

Assessment Details

ID 416

Name Hybrid Working EqIA

Organization Care Inspectorate

Description

Approver Jacqui Duncan

Respondent Rachael.Lorimer@careinspectorate.gov.scot (External), Hannah Lindsay

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Residual Risk Score 0.0

Result Approved

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Submission Progress (%) 99

Assessment Questions

1 General information

1.1 Your Equality Impact assessment relates to the following processing activity

Response

Project: Future Working | Finance and Corporate Governance

Justification

None

1.2 Work to be assessed

Response

New

Justification

None

1.3 Details of policy, process or initiative

Response

Hybrid working is a form of flexible working that allows employees to split their time between attending the workplace and working remotely (typically from home). It can also allow for flexibility in terms of working times, within the same contractual hours. During the trial Care Inspectorate want to encourage as much flexibility as possible for employees, team and managers to experiment. This will help us all to develop a better understanding of what's possible and what works best for everyone in our organisation. To support this, all hybrid working arrangements trialled will be temporary. The design of the trail is ongoing and is supported by latest government guidelines. The trial is due to launch in March 2022.

1.4 Information Asset Owner

Response

Project: Future Working | Finance and Corporate Governance

Response

Head of Organisational and Workforce Development

Justification

None

1.5 Business Process Owner

Response

Project: Future Working | Finance and Corporate Governance

Response

Rachael.Lorimer@careinspectorate.gov.scot

Justification

None

2 Further details

2.1 Please select the criteria which best relates to this work

Response

People management, HR practice or OWD project

Justification

None

2.2 Who will it affect?

Response

Employees

Justification

None

2.3 What is the aim?

Response

This EQIA aims to evaluate the impact of the Care Inspectorate's trial of hybrid working, particularly on staff of one or more protected characteristic groups. The purpose of the project is to test a hybrid working model. Hybrid working is a blend of office and remote working, remote working usually involves from home. Employees will be invited to participate in a 12 month trial period to consider alternative ways of working that supports the delivery of the Care Inspectorate's operational and strategic objectives. By testing a new approach to hybrid working across the organisation we can continue to collectively develop our strategy for adapting to, and thriving in, the new working environment following the pandemic.

2.4 Why is the change required?

Response

The Covid-19 pandemic has changed the way we work as an organisation. It has challenged our traditional perceptions of how we need to work across the organisation which has helped us to become more flexible, responsive and innovative in our working practices. The majority of staff have been working from home for a prolonged period of time. In May 2021 we issued a survey to all staff with 74% of staff responding. When asked how many days colleagues would like to work in an office going forward, only 2% want to work in an office full time, which corresponds with the results of the poll on the staff conference. 151 people (34%) want to work permanently at home, of which 33 previously worked 5 days a week in an office. The majority (32%) want some degree of flexibility, with most of those looking for 1 to 2 days a week in an office.

The responses to the surveys and consultation events held throughout the pandemic have consistently delivered the message that most staff wish to retain benefits from remote and more flexible working. We need to establish how we will work as an organisation in future and identify what needs to change to support this. Hybrid working is an important element of our organisational commitment to employee wellbeing and positive work-life balance.

The drivers for hybrid working are:

- Our staff have shared a clear message that they want to retain the benefits of remote and more flexible working
- Our experience during the pandemic has allowed us to challenge traditional views of how our work must be delivered
- We want to use this learning to re-think how our work is delivered
- Valuing flexible approaches to work is at the heart of our new approach
- Recognise that space and location can be reimagined to support this

2.5 What outcomes do you want to achieve?

Response

A number of short and long term outcomes have been agreed:

Short Term

- Employees and managers feel supported to participate in the test of hybrid working
- Employees are working safely at home with suitable equipment
- The technology we use supports effective hybrid working
- Intelligence & feedback support us to understand how hybrid working impacts on our performance as an organisation
- Feedback supports us to understand our employees preferences for longer-term working arrangements

Long Term

- Our approach to hybrid working is valued by our employees and prospective employees and we are seen as an inclusive employer of choice
- Our staff report a positive work life balance
- Our approach to hybrid working helps our employees to feel connected and engaged
- Hybrid working supports us to perform effectively as an organisation
- We work in an environmentally sustainable way with reduced travel costs

2.6 What barriers are there to achieving these outcomes?

Response

- Timescales may be a barrier to achieving the outcomes outlined above. The trial period is due to begin from March 2022 and run until March 2023. As part of the project we need to complete individual risk assessments with staff to understand their needs and meet requirements. It is likely that this will not be in place prior to the project start date.
- The model and principles may not be implemented as intended as a result of different management and leadership styles.
- The ability for staff to work safely at home – staff must have adequate space and equipment to work at home as agreed by health and safety
- Scottish government advice – restrictions and rules may still change which can have an impact on staffs ability to attend an office
- Staffs view of the pandemic – how do staff feel about attending and office and using public transport – this may impact on those who wish to work from an office.

2.7 When is the change due to be implemented?

Response

📅 03/07/2022

2.8 What other Care Inspectorate policies or projects may be linked to or affected by changes to this policy?

Response

Equality Outcomes

Strategic Workforce Plan

Justification

None

3 Potential Impacts - Age

3.1 Do you think the work impacts on people of different ages differently?

Response

Yes

Justification

None

3.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment and victimisation of people based on their age?

Please include a justification for your answer

Response

Positive

Justification

Employees of any age are invited to participate in hybrid working. Our age profile within the organisation is older as employees aged 45- 64 account for 72% of the workforce. Older people are at higher risk of serious illness or death from Covid-19 (see section 15.3). The opportunity to work from home reduces the risk of exposure to Covid-19. Giving staff greater choice over their working arrangements should encourage inclusivity both for staff who wish to be home based, office based or both.

A hybrid working model avoids possible indirect discrimination against older employees, by providing a safe working option in terms of exposure to Covid-19.

3.3 What kind of impact is there in terms of advancing equality of opportunity between people of different ages?

Please include a justification for your answer

Response

Positive

Justification

The hybrid working trial will be available to all employees, regardless of age or length of service. This allows employees the opportunity to experiment different ways of working. Younger people are more likely to experience poor mental wellbeing which may be impacted by working environment. The middle age group are likely to have

caring responsibilities and have children. Younger generations also find it easier to use technology older people find it difficult to access certain technology. Section 15.3 outlines the evidence for these points. These are potential barriers to working in an office full-time, and so this work contributes to removing those barriers. Hybrid working allows employees of all ages to have flexibility.

We will continue to invest in ICT technologies to ensure that individuals are able to work from home and the office seamlessly. We also need to ensure that those working in the office are able to connect with those working remotely. Training and development opportunities will continue to be provided to ensure staff feel confident and are able to use technology and equipment to work from both their home and office. This eliminates a potential barrier relating to technology access.

3.4 What kind of impact is there in terms of fostering good relations among and between different age groups?

Please justify your answer

Response

Positive

Justification

Age has been a factor during the pandemic. Younger people are less likely to be vaccinated and older people are at greater risk of the virus but are more likely to be vaccinated. We will ensure that the existing good good relations between different age groups continues as hybrid working allows employees to work alongside other colleagues of different age groups, fostering engagement between parties. There are benefits to this, including sharing knowledge and experiences allowing employees to learn from others (see section 15.3).

Older employees are more likely to be impacted by isolation and may need support re-adjusting (see section 15.3). Care Inspectorate's hybrid working trail will support staff of all ages work in a way which best suits their needs. Guidance will be developed for managers and employees. We will also have supported online team events before the launch of the trail and access to online playlists which support hybrid working.

3.5 If you answered 'negative' to any of the questions above, please outline how you will mitigate this.

Response

N/a

4 Potential impacts - Disability

4.1 Do you think this work affects disabled people differently to non-disabled people?

Disability: a physical or mental impairment that has a substantial and long-term negative effect on your ability to do normal daily activities.

Response

Yes

Justification

None

4.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of disabled people?

Please justify your answer

Response

Positive

Justification

Hybrid working will empower colleagues by giving them greater flexibility to determine how they work to best meet their own personal circumstances and workplace needs. Hybrid working supports greater choice for employees in terms of working environments, which supports to eliminate potential unlawful discrimination, harassment & victimisation of disabled people, who may have additional needs at work. The hybrid working trail allows employees to raise concerns at any point through our dedicated inbox. Feedback regarding the trail will be under regular review and any comments will be reviewed and acted on, allowing employees to voice their comments/concerns/queries.

Existing guidance details some individuals are not required to wear a face mask. This includes any individual an illness or disability which means you cannot wear one ([Coronavirus \(COVID-19\): face coverings and masks](#) - Updated 28 Jan 2022). Face masks are currently required within the Care Inspectorate office buildings however it is recognised that some colleagues may be exempt. Protective measures such as clear signage and intranet pages can support in colleagues feel safe when in an office.

4.3 **What kind of impact is there in terms of advancing equality of opportunity between people with and without a disability?**

Please justify your answer

Response

Positive

Justification

Hybrid working is available to all colleagues. All employees may face fears/individual challenges regarding their working environment so hybrid working can minimise these impacts by offering employees a way of working which supports their needs. Hybrid working online sessions, or conversations on yammer etc can encourage active communication between all CI colleagues.

Gathering regular feedback on the views of colleagues with and also without a disability allows us to identify any barriers experienced, which in turn provides the opportunity to overcome this. The hybrid working trail is flexible and under continue review by the working group.

Employees with a reasonable adjustment to their workspace may not have the space at home to work, which is a potential barrier for disabled employees to take part in the hybrid working trial. The Health and Safety team support healthy work set ups at home as well as in the office (e.g. through a DSE assessment), which contributes to mitigate this.

4.4 **What kind of impact is there in terms of fostering good relations among & between disabled and non-disabled people?**

Please justify your answer

Response

Negative

Justification

Some disabled people are exempt from wearing face masks (see link above re. face covering guidelines). Different views on face coverings may create tensions between colleagues who are disabled and not disabled, as disabled people are more likely to be exempt from wearing a face covering.

4.5 **If you answered 'negative' to any of the questions above, please outline how you will mitigate this.**

Response

A clear policy around face masks and exemptions needs to be in place and communicated to all staff/visible in all office locations and will be visible on our intranet. This will support staff to feel safe and have awareness around the reasons why some colleagues may not wear a mask in and around the office.

5 Potential impacts - Sex

5.1 **Do you think this work affects people of different sexes in different ways?**

Response

Yes

Justification

None

5.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people based on their sex?**

Response

Positive

Justification

While people of both sexes can be and are victims of domestic abuse, women are more likely than men to face repeated instances of domestic abuse, and are more likely to be seriously injured, killed, and face controlling or coercive behaviour, than men (see section 15.10).

Potential for increase of domestic abuse if working from home (see section 15.10). During lockdown, the ONS reported a 24% increase in the number of arrests in England and Wales for domestic abuse-related crimes between 1 April and 30 June 2020, compared with the same period in the previous year (from 49,534 to 61,275 in the 37 police forces that could supply adequate data for both periods). Furthermore the UN believes that cases of domestic violence have increased globally by 20% during lockdown. It is important that staff who wish to work in the office full time have the ability to do so.

This means working fully from home constitutes potential indirect discrimination against people who experience

domestic abuse, who are more likely to be female. The hybrid working trial provides more flexibility and freedom to not work from home. There is [domestic abuse](#) support available for CI staff (including women, of different races, men, people who identify as LGBT, children).

5.3 **What kind of impact is there in terms of advancing equality of opportunity between people of different sexes?**

Response

Positive

Justification

Women are more likely to take on caring responsibilities earlier than men (see section 15.9 evidence from Carers Scotland). This model may support them to balance these responsibilities. Increased flexibility may offer better work/life balance opportunities for individuals with other commitments such as childcare and caring.

5.4 **What kind of impact is there in terms of fostering good relations among & between people of different sexes?**

Response

Positive

Justification

Hybrid working provides an opportunity for the organisation to identify any positive or negative trends, and any cases of discrimination, based on sex through regular feedback. There is a dedicated Future Working Group inbox to gather this feedback.

5.5 **If you answered 'negative' to any of the questions above, please give details on how you will mitigate this.**

Response

N/a

6 Potential impacts - Pregnancy and maternity

6.1 **Do you think this work impacts on people who are pregnant or have given birth in the past 26 weeks differently to others?**

Response

Yes

Justification

None

6.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people who are pregnant or gave birth in the past 26 weeks?**

Response

Positive

Justification

Keeping in touch days are easier to arrange. Working remotely may eliminate indirect discrimination of women who wish to return to work and also wish to breastfeed, as it is easier to do both when not having to attend a physical work setting.

A WFH/hybrid working arrangement may enable those who have given birth in the past 26 weeks to balance childcare with work.

Without a WFH/hybrid working arrangement, breastfeeding and/or childcare responsibilities may constitute a barrier to returning to work.

6.3 **What kind of impact is there in terms of advancing equality of opportunity between people who are pregnant or have given birth in the past 26 weeks, and those who are/have not?**

Response

Positive

Justification

See above.

6.4 **What kind of impact is there in terms of fostering good relations between people who are pregnant or have given birth in the past 26 weeks, and those who are/have not?**

Response

Not
Sure

Justification

Positive and negative:

In terms of pregnancy if an employees place of work is normally far from home having greater flexibility may make it easier for colleagues to attend Doctors/Hospital appointments and reduce the associated travel. This reduces the need for other colleagues to provide cover.

Pregnant women are less likely to be vaccinated against COVID-19 than women of a similar age who are not pregnant (see section 15.17). They could therefore potentially be judged by other employees.

The hybrid working trial provides an opportunity for the organisation to identify any positive or negative trends, and any cases of discrimination, based on pregnancy and maternity through feedback received.

6.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

The Care Inspectorate Code of Conduct requires employees to act in a professional and respectful manner. As part of the corporate induction, all employees must read and confirm their understanding of the Code of Conduct. This should mitigate the risk of pregnant women who are not vaccinated facing personal questions relating to this/being confronted.

7 Potential impacts - Gender reassignment

7.1 **Do you think this work impacts transgender people/ people with a trans history differently to people whose gender identity and expression matches their biological sex?**

A decision to undertake gender reassignment is made when an individual feels that their gender at birth does not match their gender identity. This is called 'gender dysphoria' and is a recognised medical condition.

Gender reassignment refers to individuals, who either:

- *Have undergone, intend to undergo or are currently undergoing gender reassignment (medical and surgical treatment to alter the body).*
- *Do not intend to undergo medical treatment but wish to live permanently in a different gender from their gender at birth.*

Response

No

Justification

None

7.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of transgender people?**

Response

Positive

Justification

No employees have disclosed they are trans in the equalities monitoring survey, however some may have chosen not to disclose this.

A 2021 survey (YouGov, reported in People Management), which included 410 trans employees throughout the UK, found that 65% of trans people didn't reveal their gender identity at work. The study also found that a third (32%) had experienced discrimination in the workplace in the last five years, and more than two in five (43%) had quit because their work environment was unwelcoming - an increase of 7% since 2016.

Flexible working arrangements may benefit employees who identify as trans - Diversity Q reported 31% of trans respondents said they have felt more confident in themselves when working from home, while 20% reported that working from home eliminated the microaggressions they had faced in the workplace. Trans people who spoke to the Wall Street Journal (reported in a Fortune article) about their experiences of working from home mentioned the benefit of coming out in the safety and comfort of their own home, their ability to deal with possible questions in their own time, and the possibility of turning their camera off in meetings if they feel judged.

Having pronouns on online work accounts/profiles (email signature, video conferencing profile etc) reduces the need to constantly introduce pronouns. A physical workplace that replicates the power dynamics of society in general can be harmful for marginalized individuals, including LGBTQ people. <https://www.cnn.com/2021/06/22/remote-work-can-be-more-equitable-and-inclusive-to-lgbtq-employees.html>

It may be easier to deal with the side effects and practicalities of gender transitioning medication at home than in a physical workplace. Working from home eliminates potential difficulties and questioning relating to toilet use, where most offices will have male and female toilets. Working in a physical workplace also entails more interaction with a wider community, e.g. potential use of public transport, contractors in the workplace etc, providing more opportunity for direct or indirect discrimination or harassment.

These all constitute ways in which trans employees may be indirectly discriminated against, or experience harassment, if required to physically attend a workplace. They are also examples of possible barriers they may face. A hybrid working model may help mitigate this. The Care Inspectorate does not tolerate any forms of discrimination, harassment & victimisation of transgender people. We currently mitigate any risks through policies, our values, code of conduct and mandatory e-learning relating to equalities.

7.3 **What kind of impact is there in terms of advancing equality of opportunity between transgender/ people with a trans history and people whose gender identity and expression matches the biological sex?**

Response

Positive

Justification

No employees have disclosed they are trans in the equalities monitoring survey, however some may have chosen not to disclose this.

See above.

7.4 **What kind of impact is there in terms of fostering good relations between transgender/ people with a trans history and people whose gender identity and expression matches the biological sex?**

Please justify your answer

Response

Positive

Justification

CI colleagues are required to complete mandatory training on equalities every 2 years. therefore this promotes an understanding of differences and aims to mitigate intentional or unintentional microaggressions.

The CI does not tolerate any discrimination based on the grounds of gender reassignment. We have a range of support available for staff (line managers, HR, Employee Assistance Programme) and policies (dignity at work policy, disciplinary and grievance policy).

7.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

N/a

8 Potential impacts - Sexual orientation

8.1 **Do you think this work impacts people of different sexual orientations differently?**

Response

Yes

Justification

None

8.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different sexual orientations?**

Response

Positive

Justification

A return to in-person working may benefit some employees who identify as LGB: in a survey by Indeed [Indeed: Survey Shows Coming Out at Work Still a Concern for LGBTQ+ Community](#), 67% of respondents said remote work

culture has made it harder to come out at work

On the other hand, the option to continue working from home may also be beneficial. Fewer office run-ins with strangers means fewer judgments based on appearance. A physical workplace that replicates the power dynamics of society in general can be harmful for marginalized individuals, including LGBTQ people. The ability to work remotely means having greater control of surroundings and less pressure to present in a certain way. ([For some LGBTQ employees, remote work is a 'game changer' for inclusion](#))

8.3 **What kind of impact is there in terms of advancing equality of opportunity between people of different sexual orientations?**

Response

None

Justification

N/a

8.4 **What kind of impact is there in terms of fostering good relations between people of different sexual orientations?**

Please justify your answer

Response

Not Answered

Justification

See above

8.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

N/a

9 Potential impacts - Race

9.1 **Do you think this work impacts people of different races differently?**

Race applies to national or ethnic origin, nationality, colour, Gypsy, Roma and Traveller community membership.

Response

Yes

Justification

None

9.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different races?**

Response

Positive

Justification

Minority ethnic staff are more likely to fall into the 'vulnerable health groups' classification of the population, and have a higher risk of serious illness from Covid-19 (see section 15.7 and 15.8).

The opportunity to work from home reduces the risk of exposure to Covid-19, and therefore reduces the extent of indirect discrimination of people from minority ethnic groups in terms of risk in the workplace.

9.3 **What kind of impact is there in terms of advancing equality of opportunity between people of different races?**

Response

Positive

Justification

See above

9.4 **What kind of impact is there in terms of fostering good relations between people of different races?**

Please justify your answer

Response

Not
Sure

Justification

A hybrid working model may create tensions in terms of employees questioning colleagues' return or non-return to the office, and this decision may relate to race because of the differential impact of Covid-19 on minority ethnic groups (see above).

9.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

For individuals wishing to attend offices the organisation will comply with government guidelines to help ensure that the risk of transmission at work is low. Staff will be aware of the procedure they must follow to ensure the safety of themselves and others. We will continue to review measures in line with the developments of the pandemic and the interventions to manage it.

Our policies and practices need to consider the risks and research from Covid-19. All employees need to feel safe/able to return to an office if this is their preference. We will continue to monitor the Scottish Government guidance around restrictions and guidance to avoid transmission. Guiding principles will support managers and employees to have conversations on the most suitable working environment which will also support an employees health/wellbeing.

10 Potential impacts - Religion or belief

10.1 **Do you think this work impacts on people of different religions or beliefs differently?**

This includes people with no religion or belief, and environmentalism.

Response

Yes

Justification

None

10.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different religions or beliefs?**

Response

Positive

Justification

The hybrid working trial may offer greater scope for individuals to structure work around important religious practices and events. This would reduce the extent of indirect discrimination of any employees who participate in such. If implemented properly we will empower colleagues by giving them greater flexibility to determine how they work to best meet their own personal circumstances and workplace needs.

10.3 **What kind of impact is there in terms of advancing equality of opportunity between people of different religions or beliefs?**

Response

Positive

Justification

For employees whose religion or belief requires them to undertake certain practices at certain times of the day, a hybrid working model facilitates the opportunity for these colleagues to carry out their work and practice their religion/belief.

10.4 **What kind of impact is there in terms of fostering good relations between people with different religions and beliefs?**

Please justify your answer

Response

Positive

Justification

If any colleague has a visible symbol of their religion or belief (for example a hijab, a turban, payot...), working from home may provide them with more time and space (and less pressure) to answer any potential questions from colleagues about these symbols.

Care Inspectorate colleagues are required to complete mandatory training on equalities every 2 years. This promotes an understanding of differences and aims to mitigate intentional or unintentional microaggressions.

The Care Inspectorate does not tolerate any discrimination based on the grounds of religion. We have a range of support available for staff (line managers, HR, Employee Assistance Programme) and policies (dignity at work policy, disciplinary and grievance policy).

10.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

N/a

11 Potential impacts - Marriage or civil partnership

11.1 **Do you think this impacts employees who are married or in a civil partnership differently to those who are not?**

This refers specifically to Care Inspectorate employees, not service users who are married or in a civil partnership.

Response

No

Justification

None

11.2 **What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of employees based on their marriage/civil partnership status?**

Response

None

Justification

No perceived impact

11.3 **What kind of impact is there in terms of advancing equality of opportunity between employees who are and are not married or in a civil partnership.**

Response

None

Justification

No perceived impact

11.4 **What kind of impact is there in terms of fostering good relations between people who are and are not married or in civil partnerships?**

Please justify your answer

Response

None

Justification

No perceived impact

11.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

N/a

12 Potential impacts - Children and young people for whom we have corporate parenting responsibilities

12.1 Do you think this work impacts children and young who we have a corporate parenting responsibility for differently to others?

We have corporate parenting responsibility for every child who is looked after by a local authority, and every young person under the age of 26 who was looked after on their 16th birthday.

Response

No

Justification

None

12.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of children and young people we have a corporate parenting responsibility for?

Response

None

Justification

No perceived impact

12.3 What kind of impact is there in terms of advancing equality of opportunity between children and young people we do and do not have a corporate parenting responsibility for?

Response

None

Justification

No perceived impact

12.4 What kind of impact is there in terms of fostering good relations between children and young people we do and do not have a corporate parenting responsibility for?

Please justify your answer

Response

None

Justification

No perceived impact

12.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/a

13 Potential impacts - Care Inspectorate employees who have caring responsibilities

13.1 Do you think this work impacts Care Inspectorate employees who have caring responsibilities differently to those who do not?

Response

Yes

Justification

None

13.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of employees who have caring responsibilities?

Response

Positive

Justification

Only having the option to work in Care Inspectorate offices may indirectly discriminate against employees with caring responsibilities due to the outside-of-work responsibilities these employees have, which may fall during traditional office hours. Hybrid working offers more control over how and where employees can work to enable them to manage work and caring responsibilities.

- 13.3 **What kind of impact is there in terms of advancing equality of opportunity between employees who do and do not have caring responsibilities?**

Response

Positive

Justification

This model may support individuals with caring responsibilities to balance these with work. If implemented properly we will empower colleagues by giving them greater flexibility to determine how they work to best meet their own personal circumstances and workplace needs.

- 13.4 **What kind of impact is there in terms of fostering good relations between employees who do and do not have caring responsibilities?**

Please justify your answer

Response

None

Justification

No perceived impact

- 13.5 **If you answered 'negative' to any of the above questions, please outline how you will mitigate this.**

Response

N/a

14 Child Rights and Wellbeing Impact Assessment

- 14.1 **Please note this section is not required for all EqIAs. If the work affects or involves children, please complete this section.**

If unsure, please contact the Equalities Professional Adviser.

Response

N/a

- 14.2 **Which UNCRC Articles are relevant?**

List all relevant Articles of the UNCRC and Optional Protocols All UNCRC rights are underpinned by the four general principles: non-discrimination; the best interests of the child; the right to life, survival and development; and the child's right to have their views given due weight.

Response

N/a

- 14.3 **What impact will this work have on children's rights?**

Response

Not Answered

Justification

N/a

- 14.4 **Will there be different impacts on different groups of children and young people?**

Which groups of children will be affected by the policy/measure? Are there competing interests between different groups of children and young people, or between children and young people and other groups?

Response

N/a

14.5 **How will the work contribute to the wellbeing of children and young people in Scotland?**

Outline how the implementation of the policy/measure will support public bodies in Scotland to meet their duties to safeguard, support and promote the wellbeing of children in their area, with wellbeing defined by eight wellbeing indicators. The indicators are: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included.

Response

N/a

14.6 **How will the work give better or further effect to the implementation of the UNCRC in Scotland?**

This will inform Scottish Ministers' duty to report to Parliament on children's rights under the Children and Young People (Scotland) Act 2014

Response

N/a

14.7 **Have you involved children and young people in the development of this work?**

Is there enough information on the views of the children and young people who will be affected by the policy/measure that enables you to make an informed assessment of impact?

Response

N/a

15 Considering the available evidence

15.1 **Considering the available evidence**

The information you gather in this section will:

- help you to understand the importance of your policy for different equality groups
- provide justification and an audit trail behind your decisions

The evidence base may include demographic information, academic research, service monitoring/inspection reports, service evaluation reports, user surveys, etc.

In particular, look at what existing evidence tells you about the relevant equality characteristics views and experiences of the relevant service(s), and/or what it tells you about their views of the policy proposal. Identify any gaps in the evidence base and set out how you will address these.

15.2 **Which equality characteristics have you gathered relevant evidence for?**

Response

Disability Religion or belief Care Inspectorate employees who have caring responsibilities
Age Pregnancy or maternity Gender reassignment
Sexual orientation Race Sex

Justification

None

15.3 **Please include quantitative and qualitative evidence relating to age**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

In the organisation, 7% are aged 34 and under, 50% are aged 35-54 and 43% are aged 55 and above. In addition to this, part time working is popular with employees aged 55-64. We have low numbers of employees under the age of 25.

The youngest adults in the workforce (aged 18 to 30), are particularly affected by mental health challenges and are also the least prepared to deal with them.

Older adults are more likely to get very sick from COVID-19. Getting very sick means that older adults with COVID-19 might need hospitalization, intensive care, or a ventilator to help them breathe, or they might even die. The risk increases for people in their 50s and increases in 60s, 70s, and 80s. People 85 and older are the most likely to get very sick.

According to CIPD (2015), Gen Y/Z are more technically literate. Gen Y are individuals born 1979 and 1999, Gen Z Born after 2000. Within the workforce we have:

Under 25 (Generation Z): 0.85%
25-34 (Generation Z and Y): 6.45%
35-44 (Generation Y and X): 15.96%
45-54 (Generation X): 34.30%
55-64 (Generation X and Baby Boomers): 37.86%
65+ (Baby Boomers and Veterans): 4.58%

According to CIPD (2015), Gen Y/Z are more technically literate therefore, remote working could be more favourable to around 23% of the workforce who are aged
However, support for technical issues is available for colleagues. All Care Inspectorate workforce regularly use technical devices (e.g. surface pro/laptops) and support from the IT team/IT training sessions are regularly available.

The CIPD (2015) report focusing on managing a diverse workforce found younger colleagues feel that older age groups can share practical experience and expertise, while older colleagues look to younger groups for skills training and new working methods. Different perspectives are seen as a way of harnessing new

Age UK reported many older people have seen their health deteriorate in the face of isolation and reduced opportunities to socialise and be physically active. Care Inspectorate's hybrid working trail will support staff of all ages work in a way which best suits their needs. Guidance will be developed for managers and employees. We will also have supported online team events before the launch of the trail and access to online playlists which support hybrid working.

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)
[Centres for disease control and prevention](#)
[Harvard Business Review- 2020 - Young Workers Need Companies to Prioritize Mental Health](#)
[CIPD 2015 - Developing the next generation](#)
[CIPD \(2015\) - Managing an Age Diverse Workforce](#)
[Age UK - The impact of COVID-19 to date on older people's mental and physical health](#)

15.4 What does the evidence tell you about the experiences of people of different ages in relation to the policy?

Response

Our age profile is older, which means a high percentage of our workforce is at greater risk from Covid-19. However, we also have some staff aged between 18-30 who are most impacted by mental health. Hybrid working can support the workforce by giving staff the opportunity to work flexibility to meet their needs whilst still aligning with organisational requirements. Support will also be available from manager and through a range of resources, including intranet, Knowhow, Unmind and employee assistant programme (EAP) to support with the transition to hybrid working. We also have a smaller workforce of Generation Y and Z, and have a predominately older workforce, therefore we may experience more technological queries.

15.5 Please include quantitative and qualitative evidence relating to disability

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

14.6% of our employees identify as disabled however the exact disability is not disclosed publicly.

People aged 55+ are more likely to have a long-term health condition than not to have one. Depending on the condition, those who have an existing health condition a very high risk of severe illness from COVID-19.

Research tells us that some disabled people face barriers to employment such as inadequate support programmes and lack of employer confidence to support disabled people. However, there is some research to show that during the Covid-19 pandemic hybrid working has presented opportunities for disabled people to have more control over their working day including more support and flexibility, less travel to work, ability to attend and contribute to meetings more easily. etc

COVID-19 Risks

Disabled people are more likely to experience:

- Exacerbation of already poor physical health and a higher risk of death due to COVID-19
- Exacerbation of already poor mental health due to loneliness and reductions in mental wellbeing experienced during isolation and restrictions in the ability to undertake physical activity.

Sources:

[Scottish Health Survey 2019](#)
[Inequalities by disability in the context of Covid-19](#)
[Equalities Mainstreaming Report 2019 - 2021](#)

[A Fairer Scotland for Disabled People: Delivery Plan \(2016\)](#)
[Disability and Employment V7 - Reed/Disability Rights UK](#)

'COVID-19 Post-lockdown position paper' – National Association of Disabled Staff Networks (NADSN)

15.6 **What does the evidence tell you about the experiences of disabled people in relation to the policy?**

Response

Hybrid working allows employees to be flexible with their working environment, providing this is still in line with organisational requirements. There is not set guidance stating the maximum days employees should be in the office, therefore this will support any employee who may have a disability by giving the freedom of choice.

15.7 **Please include quantitative and qualitative evidence relating to race**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

81.5% of our employees are white, 15.11% is unknown, 2.55% is prefer not to say and the remainder. 0.84% is minority ethnic communities.

Evidence suggests people from ethnic minority groups are more likely to experience various risk factors linked with higher COVID-19 infection rates.

People from ethnic minority groups are more likely to experience various risk factors linked with higher COVID-19 infection rates. Such factors include geography, population density, age, deprivation, overcrowding, living in a multigenerational household, certain occupations (in particular those that are public-facing) and lifestyle factors.

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)

[National records of Scotland](#)

[Appendix E: Is ethnicity a risk factor for infection or mortality from COVID-19?](#)

15.8 **What does the evidence tell you about the experiences of people of different races in relation to the policy?**

Response

Although a low percentage of our workforce is from a minority ethnic community, it is important that we consider these risks within a model of hybrid working. Employees will have more choice about how and where they work which we hope will have a positive impact on this group.

15.9 **Please include quantitative and qualitative evidence relating to sex**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

In the organisation, for full time workers, 76% are female, and 24% are male.
In the organisation, for part time workers, 92% are female, and 8% are male.

Unpaid care provision was higher among women than men in most age groups in 2019 (here, unpaid care means care provided for someone because of a long-term physical condition, mental ill-health or disability, or problems related to old age), until ages 65+ when men took on more caring responsibilities.

2019 research by Carers Scotland stated women can expect to take on caring responsibilities twelve years earlier than men. Half of women will care by the age of 45, compared to half of men who can expect to care at 57.

While both men and women can and do experience domestic abuse, women are much more likely to be seriously injured or killed by a domestic abuser, or experience controlling or coercive behaviour, than men. During lockdown, the ONS reported a 24% increase in the number of arrests in England and Wales for domestic abuse-related crimes between 1 April and 30 June 2020, compared with the same period in the previous year (from 49,534 to 61,275 in the 37 police forces that could supply adequate data for both periods).

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)

[Scottish Health Survey, 2019](#); [Scottish Schools Adolescent Lifestyle and Substance Use Survey \(SALSUS\) 2015: Mental Wellbeing Report](#)

[Close The Gap Briefing 4: Disproportionate Disruption: the impact of COVID19 on women's labour market equality'](#)
[Carers Scotland](#)

Women's Aid on the gendered nature of domestic abuse: <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/>

[Domestic abuse during the coronavirus \(COVID-19\) pandemic, England and Wales: November 2020](#)

15.10 **What does the evidence tell you about the experiences of people of different sexes in relation to the policy?**

Response

A high percentage of women report that they are expected to assume full responsibility for childcare over the period of the pandemic while their partners are able to concentrate on paid work elsewhere in the home, undisturbed. There are growing concerns about the impact of balancing work and caring responsibilities on women's mental health. 57% of women have reported feeling more anxious and depressed since lockdown began, compared to 40% of men.

To mitigate risks of domestic violence our hybrid working trial enables staff who wish to work in the office full time have the ability to do so.

15.11 **Please include quantitative and qualitative evidence relating to gender reassignment**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

[Diversity Q: How employers can secure equality for transgender people in the workplace](#)
[Fortune: Transgender workers and the unexpected upside of WFH](#)
[People Management: Number of trans people who hide their identity at work increasing](#)
[For some LGBTQ employees, remote work is a 'game changer' for inclusion](#)

15.12 **What does the evidence tell you about the experiences of transgender people in relation to the policy?**

Response

The possibility of working from home may be beneficial to trans people/people with a trans history. The possible benefits are outlined in section 7.

15.13 **Please include quantitative and qualitative evidence relating to sexual orientation**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Almost 76% of our workforce are heterosexual and 3.74% self-identified as lesbian, gay or bisexual. [Equalities Mainstreaming Report 2019 - 2021](#)
[For some LGBTQ employees, remote work is a 'game changer' for inclusion](#)
[Indeed: Survey Shows Coming Out at Work Still a Concern for LGBTQ+ Community](#)

15.14 **What does the evidence tell you about the experiences of people of different sexual orientations in relation to the policy?**

Response

Hybrid working enables individuals to be flexible about their working environment. The option to return to in-person working or continue working from home may both have their advantages for individuals who identify as LBG.

15.15 **Please include quantitative and qualitative evidence relating to religion or belief**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Most employees report to have no religion (almost 37%) or identify as belonging to the Church of Scotland (20.5%). However, the religion/belief of around 30% of employees (2019-21) is not given or not known, which constitutes a data gap in terms of the religions/beliefs of the workforce.

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)

15.16 **What does the evidence tell you about the experiences of people of different religions or beliefs in relation to the policy?**

Response

Hybrid working encourages flexibility, therefore colleagues who undertake specific actions in relation to their religion will have more of an opportunity to do so through a hybrid working model.

15.17 **Please include quantitative and qualitative evidence relating to pregnancy and maternity**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

We have a predominantly female workforce and two employees were pregnant in 2020/1.

According to the NHS, if an individual is pregnant, they are at higher risk of getting seriously ill from Covid-19. Covid-19 late in pregnancy can also put the baby at risk.

The EAVE-II project, found in the Public Health Scotland report below, analysed data relating to more than 87,000 women in Scotland and found that pregnant women are less likely to be vaccinated against COVID-19 than women of a similar age who are not pregnant.

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)

[NHS Pregnancy and coronavirus \(COVID-19\)](#)

[Public Health Scotland - \(2022\) - Scottish study leads to calls for more pregnant women to get fully vaccinated](#)

15.18 **What does the evidence tell you about the experiences of people who are pregnant or have given birth in the past 26 weeks in relation to the policy?**

Response

We have a very small number of staff who are pregnant or have given birth in the past 26 weeks, which may be due to our age profile. The hybrid working trial can support staff during/after pregnancy by allowing them to make more flexible arrangements to their working environments. Throughout the trial period it is encouraged staff trial different hybrid working arrangements. This will help limit the risk of Covid-19 to those who are pregnant as outlined by the NHS.

15.25 **Please include quantitative and qualitative evidence relating to employees with caring responsibilities**

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

During the pandemic, our staff have been affected by Covid-19, with some of our staff having caring responsibilities.

The actual number of unpaid carers living in Scotland is not known but it was estimated that there were around 700,000 to 800,000 before the Covid-19 pandemic. Recent polling suggests that number could have since grown to over a million.

Sources:

[Equalities Mainstreaming Report 2019 - 2021](#)

[Unpaid Carers](#)

15.26 **What does the evidence tell you about the experiences of employees with caring responsibilities in relation to the policy?**

Response

We do not know the exact number of colleagues who have caring responsibilities, or the extent of these responsibilities. In addition to this, since the pandemic, some staff may now have new/more caring responsibilities, based on data from NHS. This means that returning to the normal working arrangements (pre covid) may no longer be suitable. The hybrid working trial allows for staff to explore different working arrangements to support their needs whilst aligning with organisational needs/requirements. The trial encourages flexibility for staff and feedback will help shape future working arrangements post trial.

16 Stakeholder engagement & consultation

16.1 **Have you engaged and consulted with relevant groups?**

Response

Yes

Justification

None

16.2 **Please state who was engaged/consulted with**

Response

- October 2021 - staff live event held on MS Teams
- June 2021- staff workforce survey
- July 2020 - workforce survey
- Staff Conference - May 2021
- Creative huddle sessions with staff throughout summer months in 2021
- A Future Working Group was set up in May 2021 with representatives from across the Care Inspectorate. There is also a Partnership Forum rep as a member of the group. The Future Working Group considered current plans on a short, medium and long term basis and presented these to OLT and SLT. The Future Working Group will

- continue to report into the OLT.
- A Future Working Group intranet page was set up in May 2021 with a dedicated mailbox available for all staff so that staff could email confidentiality with any questions or details they want to give. This will remain open throughout the hybrid working trial.
- Yammer group set up relating to Future Working, which seeks staff's feedback and opinions on working practices.

16.4 How was the engagement/consultation carried out?

If other, please specify below

Response

Focus group

Online Events

Survey

Justification

None

16.5 Has the proposal been reviewed/changed because of the engagement/consultation?

Response

Yes

Justification

None

16.6 What did you learn from the engagement/consultation?

Response

The majority of staff have been working from home for a prolonged period of time. In May 2021 we issued a survey to all staff with 74% of staff responding. When asked how many days colleagues would like to work in an office going forward, only 2% want to work in an office full time, which corresponds with the results of the poll on the staff conference. 151 people (34%) want to work permanently at home, of which 33 previously worked 5 days a week in an office. The majority (32%) want some degree of flexibility, with most of those looking for 1 to 2 days a week in an office.

The future working group will continue to monitor how hybrid working is being implemented over the year and aims to learn and refine our approach.

16.7 Have the results been shared with the people you engaged/consulted with?

Response

Yes

Justification

None

16.8 Is further engagement/consultation recommended?

Response

Yes

Justification

None

17 Assessment outcome

17.1 Please read the following four statements:

1) No major change required. Your assessment demonstrates that the work is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.

2) The work must be adjusted to reduce impact on protected characteristic groups. You need to take proportionate steps to remove any barriers, to better advance equality of to foster good relations. You have set actions to address this and have clear ways of monitoring the impact of the work when implemented.

3) Continue with the work but it is not possible to remove all the risk to protected characteristic groups. The work will continue despite the potential for adverse impact. You have justified this with this assessment and shown how this decision is compatible with our obligations under the public sector equality duty. When you believe any discrimination can be objectively justified you must record in this assessment what this is and how the decision was reached.

4) Stop the work as this is potentially in breach of equality legislation. The work will not be implemented due to adverse effects that are not justified and cannot be mitigated.

17.2 Which of the four statements best matches your assessment?

Response

Option 1

Justification

None

17.3 Option 2

If you select this option you must submit an action plan to make arrangements to monitor any potential adverse impacts.

18 Monitoring and review

18.1 How will you monitor the implementation of this work?

Response

Frequent ongoing evaluation surveys will take place with employees frequently throughout the trial period. The Future Working email address will also remain open to allow staff to submit any adhoc questions/comments.

The Future Working Group will continue for the remainder of the hybrid working trial. Managers will also be asked to gather feedback from team meetings regarding what is working well and any concerns that they or staff have.

18.2 How will you use the results of the monitoring to develop the work?

Response

The results will be used to determine what forms of hybrid working is working in practice for the Care Inspectorate and to determine the long term permanent nature of the hybrid working policy.

18.3 When and how will you review this work? Please also give details of who is responsible.

Response

Evaluation will take place throughout the trial period at regular intervals. At the end of the trial period all evidence will be collated by the Future Working Group and recommendations will be made to OLT and SLT. The trial will last one year from March 2022 to March 2023.

18.4 Please give details of how you will monitor any adverse impact over time, and how you will consider the monitoring information gathered in relation to equality. This ensures that you understand the actual impact of the policy, process or initiative once implemented.

Response

The EqIA will be a fluid document and will continue to be reviewed and updated throughout the 1 year trial period.

19 Sign off and approval

19.1 Approved by (senior manager or Executive Director)

Please state full name and job title

Response

Kirstine Rankin, Head of Organisational Workforce Development

19.2 Date Approved

Response

 03/04/2022

19.3 **Review Date**

Response

Not Answered

19.4 **Person responsible for reviewing?**

Response

Rachael Lorimer/Abby McKay

20 Conclusion

20.1 **The full Equality Impact Assessment Form is now complete.**

Thank you for your time in helping the Care Inspectorate and your Information Asset Owner understand equality impact associated with your activity.

20.2 **Do you wish to discuss any aspect of this form with the Equalities Team?**

Response

No

Justification

None

Assessment Notes