



## Equality Impact Assessment - Template

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| <b>Responsibility for this document</b>         | Executive Director of Strategy and Improvement |
| <b>Review date</b>                              | 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

|  |  |   |                 |
|--|--|---|-----------------|
| <b>Department/Team responsible for the policy:</b>     | Organisational and Workforce Development   |   |                 |
| <b>Name of Policy or Practice being assessed:</b>      | Proposed changes to the senior inspector role  |   |                 |
| <b>Purpose and anticipated outcomes of the policy:</b> | <p>The anticipated outcomes of the policy are to:</p> <p>Remove the senior inspector role from our permanent establishment and create 6 FTE posts for inspector scrutiny development as well as 9 new team managers post. Manage this proposal in line with our workforce change policy and adhere to the Scottish Government's policy of no compulsory redundancies.</p>  |   |                 |
| <b>Is this a new or existing policy?</b>               | <b>New</b>   | X | <b>Existing</b> |
| <b>How does this policy link to corporate values?</b>  | <p>The policy links to our corporate values by:</p> <p>Fairness: we will follow a fair process that is underpinned by our workforce change policy and consult fully with affected staff.</p> <p>Respect: we will be respectful in all that we do when applying this policy.</p> <p>Person-centred: we will consider the needs of our senior inspectors when supporting them through this process by helping them to apply for other suitable roles.</p> <p>Integrity: we will be impartial and act to improve social care and social work services for the people of Scotland by ensuring our workforce is able to deliver our corporate plan. We will do this by supporting our workforce to adapt to these changes and helping them with their continuing professional development.</p> <p>Efficiency: we have a robust approach to managing workforce change and this proposal is supported</p> |   |                 |

|   |   |                                |         |
|---|---|--------------------------------|---------|
|   | <p>with a strong business case (in terms of service delivery, the workforce and financial implications).</p> <p>When applying our workforce change policy, we expect our employees and our managers to act in accordance with our organisational values.</p>  |                                |         |
| <p><b>List of participants in Equality Impact Assessment Process:</b></p> | <p>Alana Crawford- Acting Senior HR Advisor</p> <p>Jacqui Duncan – Acting Senior OD Advisor</p> <p>Kirstine Rankin- OWD Manager</p> <p>Anne Marie Callaghan- Partnership Forum</p> <p>Fiona Birkin- Partnership Forum</p> <p>Marnie Westwood- Interim Head of HR</p> <p>Shona Adam- Partnership Forum</p> |                                |         |
| <p><b>Date assessment started:</b></p>                                    | 4/9/20  | <p><b>Completion Date:</b></p> | 6/11/20 |

|   |   |
|---|---|
| <p><b>Please indicate who is likely to be affected by the policy:</b></p> <p>For example: Employees, Care service providers/users, men, women, young people, children for whom there are corporate parenting responsibilities, people with disabilities</p> | <p>Care Inspectorate employees working as Senior Inspectors (permanent post holders).</p> |
|---|---|

**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   |
|--|--|
| <p>Recent employee equality monitoring reports indicate the following:</p> <ul style="list-style-type: none"> <li>• 608 employees</li> <li>• 79.6% are female</li> <li>• 75.5% are aged between 45-64 years</li> <li>• 2.8% have a disability</li> </ul> | <p>Employee Information - Equality Outcomes and Monitoring Report, Care Inspectorate, April 2019</p> |

| <ul style="list-style-type: none"> <li>• Our workforce predominantly identifies under the White British, Scottish or other British categories and 39.6% have not stated their race</li> <li>• 38.3% are married or in a civil partnership</li> <li>• 23% say they have no religion/belief</li> </ul>  |   |        |      |           |    |   |           |   |   |           |  |         |   |  |
|---|---|--------|------|-----------|----|---|-----------|---|---|-----------|--|---------|---|--|
| <ul style="list-style-type: none"> <li>- Care inspectorate average retirement age is 61.5.</li> <li>- 79.6% is female 20.4% is male</li> </ul>  | Care Inspectorate Strategic Workforce Plan 2019 |        |      |           |    |   |           |   |   |           |  |         |   |  |
| <p>Senior inspectors demographic</p> <p>Sex:<br/>23 (4 males, 19 female, reflective of general workforce higher proportion of female staff)</p> <p>Age:</p> <ul style="list-style-type: none"> <li>• 65 years old+ (0 %)</li> <li>• 60-64 years of age (4%)</li> <li>• 50-59 years of age (61%)</li> <li>• 40-49 years of age (26%)</li> <li>• 30-39 years of age (9%)</li> <li>• 21-29 years of age (0%)</li> </ul> <p>Age profile is generally similar to rest of organisation. Most of the senior inspectors are between 50-59.</p> <p>Pregnancy &amp; Maternity: None are on maternity leave.</p> <table border="1" data-bbox="188 1554 722 1771"> <thead> <tr> <th>Basis/gender</th> <th>Female</th> <th>Male</th> </tr> </thead> <tbody> <tr> <td>Full Time</td> <td>17</td> <td>4</td> </tr> <tr> <td>Part Time</td> <td>2</td> <td>0</td> </tr> </tbody> </table> <p>8% work part time. Only females work part time.</p> <table border="1" data-bbox="188 1883 715 2024"> <thead> <tr> <th>Ethnicity</th> <th></th> </tr> </thead> <tbody> <tr> <td>Unknown</td> <td>4</td> </tr> </tbody> </table> | Basis/gender                                    | Female | Male | Full Time | 17 | 4 | Part Time | 2 | 0 | Ethnicity |  | Unknown | 4 | <p>Data provided from Human Resources 8.9.20 there are currently 22 substantive postholders senior inspectors (the current establishment is 24 FTE senior inspector posts)</p> |
| Basis/gender  | Female  | Male   |      |           |    |   |           |   |   |           |  |         |   |  |
| Full Time   | 17  | 4      |      |           |    |   |           |   |   |           |  |         |   |  |
| Part Time   | 2   | 0      |      |           |    |   |           |   |   |           |  |         |   |  |
| Ethnicity   |   |        |      |           |    |   |           |   |   |           |  |         |   |  |
| Unknown   | 4   |        |      |           |    |   |           |   |   |           |  |         |   |  |

|   |    |            |   |    |    |                   |   |         |   |  |  |
|---|----|------------|---|----|----|-------------------|---|---------|---|--|--|
| White - British or other British  | 1  |            |   |    |    |                   |   |         |   |  |  |
| White - other or unspecified  | 1  |            |   |    |    |                   |   |         |   |  |  |
| White - Scottish  | 16 |            |   |    |    |                   |   |         |   |  |  |
| White -English  | 1  |            |   |    |    |                   |   |         |   |  |  |
| 19 senior inspectors have recorded that they are white, 4 are unknown.  |    |            |   |    |    |                   |   |         |   |  |  |
| <table border="1"> <tr> <td>Disability</td> <td></td> </tr> <tr> <td>No</td> <td>15</td> </tr> <tr> <td>Prefer not to say</td> <td>1</td> </tr> <tr> <td>Unknown</td> <td>7</td> </tr> </table>   |    | Disability |   | No | 15 | Prefer not to say | 1 | Unknown | 7 |  |  |
| Disability  |    |            |   |    |    |                   |   |         |   |  |  |
| No  | 15 |            |   |    |    |                   |   |         |   |  |  |
| Prefer not to say   | 1  |            |   |    |    |                   |   |         |   |  |  |
| Unknown   | 7  |            |   |    |    |                   |   |         |   |  |  |
| Many older women have multiple caring responsibilities, looking after children, grandchildren and parents; combining this unpaid work with paid employment can be extraordinarily difficult.  |    |            | <a href="#">Older Workers in the Labour Market</a> (TUC, 2014) Report for the TUC Women's Conference on older women and the labour market.  |    |    |                   |   |         |   |  |  |
| On skills development opportunities, there is a significant gap in the perceived skills development opportunities for the 45–54 age bracket. This could simply reflect the stage of the employees' careers, but it could also point to a gap in the provision of training courses by employers. This trend is not replicated in our workforce both inspectors and senior inspectors have access to significant learning and development, irrespective of age. |    |            | <a href="https://www.cipd.co.uk/Images/working-lives-scotland-1_tcm18-79885.pdf">https://www.cipd.co.uk/Images/working-lives-scotland-1_tcm18-79885.pdf</a>   |    |    |                   |   |         |   |  |  |
| Menopause and age profile may impact on women's health.   |    |            | <a href="https://www.equalityhumanrights.com/en/publication-download/research-report-22-older-people-inside-and-outside-labour-market-review">https://www.equalityhumanrights.com/en/publication-download/research-report-22-older-people-inside-and-outside-labour-market-review</a> |    |    |                   |   |         |   |  |  |

|  |  |
|--|--|
| <p>Women more likely to be in part-time work.</p>  | <p><a href="https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-scotland-fairer_0.pdf">https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-scotland-fairer_0.pdf</a></p> |
| <p>The distribution of full-time and part-time employment amongst the 55+ age category is roughly the same as for women. In other words, if you are older you are more likely to work part time.</p> | <p><a href="https://www.cipd.co.uk/Images/working-lives-scotland-1_tcm18-79885.pdf">https://www.cipd.co.uk/Images/working-lives-scotland-1_tcm18-79885.pdf</a></p>   |
| <p>Occupational segregation continued to be a key feature of work. Women continued to be underrepresented in senior positions, even where women accounted for the majority of the workforce.</p>     | <p><a href="https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-scotland-fairer_0.pdf">https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-scotland-fairer_0.pdf</a></p> |
| <p>No feedback relating to equalities received as yet 14.9.20</p>  | <p>SIMailbox</p>   |
| <p>Employees are asked if their individual circumstances may be impacted by the proposal. No employees have mentioned anything relating to equalities received as yet 14.9.20.</p>                   | <p>Individual consultation meetings</p>  |

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

We do not have a full equalities record for each employee as this information is optional and some employees choose not to complete this information. As an organisation we have low levels of employee disclosures for sexual orientation and gender reassignment. We will ask individuals about their own situation during their individual consultation meetings (e.g. caring/ childcare responsibilities if they have an underlying health condition and we need to consider making reasonable adjustments). We will be running a communication campaign between September and December 2020 to remind colleagues about the importance of completing their equalities information on My View.

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

The following consultation has taken place is/ planned with senior inspectors:

- Partnership Forum Meeting

- Chief Inspector Meetings with Team Managers
- All staff emails
- Meeting with Team Managers
- Meeting with Senior Inspectors
- Meeting with Partnership Forum
- Communication to all Scrutiny & Assurance staff confirming plans
- Meeting with Senior Inspectors (feedback on Team Manager review recommendations)
- Meeting with Team Managers (feedback on Team Manager review recommendations)
- Meeting with all permanent Senior Inspectors to set out proposed changes and consultation process (via Microsoft Team, joint presentation by Chief Inspectors, HR & OWD).
- Individual employee consultation meetings with Senior Inspectors (via Microsoft Teams, employee, Chief Inspectors, HR or OWD rep, employee can choose to invite TU rep).
- Written feedback from Partnership Forum on proposals
- Final proposals prepared incorporating feedback from employees and Partnership Forum
- Written confirmation of final proposals submitted to Board for approval
- Final proposals confirmed to Partnership Forum
- Written confirmation to individuals

The following consultation has taken place is/ planned with the wider staff group:

- Held a number of sessions with staff to brief them and hear their feedback on the recommendations from the team manager review
- Facilitated two sessions with senior inspectors to hear their views on the wider team manager review recommendations. Similar sessions are also being planned for team managers and temporary senior inspectors. As part of these sessions, colleagues will be able to share their feedback on the proposed changes to the senior inspector role.

The following communication channels have been set up:

- A section on OurNews (Workforce changes) to keep senior inspectors

informed of activity and with helpful resource such as the FAQ

- A confidential mailbox to log themes to be shared with partnership forum/ as part of equality impact assessment [Sfeedback@careinspectorate.gov.scot](mailto:Sfeedback@careinspectorate.gov.scot)

Are there any other groups to be consulted?

Consultation is ongoing with individual employees and Partnership Forum. Following formal consultation, the final proposal will go to the Board for approval.

**Section 3: Impacts**

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

| Protected Characteristic  | Yes | No | Please explain   |
|---|-----|----|--|
| <b>Age</b> (Older people, children and young people)  |     | x  | External research suggested older employees may prefer to work part time but this is not reflected in our demographics this could be due to the flexible working contracts they are on 140 hours over 4 weeks. External research identified a significant gap in the perceived skills development opportunities for the 45–54 age bracket. This trend is not replicated in our workforce. We offer our L&D programme to all employees regardless of age so they have the same equality of opportunity to access learning and development. We offer job specific training, personal skills development and a wealth of self-directed/ virtual content through our learning management system and KnowHow toolkit. This is available to all staff irrespective of age. |
| <b>Disability</b>   |     | x  | None of the senior inspectors have declared that they have a disability. This can be discussed at individual consultation meetings if appropriate. We are aware of our duty to make reasonable adjustments.  |
| <b>Gender Reassignment</b> (Where a person is living as the opposite gender to their birth) |     | x  | Research and evidence has not identified any potential for impacts on this protected group at this stage.  |



|  |  |   |  |
|--|--|---|--|
| <b>Pregnancy and Maternity</b>   |  | x | There are currently no senior inspectors on maternity leave. This can be discussed at individual consultation meetings if appropriate.   |
| <b>Race, ethnicity, colour, nationality or national origins</b> (including Gypsy/Travellers, refugees, asylum seekers) |  | x | Research and evidence has not identified any potential for impacts on this protected group at this stage.  |
| <b>Religion or belief</b> (including non-belief)   |  | x | Research and evidence has not identified any potential for impacts on this protected group at this stage.  |
| <b>Sex/Gender</b>  |  | x | External research has suggested many older women have multiple caring responsibilities, looking after children, grandchildren and parents; combining this unpaid work with paid employment can be extraordinarily difficult. Menopause might be an issue, for our demographic. We only have 2 female senior inspector working part time (may have others on other flexible working arrangements). Important to ensure there are no barriers in place for potential progression to team manager post. This can be discussed at individual consultation meetings if appropriate. |
| <b>Sexual Orientation</b>  |  | x | Research and evidence has not identified any potential for impacts on this protected group at this stage.  |
| <b>Children for whom there are corporate parenting responsibilities.</b>   |  | x | Research and evidence has not identified any potential for impacts on this protected group at this stage.  |

Is there any evidence that the policy may:

|   | <b>Yes</b> | <b>No</b> | <b>No Evidence</b> |
|---|------------|-----------|--------------------|
| <b>Result in less favourable treatment for particular groups?</b> |            |           | x                  |
| <b>Give rise to direct or indirect discrimination?</b>            |            |           | x                  |
| <b>Give rise to unlawful harassment or</b>                        |            |           | x                  |

|                       |  |  |  |
|-----------------------|--|--|--|
| <b>victimisation?</b> |  |  |  |
|-----------------------|--|--|--|

**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 senior inspectors across the organisation and aims to treat everyone fairly regardless of protected characteristic.

There are a range of options available for senior inspectors to consider:

- Inspector role
- Inspector scrutiny development
- Team manager

Individuals will have some control over what role they apply for and will be supported through a range of job matching, guaranteed and priority interviews.

All employees have access to our Learning Management System and are able to request the same training.

There will also be a discussion to support individual preferences as much as reasonably practical. This approach allows for individuals to choose to have some control over their career (some will want to progress others will not).

Robust processes are in place that use objective criteria and evidence to make appointment decisions (e.g. job matching, and our recruitment and selection processes for the inspector scrutiny development and team manager posts). All processes seek to eliminate unlawful discrimination.

If any individual raises an appeal or a grievance then this will be managed through our internal process where there are measures in place to protect individuals from harassment or victimisation.

We will continue to update the equality impact assessment through the formal consultation process.

Support measures have been put in place throughout to ensure that no one receives unfair treatment due to their protected characteristic – this includes support from the HR/ OWD Team, Employee Assistance Programme, measures to take account of career break/ sick leave/maternity leave.

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

All senior inspectors have been matched into an inspector role as this role is more than 75% of the same duties. All senior inspectors will be asked for their preference in terms of what team they work in (either registration, inspection or complaints). If more senior inspectors express a preference for an area than posts available, we will use expressions of interest and a competitive interview to allocate people to posts as this is the fairest way to make selection decisions and ensure equality of opportunity. Colleagues will also have the right to appeal any job matching.

All senior inspectors will be offered a guaranteed interview, regardless of protected characteristic, for the inspector scrutiny development roles. The recruiting manager will then make an objective assessment of the evidence against the person specification and appendix. This is to ensure that the employee has the rights skills for the specific project.

All senior inspectors, who meet the person specification, regardless of protected characteristic, will be given priority interviews for the team managers posts before advertising internally and externally. This is to allow for equality of opportunity as this post is a promoted post that requires different skills, experiences and abilities to the senior inspector role. This means that other people can also apply for the role.

We are aware that some people (e.g. older employees, female employees) may wish to progress to a promoted post but may want to work flexibly. We will consider flexible working requests for all roles. We believe that flexibility advances equality of opportunity for everyone not just people who have protected characteristics. We will assess each flexible working request on its individual merits. Historically, we know that it can be difficult to accommodate some flexible working patterns for some of our roles due to operational reasons but we will always consider the request, along with any alternatives and possible compromise options before refusing a request. In line with our Flexible Working Policy, we would only refuse a request if there was one of the legal eight business reasons for doing so.

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

Our intention is to foster good relations through our approach to partnership working with the trade unions. We are involving senior inspectors, team managers, inspectors and the trade unions in the change through our engagement and consultation approach. We want them to understand the proposal so that they can participate fully and offer ideas for implementation and alternative proposals. We are being very open and transparent with our communications and are sharing a copy of

our equality impact assessment. We are also offering a range of practical support and emotional support as we understand and appreciate that workforce change can be unsettling.

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:

|                                   |   |
|-----------------------------------|---|
| <b>No major change</b>            |   |
| <b>Adjust the policy</b>          | X |
| <b>Continue the policy</b>        |   |
| <b>Stop and remove the policy</b> |   |

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

Following the consultation with Partnership Forum and staff, the Senior Leadership Team have decided to remove the senior inspector post from our establishment by 31 March 2022.

An 18-month transition period is required to manage the changes required to remove the senior inspector role from our establishment. This transition period will also ensure we sustain an enhanced level of support for our teams during the pandemic. During this time we will explore options and assess the viability of grade 7 having two pay bands, with incremental progression, in order to reward and recognise different levels of responsibility and experience across the inspector group. This will be explored through the pay remit discussions with the joint trade unions.

We will manage the transition period on the following basis:

- we will retain all permanent and temporary senior inspectors to provide essential support to the 33 teams across inspection, registration and complaints.
- senior inspectors will work as a flexible resource across a defined number of teams providing business critical support as required and based on the current job profile.

- no additional or new senior inspectors will be recruited during the transition period.
- to support consistency, senior inspector responsibilities and duties will be confirmed by chief inspectors with team managers and service managers. Duties will include: quality assurance, induction, mentoring and support for performance issues, peer learning groups and relationship manager duties, in addition to leading on complex inspections and carrying a defined inspection case load.
- we will plan, support and manage the reallocation of senior inspector duties to inspectors across all inspection, registration and complaints teams.
- The transition period will end no later than 31 March 2022. In preparation for the end date, we will:
  - review the role of senior inspector to ensure we are prepared for an effective reallocation of duties and to recognise the contribution of senior inspectors during the pandemic
  - review the matching process to reconfirm that senior inspectors will be matched into the role of inspector and identify any other roles, at that time, which may be a direct match for senior inspectors
  - reconfirm preferred team placement for all senior inspectors and provide support to ensure an effective transition to the role of inspector
  - offer support and a one to one meeting with senior inspectors to discuss their preferences, as required.
- At the end of the transition period:
  - The senior inspector role will be deleted from our permanent establishment
  - All senior inspectors will be matched to the role of inspector, or other suitable role as confirmed before the end of the transition period
  - Senior inspector duties will be reallocated to inspectors, as confirmed before the end of the transition period.

**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:**

HR will review:

- Job matching appeal
- Review of inspector vacancies filled by senior inspectors
- Review of senior inspectors matched
- Review of team manager vacancies filled by senior inspectors
- Review of inspector scrutiny development vacancies filled by senior inspectors
- Future recruitment to Scrutiny & Assurance posts
- Pay audits

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

HR will review one year post implementation.

**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.

|   |  |
|---|--|
| <b>Date sent to Involvement and Equalities Team:</b>      | 30/10/20   |
| <b>Comments from Involvement and Equalities Team</b>      | Feedback has been shared through consultation period, important to manage transition/ implementation in a planned way with a good action plan, strong leadership and a detailed communication and engagement plan for staff. If it is considered viable to introduce two pay bands within grade 7, with incremental progression, for the inspector group then a further equality impact assessment will be required. |
| <b>Date signed off by Involvement and Equalities Team</b> | 6/11/20  |

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

|                      |  |
|----------------------|--|
| <b>Name</b>          | Janice Gibson                                  |
| <b>Title</b>         | Head of Organisational & Workforce Development |
| <b>Date approved</b> | 6/11/20  |