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	June 2024	Additional Schedule Review	,
		Date	

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
Actions taken to monitor the implementation of policy and the impact on equality groups (evidence and consultation)	Health Safety and Environment Administrator	11/10/2022	Policy sent to the women's network, disability network, rainbow network, appreciate culture & ethnicity network, equalities committee, and trade unions for comment. No impacts identified by members.
Monitor changes to legislation	Health Safety and Environment Administrator	31/11/2023	

Policy Aims

Name of Policy or practice	Health and Safety policy
New Policy or Revision	Revision
Name of Policy Owner	Head of Appointee Management
Date Policy Owner Confirmed Completion	June 2022

What is the rationale for this policy or practice?

The policy is applicable to employees, contractors, and visitors on three sites: Lady Victoria Colliery, Lowden, and Optima, and employees working externally, including from home. There are many supporting policies which relate to aspects of the health and safety policy, and these are detailed at the end of the document.

The policy aims to protect employees and ensure compliance with relevant legislation and organisational aspects of health and safety.

The Chief Executive is ultimately responsible for the overall application.

Employers also have a duty to consult with their employees, or their representatives, on health and safety matters.

The policy also details the responsibilities of relevant parties.

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

There is a legal and moral expectation to develop and implement this policy.

The Health and Safety at Work Act 1974 (HaSWA)

What are the aims of this policy or practice?

Ensure healthy and safe working environment and behaviours.

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

The policy must adequately support everyone. For example, at times, reasonable adjustments must be made to ensure measures are in place to ensure equitable protection for all colleagues, contractors, and visitors.

Evidence, Consultation and Engagement

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

Our <u>health and safety committee</u> meets quarterly and includes representatives from our community networks, business areas and trade unions. Action minutes and statistics are published, and a summary is shared in quarterly news articles on the intranet, and in all staff emails. The health, safety and environmental officer, and their administrator, monitor actions and support colleagues in completing them if required.

The policy was created using information from the health and safety executive (HSE), public sector benchmarking, and with the input of colleagues.

To make the document easier to digest it was shortened, and a supporting <u>A-Z guidance</u> page and document were linked, with a range of information about subjects potentially of relevance or interest to the reader.

The policy has been shared with a number of stakeholders for input:

- Directors
- Board
- Health and safety committee
- Women's network
- Disability Network
- ACE (appreciate culture and ethnicity)
- Rainbow network
- Equalities network
- Trade unions
- Internal communications (for accessibility)

The policy launch included publication of <u>articles</u> and a staff information programme which was recorded and is still available to watch on the intranet. The policy was signposted and summarised at directorate meetings via Teams to ensure as many colleagues as possible were informed. No on-site campaign as it was launched during lockdown and the offices were closed.

Cleaning colleagues do not have access to the intranet, so they have been provided with paper copies during their weekly meeting and given the opportunity to raise any queries before being directed to sign a document to say they have read and understood the policy.

The Chief Executive statement is on noticeboards at each tea point with the required Health and Safety Executive approved law poster.

It is also available on our external website and provided to contractors as part of the tendering process.

As part of their induction, all employees must complete the <u>health and safety training course</u> on SQA academy. This summarises the policy and directs them to the resources available from colleagues and on the intranet. They are also required to complete a workstation self-assessment to help them identify if any support or adjustments are required to help them manage their workload safely.

The policy is also shared and summarised annually as part of Safety and Health at Workday.

There is a <u>dedicated intranet page</u> which can be accessed directly or via other relevant pages or documents. It contains the policy and A-Z guidance, examples of best practice, risk assessments, inspections, <u>campaigns</u>, <u>legislation</u>, and <u>simplified guides</u> to help colleagues understand our responsibilities, and theirs. For example, with regards to health and safety for disabled people at work.

It is regularly reviewed, at least annually or following any relevant changes to working practices or legislation. For example, it is under review currently due to hybrid working changes, and ACE have provided some suggested amendments to help support colleagues for whom English is an additional language.

To help stay up to date and inform the reviews, the team sign up to receive regular communications from health and safety professionals in the form of newsletters, social media posts, magazines, postal circulars, email alerts and campaigns. The community networks also reach out with any news or queries they feel relevant.

We have been awarded the Rospa Gold medal award for eight years running in the internationally renowned Royal Society for the Prevention of Accidents (Rospa) Health and Safety Awards.

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

Age

The HSE recognises that young people are especially vulnerable when it comes to health and safety due to their relative inexperience. We mitigate this risk by undertaking individual risk assessments and making reasonable adjustments. Additionally, the policy is checked for plain English so that it can be easily understood by young people, and line managers are responsible for ensuring that they have read and understand the document fully.

Management of Health and Safety at Work Regulations

specific duties for young people under the Management of Health and Safety at Work Regulations.

Risks to young people

Young people are likely to be new to the workplace and so are at more risk of injury in the first six months of a job, as they may be less aware of risks. They will often be vulnerable, as they may:

- lack experience or maturity.
- not have reached physical maturity and lack strength.
- be eager to impress or please people they work with
- be unaware of how to raise concerns.

Training and supervision

Young people need clear and sufficient instruction, training, and supervision so they understand the importance of health and safety and can work without putting themselves and other people at risk. They may need more supervision than adults.

Work experience

Work experience and work-based learning will be the first time most young people experience the work environment.

Good preparation and organisation of placements is essential if these opportunities are to be helpful and safe introductions to work.

Older workers: health and safety

Employers have the same responsibilities for the health and safety of older workers as they have for all workers.

What employers should do?

A separate risk assessment is not required specifically for older workers. The activities older workers do, are included as part of our overall risk assessment.

We avoid assumptions by consulting and involving older workers when considering which control measures to put in place.

Changes we may consider include:

- allowing older workers more time to absorb health and safety information or training, for example through self-paced training.
- introducing opportunities for older workers to choose other types of work.
- designing manual handling tasks to eliminate or minimise the risk.

We do not assume that certain jobs are physically too demanding for older workers, many jobs are supported by technology, which can absorb the physical strain.

Older can workers play an important part in helping to improve how we manage health and safety risks, especially when working alongside younger colleagues, to share their knowledge and experience.

	MHSWR includes identifying groups of workers who might be particularly at risk, which could include older workers.
Disability	The HSE website states that:
	we "must train everyone in emergency procedures. Don't forget the needs of people with disabilities and vulnerable workers"
	Health and safety is sometimes used as an excuse to justify discrimination against disabled workers. This should not happen.
	Health and safety legislation should not prevent disabled people from finding or staying in employment so it should not be used as an excuse to justify discrimination against them.
	Disabled people and those with health conditions, including mental health conditions, should be given the opportunity to both get into and stay in work.
	As an employer we are responsible for the health, safety, and welfare of all our employees, whether they have a disability or not.
	Disability is not always obvious, and workers do not have to tell us unless they have a disability that could foreseeably affect the safety of themselves or anyone else connected to their work. If they do not tell us and there are no obvious indicators of any disability, we are not under any obligation to make workplace adjustments.
	We have a duty to consult with your employees (whether directly or through their representatives) on issues relating to health and safety. These discussions reflect good safety practice because employees have day-to-day understanding of the job, so they are likely to have good ideas on keeping themselves and others safe.
	Fire safety risk assessment for disabled people There is guidance on GOV.UK on our duty to provide a means of escape for disabled people under fire safety legislation.

While there are no health and safety regulations specific only to disabled people, the Health, and Safety at Work etc Act 1974 requires every employer to protect all workers from the risk of injury or harm at work, so far as is reasonably practicable. This includes disabled workers and covers risk to people who may be affected by the work (for example visitors).

'So far as is reasonably practicable' means balancing the level of risk against the measures needed to control it, in terms of money, time taken or trouble.

Reasonable adjustments under equality law

Equality law recognises that bringing about equality for disabled people may mean changing the way employment is structured, with the removal of physical barriers to working and/or providing extra support so disabled workers are not disadvantaged.

This is the duty for employers to make reasonable adjustments. The aim of the duty is to make sure that, as far as is reasonable, disabled workers have the same access to everything involved in doing and keeping a job as non-disabled workers.

Making reasonable adjustments

We have a duty to make reasonable adjustments for disabled workers. The aim of this duty under equality law is to ensure that, as far as is reasonable, disabled workers have the same access to everything involved in doing and keeping a job as non-disabled workers.

Meeting this duty may mean removing any physical barriers to working and/or providing extra support for disabled people. In many cases the adjustments will be simple, straightforward, and low-cost.

Employers are not required to do more than what is considered reasonable (for example improving access by installing a ramp, changing the layout, adapting work equipment, or letting a wheelchair user work on the ground floor). What might be considered reasonable will depend, among other things, on the size and nature of the business.

There are very few cases where health and safety law require the exclusion of specific groups of people from certain types of work activity. While work in hazardous situations cannot always be eliminated, it can often be substantially reduced with comparatively little cost. Through reasonable adjustments, and reviews when circumstances change, risks can be managed by:

	 reallocating certain elements of the work activity to other colleagues rescheduling duties to more suitable times providing suitable alternative equipment (for example automated equipment to reduce manual handling) If there is any delay in implementing such support measures, we may make temporary arrangements to manage any risks to disabled workers. People with mental health conditions, including those linked to stress, may also require adjustments in the workplace. Seeking specialist advice In addition to discussing workplace adjustments with disabled workers, you may need specialist help to understand the effects of their disability on workplace health and safety. You can seek help on disabilities and health conditions, and how to accommodate them, by contacting occupational health services and medical professionals. It is important to note that employees are under no obligation to reveal details of their disability and you cannot insist on them doing so. You must also get their consent before approaching specialists and should involve them in that process, sharing any information and recommendations provided by doctors etc.
Race	 HSE state that we should: take account of the needs of overseas workers and consider: Language issues. Basic competencies, e.g., literacy, numeracy, physical attributes, general health, relevant work experience etc; and Whether their vocational qualifications are compatible with those in GB. Ensure that assessments are regularly reviewed to ensure they keep up to date with any changes to processes or working practices. Provide relevant information about the risks to which they may be exposed and the precautions they will need to take to avoid those risks. Consider the needs of workers who may not speak English well, if at all, and whether you need translation services. Make sure workers have received and understood the information, instruction and training they need to work safely and consider how to ensure it is acted upon.

	Make sure workers are adequately supervised and can communicate with their supervisors.
	 Make sure workers know where and how to raise any concerns about their health and safety and about any emergency arrangements or procedures.
	Consulted with ACE, who have provided some suggested amendments to help support colleagues for whom English is an additional language.
Religion or Belief	There is no evidence that the health and safety policy impacts upon this equality group.
Sex	Consulted the Women's network. Received no comments on the policy.
	Menopause can impact upon workers and there is <u>menopause guidance</u> for staff and managers with information to support women who may be experiencing symptoms of menopause that could impact them at work, and to signpost support that is available.
	Manual handling risk assessments must not assume that a woman can't lift but, take into account both the recommended <u>limits for men and women.</u> Training, procedures, and aids for lifting and transportation are in place and reviewed regularly.
	Biased language can surface as microaggressions and correlates with diminished workplace satisfaction and can affect physical, emotional, cognitive, and behavioural health.
Sexual Orientation	There is no evidence that the health and safety a policy impacts upon this equality group. Consulted the rainbow network, received no comments on the policy.
Gender Re-assignment (Gender identity and transgender)	Biased language can surface as microaggressions and correlates with diminished workplace satisfaction and can affect physical, emotional, cognitive, and behavioural health. The legal protections for pregnant, new, nursing parents also apply to some transgender men, non-binary people, and people with variations in sex characteristics, or who are intersex.
Marriage/Civil Partnership	There is no evidence that the health and safety policy impacts upon this equality group.
Pregnancy / Maternity	Employers are responsible for providing a safe working environment while effectively managing risks to the health and safety of all workers, including women of a childbearing age.

We must carry out an <u>individual risk assessment</u> for pregnant workers and new mothers. This applies to workers who:

- are pregnant.
- have given birth in the last 6 months, or
- · are currently breastfeeding.

Some <u>working conditions</u> and processes can potentially harm them and/or their child so we assess and control the risks posed in each case.

This applies to all new and expectant mothers. It's important we support them all equally. The legal protections outlined also apply to some transgender men, non-binary people, and people with variations in sex characteristics, or who are intersex.

Gig economy, agency, or temporary workers

If you employ gig economy, agency or temporary workers who are pregnant workers or new mothers, you will have duties under health and safety law.

For health and safety purposes, they should be treated no differently to other workers.

The <u>Management of Health and Safety at Work Regulations 1999</u> (MHSWR) implement the health and safety requirements of the <u>Pregnant Workers Directive</u> (92/85/EEC) into UK law.

The specific health and safety requirements relating to pregnant workers and new mothers are mainly contained in regulations 16 to 18.

- <u>regulation 16</u> requires employers to manage the risks to women of a childbearing age, pregnant workers, and new mothers.
- <u>regulation 17</u> covers advice from a doctor or midwife if night work will affect the health of pregnant workers and new mothers.
- regulation 18 explains employers' duties once notified a worker is pregnant, has given birth in the last 6 months or is breastfeeding.

The Employment Rights Act

• Section 67 of the <u>Employment Rights Act 1996</u> states that suitable alternative work should be offered, if available, on the same terms and conditions, before suspension from work is considered.

	 Workplace (Health Safety and Welfare) Regulations Regulation 25 of the Workplace (Health, Safety and Welfare) Regulations 1992 states that employers must provide a suitable place for pregnant and breastfeeding workers to rest. Breaches of health and safety law may also be discrimination under the Equality Act 2010, depending on the circumstances.
Care experience (where relevant)	There is no evidence that the health and safety policy impacts upon this equality group.

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
	Risk assessments counteract any increased risks faced by younger people due to their relative inexperience, allowing for individual factors like the age of the employee to be taken into account. Individual risk assessments are undertaken for a young person if additional hazards are identified. We undertake risk assessments for all work experience placements.
	Risks to young people at work
	As an employer, we are already managing any significant risks for all workers in your workplace. But we assess any additional factors if we employ a young person, such as a health condition which may be affected by the work or the work environment.
	Employing a young person We do not need to do a separate risk assessment for work experience students, as our existing assessment already considers the specific factors for young people. This is providing that the new starter is of a similar level of maturity and understanding, and has no particular needs, such as a disability.
	Greatest risks to young people For many young people the workplace will be a new environment and they will be unfamiliar with 'obvious' risks and the behaviour expected of them.

They may lack experience or maturity. Supervisors make sure they understand what is expected of them, check they understand and are able to remember and follow instructions.

They may not have reached physical maturity and be more at risk if their muscle strength is not fully developed. They may be less skilled in handling techniques or in pacing work according to their ability.

When assessing a young person's physical capability, you could simply ask yourself if a still developing young person could lift the weights older, more experienced workers can.

Young people may be unaware of how to raise concerns, so make sure this is part of their training.

They may be eager to impress or please people they work with, so you should supervise them effectively and make sure they understand any training and instruction.

Levels of risk

Low risk environments

For placements in low-risk environments, such as our offices with everyday risks that will mostly be familiar to the young person, our existing arrangements for other workers are generally enough.

Less familiar risks

For environments with risks less familiar to them (for example in our script management facility), we make arrangements to manage the risks. This includes induction, supervision, site familiarisation, and any protective equipment needed.

Training and supervision

Many young people are likely to be new to the workplace and facing unfamiliar risks from the job and their surroundings. We give them clear and sufficient instruction, training, and supervision so they can work without putting themselves and other people at risk.

Training

Training given is proportionate to the risk. For a student on a short-term work experience placement, we tailor induction and training to the tasks they are going to do.

We also check they have understood the instruction and training, including, for example the: hazards and risks in the workplace health and safety precautions in place **Supervision** Young people can need more supervision than adults. Good supervision helps us get a clear idea of their capabilities and their progress in the job. It also helps us monitor the effectiveness of their training and identify additional support needed to allow them to carry out their work without putting themselves and others at risk, such as tailored training or closer supervision. Line managers regularly check a young person's progress to help identify where any additional adjustments may be needed. We may put age limits on the use of some equipment and machinery, such as vehicles and knives. As an employer taking on a young person, we have the main responsibility for their health and safety. We always check they know how to raise health and safety concerns. Advance equality of opportunity No impacts identified. Foster good relations Due to the age disparity in H&S outcomes (with younger, less experienced people being more prone to risk, there is good opportunity for younger employees to learn lessons on H&S from older employees, fostering good relations between the two groups **Protected General Equality Duty** Characteristic

Disability

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

Individual risk assessments are used to counteract any additional risks faced by people with disabilities, allowing for individual factors of the employee to be taken into account.

To ensure that this policy supports eliminating unlawful discrimination for this equality group, the following actions are supported:

Personal Emergency Evacuation Plans: UK legislation places duties on an employer to implement effective arrangements for emergency evacuation of all staff including those who may need some assistance to manage their escape to a place of safety. Plans will identify:

- specific evacuation routes where appropriate.
- refuge areas and specific evacuation procedures.
- specialist equipment such an evac-chair that is needed.
- staff responsibilities.
- staff training requirements.
- any building adaptations that are required.

Risk assessment: We consider protected characteristics when undertaking our risk assessments, for example, whether set-up allows sufficient room for a wheelchair user to also escape obstruction-free. If we become aware of a worker or others (for example a visitor) with a disability, we review our general risk assessment to make sure it covers any risk to them.

Individualised Risk Assessments: All colleagues are required to undertake a self-assessment. There is no legal requirement to carry out a separate risk assessment specific to a disabled person but where a need is identified, colleagues can take part in individualised risk assessments to help recognise and mitigate potential risks to that person. This comes in the form of reasonable adjustments.

Reasonable Adjustments: we have a duty under the Equality Act 2010 to make reasonable adjustments to the workplace for any persons with a disability, for example, we identified a potential need for hearing loops.

	While the policy protects everyone, it supports, and is supported by various HR policies, so many situations are covered in other policies.	
	Advance equality of opportunity	
	Reasonable Adjustments : we have a duty under the Equality Act 2010 to make reasonable adjustments to the workplace for any persons with a disability, for example, we identified a potential need for hearing loops.	
	Example: For workers with deteriorating vision. We arrange for occupational health assessments to check their ability to do the job. This assessment and discussions with their line manager enable us to make the right adjustments, including:	
	 a large-screen monitor magnification software high visibility keyboards reallocating minor duties as required 	
	Foster good relations	
	Conversations about individual needs/evacuation plans/risk assessments/adjustments can foster understanding between disabled and non-disabled employees in a manager/employee relationship?	
Protected Characteristic	General Equality Duty	
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010	
	Consulted with ACE network, who have provided some suggested amendments to help support colleagues for whom English is an additional language.	

	Advance equality of opportunity	
	Plain English documentation helps aid equal understanding, for example, with applications.	
	Foster good relations	
	Plain English help aid communication between groups.	
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	
	No impacts identified.	
	Advance equality of opportunity	
	No impacts identified.	
	Foster good relations	
	No impacts identified.	

Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	Menopause can impact upon workers and there is <u>menopause guidance</u> for staff and managers with information to support women who may be experiencing symptoms of menopause that could impact them at work, and to signpost support that is available.
	Manual handling risk assessments must not assume that a woman can't lift but, take into account both the recommended <u>limits for men and women</u> . Training, procedures, and aids for lifting and transportation are in place and reviewed regularly.
	Gender-neutral language used in the latest version of the policy.
	Advance equality of opportunity
	Ensuring adequate support in manual handling ensures women equal opportunity for such roles.
	Providing menopause support enables women to continue working productively.
	Foster good relations
	Promoting the use of inclusive/gender neutral language can help foster good relations between colleagues
Protected Characteristic	General Equality Duty

Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 No impacts identified.
	Advance equality of opportunity
	No impacts identified.
	Foster good relations
	No impacts identified.
Protected Characteristic	General Equality Duty
Gender Re- assignment	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
(Gender identity and transgender	
and transgenuer	New pregnancy self-assessment form updated with gender-inclusive language following consultation with HR and community groups.
	Advance equality of opportunity
	No impacts identified.

	Foster good relations
	No impacts identified.
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
	No impacts identified.
	Advance equality of opportunity
	No impacts identified.
	Foster good relations
	No impacts identified.
Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

	New pregnancy self-assessment form updated with inclusive language.
	Once a worker has informed us in writing, they complete an individual risk assessment, and we make any necessary
	changes to support them.
	Advance equality of opportunity
	rataines equality of eppertainty
	This support allows workers to continue to be productive in their role
	Foster good relations
	No imports identified
Considered by	No impacts identified.
Considered by SQA	General Equality Duty
Care experience	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act
	2010
(where relevant)	
	No impacts identified.
	The impacts identified.
	Advance equality of opportunity
	No impacts identified.
	Foster good relations
	No impacts identified.

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.

No negative impacts have been identified.