public interest to raise, and which can be defined as a 'qualifying disclosure'. (A full definition of this term is included in the policy, covering things such as: criminal offences, breach of any legal obligation, miscarriages of justice, danger to the health and safety of any individual, damage to the environment.)</p> <p>It sets out the procedure by which 'workers' (definition also included in policy) can report concerns to us about workplace practices, without fear of reprisals. Any 'worker' reporting a concern is protected when making a disclosure in the public interest by the <i>Public Interest Disclosure Act (1998)</i>.</p> <p>The policy encourages 'workers' to raise any matters of genuine concern with SQA who will take any allegations seriously and investigate matters appropriately and as far as is possible, confidentially.</p>



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

Whistleblowing is protected by law (Public Interest Disclosure Act 1998) and is set out by government <https://www.gov.uk/whistleblowing>.

It states as a 'worker':

You're a whistle-blower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always. The wrongdoing you disclose must be in the public interest. This means, it must affect others. For example, the general public.

As a whistle-blower you're protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

Who is protected by law:

You're protected if you're a worker, for example you're:

- an employee, such as a police officer, National Health Service (NHS) employee, office worker, factory worker
- a trainee, such as a student nurse
- an agency worker
- a member of a Limited Liability Partnership (LLP)

It is important to note that a total of one person submitted a whistleblowing allegation in SQA during the last twelve months. 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.



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

SQA Definition within the policy Section 5.1 and 5.2

Definition of Whistleblowing:

Whistleblowing is the disclosure of information that is in the public interest, by a member of staff or worker which relates to some malpractice, danger, fraud or other illegal or unethical conduct in the workplace.

Definition of a Qualifying Disclosure:

This policy is distinct from our *Grievance Policy*. If you have a complaint relating to your personal circumstances in the workplace, then you should use the procedure in the *Grievance Policy*. The *Grievance Policy* and Procedure applies only to members of staff. You should use this policy and the procedure set out below to report concerns about malpractice within the organisation: which fall within the categories listed below; and where there is a public interest in disclosing (because it affects or could affect, for example, service users, customers, members of the public or other workers).

A qualifying disclosure is a disclosure of information which, in the reasonable belief of the worker making it, tends to show that one or more of the six specified types of malpractice has taken place, is taking place or is likely to take place. The types of malpractice covered are:

- criminal offences
- breach of any legal obligation
- miscarriages of justice
- danger to the health and safety of any individual
- damage to the environment
- deliberate concealing of information about any of these things. This might cover, for example, breaches of confidentiality; conflicts of interest; negligent advice; financial fraud, bribery, harassment of others; and health and safety breaches. Only disclosures concerning those actions falling strictly within the categories above will be eligible for the statutory protection outlined in section 5.3 below.



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

Evidence of Staff Consultation:

SQA People Survey asks the question ***“In SQA, people are encouraged to speak up when they identify a serious policy or delivery risk”.***

Organisational Culture - average score 76%

Question	STRONGLY AGREE	AGREE	NEITHER AGREE NOR DISAGREE	DISAGREE	STRONGLY DISAGREE	% POSITIVE	VARIANCE FROM PREVIOUS SURVEY	VARIANCE FROM CSPS BENCHMARK
I am trusted to carry out my job effectively	48%	48%	5%	2%	1%	92%	+1	+1
I believe I would be supported if I try a new idea, even if it may not work	30%	48%	13%	6%	2%	79%	+1	+7
In SQA, people are encouraged to speak up when they identify a serious policy or delivery risk	22%	48%	21%	8%	4%	67%	-1	-5
I feel able to challenge inappropriate behaviour in the workplace	17%	45%	26%	8%	4%	62%	-1	-7

SQA colleagues were asked “In SQA People are encouraged to speak up when they identify a serious policy or delivery risk” A minority of employees (12%) disagreed or disagreed strongly with this question.

68% of the workforce agree with this statement; however, the remainder either “neither agree nor disagree; disagree; strongly disagree.



What are the aims of this policy or practice?

As previously stated, the aims of this policy are to:

To provide an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing. Wrongdoing is anything which causes colleagues legitimate concern and which they feel it is in the public interest to raise, and which can be defined as a 'qualifying disclosure' (a full definition of this term is included in the policy, covering things such as: criminal offences, breach of any legal obligation, miscarriages of justice, danger to the health and safety of any individual, damage to the environment).

It sets out the procedure by which 'workers' (definition also included in policy) can report concerns to us about workplace practices, without fear of reprisals. Any 'worker' reporting a concern is protected when making a disclosure in the public interest by the Public Interest Disclosure Act (1998).

The policy encourages 'workers' to raise any matters of genuine concern with SQA who will take any allegations seriously and investigate matters appropriately and as far as is possible, confidentially.

The policy itself is divided in two discrete sections:

Policy Structure:

1: Part A – Policy detail.

2: Part B – Procedures for SQA managers / employees to follow.



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

The following SQA policies are also related to the Whistleblowing Policy and Procedure:

- Addressing Financial Irregularity
- Anti-Bribery and Corruption
- Code of Conduct
- Dignity at Work
- Disciplinary
- Grievance
- Data Protection
- Modern Slavery and Human Trafficking Statement



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:

- Experience greater difficulties following or complying with the written requirements of a workplace policy e.g., articulating a complaint in writing - especially relevant for a person for whom English is not their first language or people with certain Disabilities.
- Experience higher levels of anxiety or reservations in respect of raising a formal complaint. For example, a very junior member of staff complaining about a senior manager, a person with neurodiversity who may feel they are not able to express themselves very well compared to someone who does not have this characteristic, a person who has a background / culture or preserving 'face' and may consequentially feel less inclined to raise a complaint against (for example) a senior person for reasons of perceived 'respect'. (For further evidence of this, please see page 15 of this document.)
- Feel less comfortable discussing their concerns with people of the opposite Sex.

National evidence indicates that the two main barriers whistle-blowers face are: (1) A fear of reprisal as a result of making a disclosure and (2) That no action will be taken if they do make the decision to 'blow the whistle'. There have been a number of high-profile cases, including evidence collated by the Mid-Staffordshire NHS Foundation Trust Public Inquiry¹, the Freedom to Speak Up Independent Review into creating an open and honest culture in the NHS² and the Parliamentary Commission on Banking Standards³
(Whistleblowing: Guidance for Employers and Code of Practice (publishing.service.gov.uk))

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?

As this is an internal policy, the SQA has only consulted with internal groups. These include:

- ACE (Appreciate Culture and Ethnicity) Network.
- SQA Disability Network.
- MAC (Make A Change Group).
- Mental Health First Aiders Forum.
- SQA Rainbow Network.
- Women's Network.
- Parent & Carers Network



What stakeholders have you engaged within the development of this policy or practice? (continued)

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.



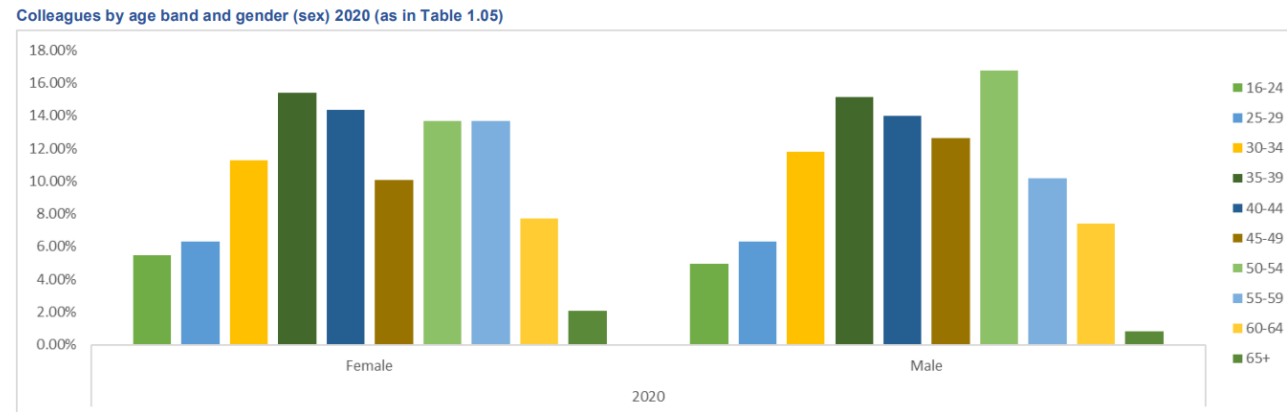
Equality Impact Assessment Whistleblowing Policy – V1.0

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:



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

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.

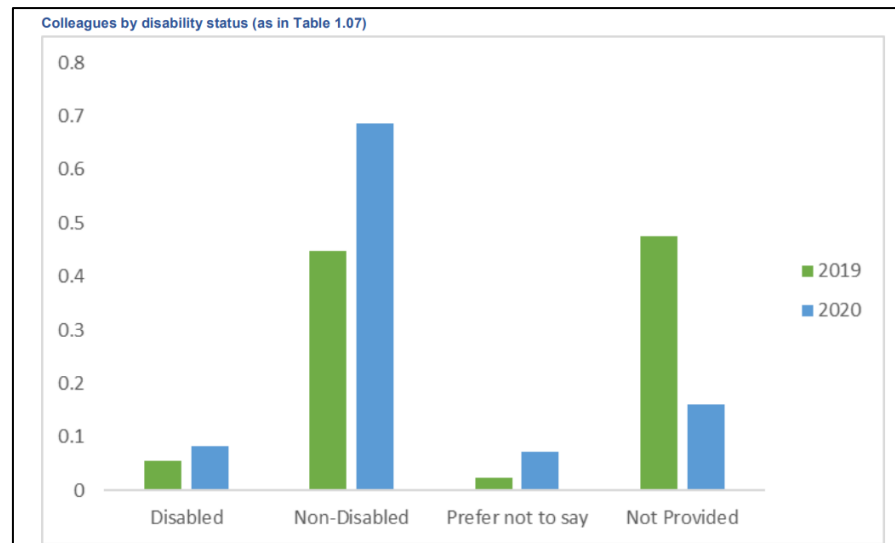
The 30–34 age band saw the largest reduction of female colleagues – a total of seven people. Over the same period, there was an increase in the proportion of male colleagues within the 50-54 age band - an overall increase of nine people. The largest decline in the proportion of male colleagues was in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

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%.

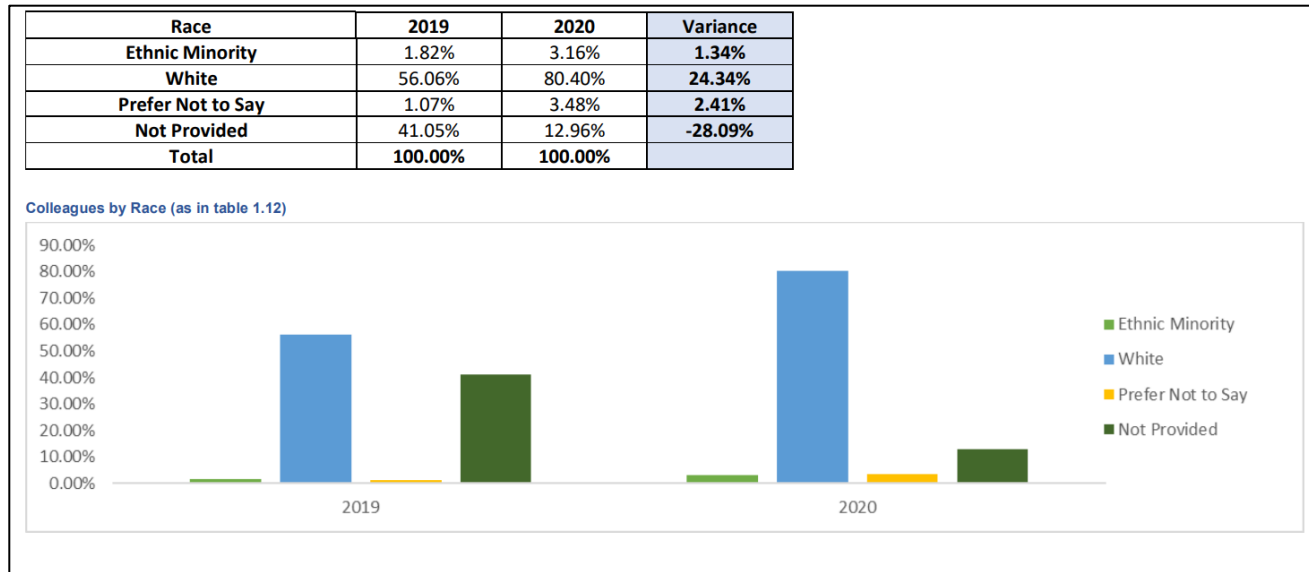


What evidence about equality groups do you have to support this assessment?

**Race
Ethnicity**

There is mixed data available which suggests cultural norms will have an impact on how individuals perceive and action whistleblowing. (<https://www.whistleblowerattorneys.com/blog/best-worst-countries-whistleblowers>)

There is no statistical data to confirm this theory, however there are articles available that suggest this is global business data and companies should consider this.



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

Currently only 3% of SQA employees declared themselves as Minority Ethnicity against a national (Scotland) average of 5%.



Equality Impact Assessment Whistleblowing Policy – V1.0

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)**

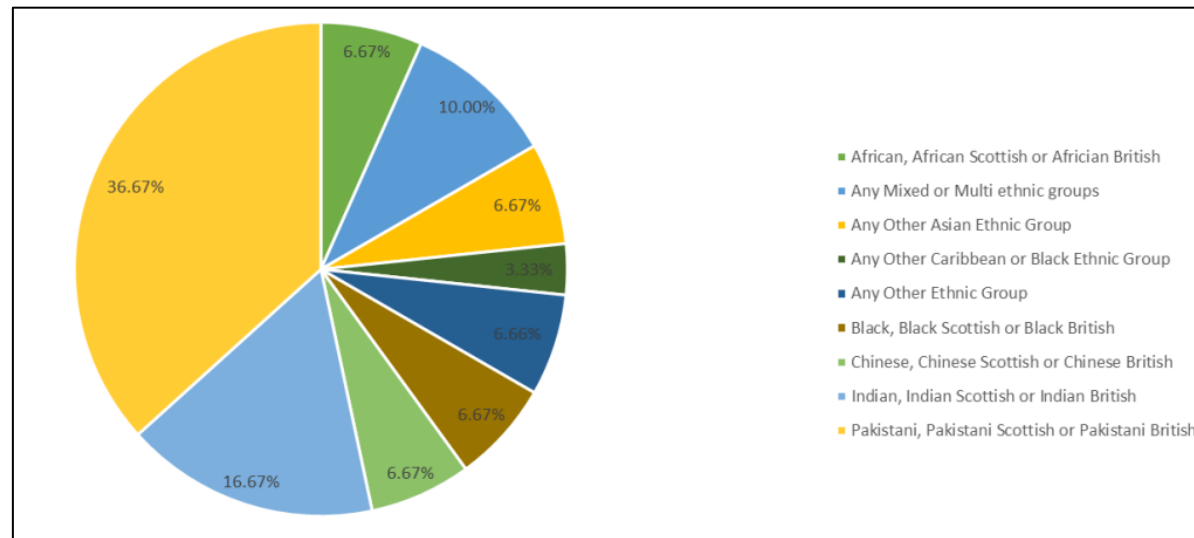


Table 1.15 Race: Colleagues by black and minority ethnicities

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%	



Equality Impact Assessment Whistleblowing Policy – V1.0

	<p>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</p>
--	---



Equality Impact Assessment Whistleblowing Policy – V1.0

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

Religion or Belief	<table border="1"> <thead> <tr> <th>Religion or Belief</th> <th>2019</th> <th>2020</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>20.69%</td> <td>29.82%</td> <td>9.13%</td> </tr> <tr> <td>Non-Christian</td> <td>11.47%</td> <td>17.28%</td> <td>5.81%</td> </tr> <tr> <td>None</td> <td>20.69%</td> <td>29.29%</td> <td>8.61%</td> </tr> <tr> <td>Prefer not to say</td> <td>3.75%</td> <td>10.33%</td> <td>6.58%</td> </tr> <tr> <td>Not Provided</td> <td>43.41%</td> <td>13.28%</td> <td>-30.13%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> <td>100.00%</td> <td></td> </tr> </tbody> </table>	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%	
	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%																											
<p>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</p>																													
<p>An improved declaration rate was also shown for this characteristic in 2020. <i>Christian</i> and <i>No Religion</i> account for nearly 60% of all responses.</p>																													

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



Equality Impact Assessment Whistleblowing Policy – V1.0

Sex (continued)

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

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.

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

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

Source: www.nhsinform.scot

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

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



Equality Impact Assessment Whistleblowing Policy – V1.0

In a survey of 1,000 adults in the UK, the British Menopause Society found that 45% of women felt that menopausal symptoms had a negative impact on their work and 47% who needed to take a day off work due to menopause symptoms say they wouldn't tell their employer the real reason.

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



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%
Total	100.00%	100.00%		

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



Equality Impact Assessment Whistleblowing Policy – V1.0

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

<p>Gender Re-assignment (Gender identity and transgender)</p>	<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 Gender Identity (i.e., people who identify as more than one gender or none) to all future Equality Monitoring reporting.</u></p>																				
<p>Marriage/Civil Partnership</p>	<p>No equality profiling data is currently captured by the SQA.</p>																				
<p>Pregnancy / Maternity</p>	<table border="1" data-bbox="689 711 1928 1008"> <thead> <tr> <th></th> <th colspan="3">Colleagues</th> </tr> <tr> <th>Pregnancy Status</th> <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>The above table shows colleagues by pregnancy status. This table 1.20 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</p>		Colleagues			Pregnancy Status	2019	2020	Variance	Not Pregnant	98.25%	98.95%	0.70%	Pregnant	1.75%	1.05%	-0.70%	Total	100.00%	100.00%	
	Colleagues																				
Pregnancy Status	2019	2020	Variance																		
Not Pregnant	98.25%	98.95%	0.70%																		
Pregnant	1.75%	1.05%	-0.70%																		
Total	100.00%	100.00%																			



Equality Impact Assessment Whistleblowing 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 Whistleblowing Policy – V1.0

Protected Characteristic	General Equality Duty
Age	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the <i>Equality Act 2010</i> .
	<p>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing.</p> <p>The policy should therefore have a positive impact on all employees of all <i>Age</i> groups as it provides a formal process for reporting wrongdoing.</p> <p>We recognise that on balance, some younger workers may, experience greater reservations about raising a complaint - perhaps for fear of not being taken seriously. Conversely, some older workers may feel less inclined to raise a complaint for fear of losing their job. However, as there is little national evidence and no local SQA evidence to support this conjecture, we conclude a neutral impact for this Equality group.</p> <p>Neutral Impact Recorded.</p>
	Advance equality of opportunity
	All SQA employees are entitled to use, access and be subjected to the Whistleblowing Policy and Procedure and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their <i>Age</i> .



Equality Impact Assessment Whistleblowing Policy – V1.0

	Foster good relations
Age	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different Age groups.</p> <p><u>There is currently no Age-related staff network group. An identified action point from this Equality Impact Assessment (EqIA) which, if realised, could greatly assists in fostering good relations between employees of different Ages.</u></p>



Equality Impact Assessment Whistleblowing 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>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing.</p> <p>The policy should therefore have a positive impact on all employees - including people who have / do not have a <i>Disability</i>.</p> <p>However, we recognise that on balance, some people with disabilities may experience greater difficulties articulating a complaint or reading complicated information. Whilst the policy does currently offer the 'right to be accompanied', <u>it is recommended that a short paragraph be added to the policy entitled “Supporting you in raising a concern”</u>. This could for example, confirm that SQA investigators will make all notes on your behalf, virtual meetings would be considered, your companion may speak on your behalf, interpreters may be available etc. We consider this recommendation to be particularly important given the staff survey results reported on page six of this document.</p> <p>Positive Impact Recorded.</p>
	Advance equality of opportunity
	<p>The existing policy refers to support being possible for whistle-blowers with a disability who require a companion to assist them attending meetings associated with this process and also lists colleague’s responsibilities to make others aware of any special requirements that they have to enable them to access and use the policy.</p> <p>Also, implementation of the action proposed above would also greatly assist in advancing equality of opportunity for employees who have a <i>Disability</i>.</p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Foster good relations	
Disability	<p><u>The outcomes of the policy should continue to be monitored for any trends that suggests employees may be disadvantaged directly or indirectly as a result of their <i>Disability</i>.</u></p> <p>SQA's Disability network group have a remit to:</p> <ol style="list-style-type: none">1: Promote and enhance disability equality in SQA2: Position SQA as an inclusive employer of choice that welcomes, embraces and celebrates the contribution of a diverse workforce3: Supporting SQA to become a <i>Disability Confident</i> leader in Scotland'. <p>Consulting the policy's aims and processes with this group would both help to check its overall impact but also explore opportunities for further development.</p> <p>SQA are also a <i>Disability Confident</i> employer so continued promotion and engagement with the objectives of the scheme is also essential in continuing to foster good relations between employees who are disabled / not disabled.</p>



Equality Impact Assessment Whistleblowing 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
Race (continued)	<p>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing.</p> <p>The policy should therefore have a positive impact on all employees of different ethnicities, nationalities or citizenships (Race). Note that SQA currently does not record data on whistleblowing by Race or Ethnicity.</p> <p>Whistleblowing is governed by law, therefore SQA has a legal requirement to ensure this policy is available to all ‘workers. We understand that some cultures may find the process of whistleblowing challenging. We believe the policy, being governed by law and protecting the individual from retaliation could alleviate some concerns.</p> <p>Across all SQA staff there is a very small sample size of staff who have utilised this policy. There is insignificant data to suggest employees have specific issues in accessing or utilising the policy based on their <i>Race</i> and <i>Ethnicity</i> protected characteristic. Any concerns that colleagues have in the workplace based on <i>Race</i> that do not fall into the whistleblowing category are covered under the <i>Bullying and Harassment</i> or <i>Grievance</i> policy.</p> <p>Once again, we acknowledge that whilst the policy does currently offer ‘the right to be accompanied’, <u>it is recommended that a short paragraph be added to the policy entitled “Supporting you in raising a concern”</u>. This could for example, confirm that SQA investigators will make all notes on your behalf, virtual meetings would be considered, your companion may speak on your behalf, interpreters may be available etc.</p> <p>Positive Impact Recorded.</p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Advance equality of opportunity	
Race (continued)	<p>SQA employees are entitled to use, access and be subjected to <i>the</i> Whistleblowing Policy and Procedure.</p> <p>There is no empirical evidence to indicate that this policy affects employees differently or less favourably, on the grounds of their Race or Ethnicity. Further implementation of the action proposed on the previous page would also assist in advancing <i>Equality of Opportunity</i> for employees of different racial groups.</p>
Foster good relations	
Race (continued)	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different <i>Race</i> or <i>Ethnicity</i>.</p> <p>The ACE Network exists to foster good relations, provide support, create an overall sense of belonging that may not exist elsewhere in the organisation. It also exists with the aim of sharing experiences, providing feedback and recommendations as to how SQA can promote a more diverse and inclusive workplace.</p> <p>We encourage colleagues, regardless of race or ethnicity, to participate in and support the network, with the understanding that we will work together towards achieving our aims and objectives.’</p> <p><u>Consulting with this network in respect of the contents of this policy could also help in fostering good relations between employees of different racial groups.</u></p> <p><u>Advisory comment: Ensure the policy stipulates a diverse investigations panel including at least one person of the opposite Sex to the whistle-blower.</u></p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Protected Characteristic	General Equality Duty
<p>Religion or Belief</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>
	<p>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing.</p> <p>The policy should therefore have a positive impact on all employees of different <i>Religions and Philosophical Belief Systems</i>.</p> <p>We recognise that some people may feel less inclined to raise a complaint for reasons of culture / religion. For actions and recommendations, please see the previous section of this assessment (<i>Race</i>).</p> <p>Positive Impact Recorded.</p>
	<p>Advance equality of opportunity</p>
	<p>All SQA employees from all <i>Religions / Beliefs</i> are entitled to use, access and be subjected to <i>the</i> Whistleblowing Policy and Procedure.</p> <p>There is no empirical evidence to indicate that this policy affects employees differently or less favourably, on the grounds of their <i>Religion or Philosophical Belief System</i>.</p>
	<p>Foster good relations</p>
	<p>Please see actions for the previous section (<i>Race</i>).</p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Protected Characteristic	General Equality Duty
<p>Sex</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>
	<p>Risks of Discrimination:</p> <p>SQA data shows that there is significant majority of women in the workforce (585) compared to males (362). This could suggest that there may be more women who raise concerns than males. However, SQA currently has insignificant data on whistleblowing by Sex.</p> <p>Across all SQA staff there is a very small sample size of staff who have utilised this policy. There is insignificant data to suggest employees protected under the Sex protected characteristic have specific issues in accessing or utilising the policy.</p> <p>Whistleblowing is governed by law, therefore SQA has a legal requirement to ensure this policy is available to all ‘workers. We believe the policy, being governed by law and protecting the individual from retaliation should alleviate their concerns.</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 be subjected to the Whistleblowing Policy and Procedure and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of their Sex</p> <p><u>Advisory comment: Ensure the policy stipulates a diverse investigations panel including at least one person of the opposite Sex to the whistle-blower.</u></p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Foster good relations	
Sex (continued)	<p><u>Consideration should be given to report more thoroughly on HR case work, informal and formal, in relation to each protected characteristic. This would show if any trends or patterns emerge so that action can be taken.</u></p> <p>SQA undertakes a <u>public sector equality duty report</u> every two years which assists us to maintain equal opportunities best practice and identify barriers to workforce equality and diversity. SQA also undertakes a people survey which recognise the value and contribution of all our colleagues. The survey is carried out annually and aims to continue to build on areas for improvement</p> <p>In SQA, the Women’s network ‘provides a welcoming space for women across the organisation. Through open meetings and events there are opportunities to get to know one another, offer and receive support, and influence SQA policy development in areas of equality and inclusion. This network is exploring exciting developments such as informal mentoring and liaising with other staff networks.</p> <p><u>Speaking to members of this network directly will help SQA measure the impact of this policy</u> and explore ways we can improve its direction and profile in SQA. Specifically, to question whether it helps explain how to handle a problem and detail what support is available in and outside the organisation if someone is considering whistleblowing.</p>



Equality Impact Assessment Whistleblowing 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
	<p>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing. The policy should therefore have a positive impact on all employees - including people of all <i>Sexual Orientations</i>.</p> <p>We can identify no reasonable risks indicating that this policy could disproportionately impact a person on the grounds of their <i>Sexual Orientation</i>.</p> <p>Neutral Equality related impact is therefore recorded in this area.</p>
	Advance equality of opportunity
	<p>All SQA employees are entitled to use, access and be subjected to the Whistleblowing Policy and Procedure 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>.</p>
	Foster good relations
	<p><u>Consideration should be given to report more thoroughly on HR case work, informal and formal, in relation to each protected characteristic. This would show if any trends or patterns emerge so that action can be taken.</u></p> <p><u>The <i>Rainbow Network</i> is SQA's lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ+) colleague network. Measuring the impact of the policy by speaking directly to the <i>Rainbow</i> network could assist in helping to Foster Good Relations between employees of different sexual orientations or LGBTQ+ status.</u></p>



Equality Impact Assessment Whistleblowing Policy – V1.0

Protected Characteristic	General Equality Duty
<p>Gender Identity.</p> <p>This includes:</p> <p>Gender Re-assignment</p> <p>Non-Binary</p> <p>Gender Fluid</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Risks of Discrimination:</p> <p>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"> ▪ Proposing to undergo a Gender transition. ▪ Undergoing the process of Gender transitioning. ▪ As a result of Gender transition. <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing. The policy should therefore have a positive impact on all employees. We can identify no reasonable risks indicating that this policy could disproportionately impact a person on the grounds of their <i>Transgender</i> status.</p> <p>Neutral Equality related impact is therefore recorded in this area.</p>



Equality Impact Assessment Whistleblowing Policy – V1.0

<p>Gender Identity.</p> <p>This includes:</p> <p>Gender Re-assignment</p> <p>Non-Binary</p> <p>Gender Fluid</p>	<p style="text-align: center;">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"> ▪ People who identify as the Gender they were assigned at birth. (<i>Cisgender</i>) ▪ People who identify with Gender that is different to that assigned at birth. (<i>Transgender</i>) ▪ People who identify with multiple Genders. (e.g., <i>Non-Binary</i> and <i>Gender Fluid</i>.) <p style="text-align: center;">(Note this list is illustrative and is not intended to be definitive.)</p> <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><u>We therefore recommend that the SQA create a new <i>Gender Identity</i> policy to facilitate and advance equality of opportunity to employees who are LGBTQ+.</u></p> <p style="text-align: center;">Foster good relations</p> <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. No further recommendations at this time.</p>
--	---



Equality Impact Assessment Whistleblowing 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
	<p>Risks of Discrimination:</p> <p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing. The policy should therefore have a positive impact on all employees - including people of all different marital status.</p> <p>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.</p> <p>Neutral Equality related impact is therefore recorded in this area.</p>
	<p style="text-align: center;">Advance equality of opportunity</p>
	<p>All SQA employees are entitled to use, access and be subjected to the Whistleblowing Policy and Procedure 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>.</p>
	<p style="text-align: center;">Foster good relations</p>
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees of different <i>Marital Status</i>.</p> <p>No further recommendations are made in respect of this in relation to this policy.</p>



Equality Impact Assessment Whistleblowing 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>Risks of Discrimination:</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> <p>Neutral Equality related impact is therefore recorded in this area.</p>
	Advance equality of opportunity
	All SQA employees are entitled to use, access and be subjected to the Whistleblowing Policy and Procedure and there is no evidence to indicate that this policy could affect employees differently or less favourably, on the grounds of <i>Pregnancy/Maternity</i> .
	Foster good relations
	<p>There is no evidence to indicate that this policy currently fosters good relations between employees that are Pregnant or on Maternity.</p> <p>No recommendations are made in respect of this in relation to this policy.</p>



Equality Impact Assessment Whistleblowing Policy – V1.0

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
	Whilst there is currently no evidence to suggest that care experience colleagues are placed at a disadvantage compared to other colleagues (or vice versa), 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 SQA employees are entitled to use, access and be subjected to the Whistleblowing Policy and Procedure 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.
	Foster Good Relations
	There is no evidence to indicate that this policy currently fosters good relations between employees that are Care Experienced



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
- Dying to Work – Charter Member
- Stonewall Diversity Champion