



Equality Impact Assessment - Template

Publication code EQU-0316-009

Publication date	29 February 2016
Version number	1
Author's initials	LMcK
Job title	Equalities and Engagement Adviser
Responsibility for this document	Executive Director of Strategy and Improvement
Review date	28 February 2019
Key changes made since last version of document	
This is the first version of this document.	

Equality Impact Assessment – Template

Please refer to the Equality Impact Assessment Guidance for details on how to complete this template.

Section 1: Details of the Policy/Practice

Department/Team responsible for the policy:	Organisational and Workforce Development			
Name of Policy or Practice being assessed:	Capability Policy			
Purpose and anticipated outcomes of the policy:	<p>The anticipated outcomes of the policy are to:</p> <p>Where performance concerns are identified and these cannot be resolved through the LEAD process this policy provides a way of supporting the employee to make the required improvement.</p> <p>As a last resort, if the employee is unable to make the necessary improvements, we will hold a capability hearing to consider their future employment with us.</p>			
Is this a new or existing policy?	New	<input type="checkbox"/>	Existing	X
How does this policy link to corporate values?	<p>The policy links to our corporate values by:</p> <p>Fairness: we will follow a fair process in our application of the capability policy.</p> <p>Respect: we will be respectful in all what we do when applying this policy.</p> <p>Person-centred: we will consider the needs of all our staff and provide support to enable them to take ownership of their development and provide opportunities to allow them to develop and improve their skills knowledge and experience.</p> <p>Integrity: we will be impartial and act to improve care for the people of Scotland by supporting our workforce develop and improve their skills and experience.</p> <p>Efficiency: we have a robust approach to managing performance concerns.</p> <p>When applying our capability policy we expect our employees and our managers to act in accordance with our organisational values.</p>			
List of participants in Equality Impact Assessment	Jacqui Duncan – Acting Senior OD Advisor			

Process:	Kirstine Rankin- OWD Manager		
Date assessment started:	20/06/19	Completion Date:	7/5/20

Please indicate who is likely to be affected by the policy: For example: Employees, Care service providers/users, men, women, young people, children for whom there are corporate parenting responsibilities, people with disabilities	Care Inspectorate employees from and across all the protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion/belief, sex and sexual orientation).
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Section 2: Collecting Information

What evidence is available about the needs of relevant groups? Please consider Demographic data, including Census information, Research, Consultation and survey reports, Service user feedback and complaints, Case law, Officer/adviser knowledge & experience. Please refer to the list of evidence on the EIA page of the intranet.

Details	Source of Evidence
Recent employee equality monitoring reports indicate the following: <ul style="list-style-type: none"> • 608 employees • 79.6% are female • 75.5% are aged between 45-64 years • 2.8% have a disability • 38.3% are married or in a civil partnership • 23% say they have no religion/belief 	Employee Information - Equality Outcomes and Monitoring Report, Care Inspectorate, April 2019
The percentage of employees in a union is 38.6%. 36.2% (Unison), 2.2% (GMB) and 0.2% (Unite). We don't know how many employees are in RCN as we don't deduct contributions through payroll. However, it would be fair to say that at least half of our workforce is not in a union.	Employee information
A range of information was examined including the Scottish Government Equality Evidence Finder	http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid

From your research above have you identified any gaps in evidence? If so what are the gaps?

N/A

As appropriate please describe the consultation/engagement undertaken including details of the groups involved and the methods used.

We have developed the Capability Policy in consultation with the Policy Review Group, Human Resources, the Executive Group and Partnership Forum.

Are there any other groups to be consulted?

No.

Section 3: Impacts

Has the research and consultation identified any potential for impacts on the following groups:

Protected Characteristic	Yes	No	Please explain
Age (Older people, children and young people)		x	Research and evidence has not identified any potential for impacts on this protected group at this stage.
Disability		x	Research and evidence has not identified any potential for impacts on this protected group at this stage.
Gender Reassignment (Where a person is living as the opposite gender to their birth)		x	It is not considered that the policy will have potential for impact on this protected group(s).
Pregnancy and Maternity		x	Potential positive impact for women who are on maternity leave as they can access learning opportunities from home.
Race, ethnicity, colour, nationality or national origins (including Gypsy/Travellers, refugees, asylum seekers)		x	It is not considered that the policy will have potential for impact on this protected group(s).
Religion or belief (including non-belief)		x	It is not considered that the policy will have potential for impact on this protected group(s).
Sex/Gender		x	It is not considered that the policy will have potential for impact on this protected group(s).
Sexual Orientation		x	It is not considered that the policy will have potential for impact on this protected group(s).
Children for whom there are corporate parenting		x	It is not considered that the policy will have potential for impact on this protected

responsibilities.			group(s).
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Is there any evidence that the policy may:

	Yes	No	No Evidence
Result in less favourable treatment for particular groups?			X
Give rise to direct or indirect discrimination?			X
Give rise to unlawful harassment or victimisation?			X

If yes to any of the above, please give details:

n/a

How will the policy be modified to mitigate this?

n/a the policy conforms to legislative requirements.

Section 4: Meeting our General Equality Duty

The following sections must be completed:

Which aspects of the policy seek to eliminate unlawful discrimination, harassment and victimisation?

The policy covers all employees across the organisation and aims to treat everyone fairly regardless of protected characteristic. It seeks to ensure that there are no barriers to anyone accessing and making use of the agreement and related procedures. Support measures have been put in place throughout the agreement to ensure that no one receives unfair treatment due to their protected characteristic – this includes support from the OWD Team, Employee Assistance Programme, measures to take account of sick leave/maternity leave. Measures have also been built into the agreement to ensure that employees can raise concerns without fear of victimisation.

Which aspects of the policy seek to advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

Actions have been included to advance equality of opportunity including equality monitoring.

Support measures have been put in place throughout the agreement to assist in advancing equality including support from the OWD Team, Employee Assistance Programme, and measures to take account of sick leave/maternity leave.

If an issue relating to one or more protected characteristic is raised at capability then we will seek specialist input.

Which aspects of the policy seek to foster good relations between people who share a protected characteristic and those who do not?

The purpose and intended outcomes of the agreement are to seek to foster good relations between and across protected groups in our workforce. No one is excluded from having their views heard. We also have a range of other policies, projects and actions to help bring people together – e.g. Equality Training, Involvement Strategy, Equality Outcomes and Mainstreaming Report.

Section 5: Outcome of Assessment

Please detail the outcome of the assessment:

No major change	x
Adjust the policy	
Continue the policy	
Stop and remove the policy	

Please detail recommendations, including any action required to address any negative impacts identified:

N/A

Section 6: Monitoring

Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure achievement of outcomes:

The OWD team will request information from Human Resources, monitor themes from capability cases and will also ask for feedback from the Policy Review Group.

When and how is the policy or practice due to be reviewed?

- The Capability Policy will undergo a major review every three years- we will consult with the Policy Review Group (the group consists of colleagues from across the Care Inspectorate including employees, managers and trade union representatives) and consult with our Executive Group and Partnership Forum.
- We have a policy monitoring programme that means we review all our policies every three years.
- The policy will be reviewed on an on-going basis e.g. if we receive intelligence from colleagues/particular case/ legislation/case law that would call for an earlier review of the policy.

Section 7: Sign Off

Please note that comments are only required from the Involvement and Equalities Team on the rare occasion that the team has not been involved earlier in the process.

Date sent to Involvement and Equalities Team:	21/6/19
Comments from Involvement and Equalities Team	Policies have continued to evolve through consultation since June 2019
Date signed off by Involvement and Equalities Team	7/5/20

Please insert name and title of the Senior Manager who has signed off this Equality Impact Assessment:

Name	Janice Gibson
Title	Head of Organisational and Workforce Development
Date approved	25/5/2020