

# Equality Impact Assessment: Flexible Working Policy

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## EQUALITY IMPACT ASSESSMENT TEMPLATE

### Section 1: Details of the Policy/Practice

<b>Department/Team responsible for the policy:</b>	Organisational Development		
<b>Name of Policy or Practice being assessed:</b>	Flexible Working Policy		
<b>Purpose and anticipated outcomes of the policy:</b>	<p>The policy sets out the process for employees to request flexible working by way of either a temporary or permanent change to hours of work, place of work or times of work. This is in line with, and goes beyond, our statutory obligations in terms of flexible working.</p> <p>Anticipated outcomes of the policy include better work life balance for employees, improved health and wellbeing, reduced sickness absence, improved employee engagement and employees feel supported and valued by the organisation.</p> <p>We will comply with all relevant employment legislation (e.g. The Children and Families Act 2014 and The Equality Act 2010).</p>		
<b>Is this a new or existing policy?</b>	<b>New</b>	X (revised)	<b>Existing</b>
<b>List of participants in Equality Impact Assessment Process:</b>	Kirstine Rankin- Senior OD Adviser Jacqui Duncan – OD Adviser Heather Moonlight- OD Assistant Linda McKenna – Equalities and Engagement Adviser		
<b>Date assessment started:</b>	29/10/15	<b>Completion Date:</b>	13/11/15

<p><b>Please indicate who is likely to be affected by the policy:</b></p> <p>For example Care service providers/users, men, women, young people, people with disabilities</p>	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

<b>Details</b>	<b>Source of Evidence</b>
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<p>Recent employee equality monitoring reports indicate the following:</p> <ul style="list-style-type: none"> <li>• 611 Employees</li> <li>• 81% are female</li> <li>• 76% are aged between 40-59 years</li> <li>• 1.3% have a disability</li> <li>• 34.9% are married or in a civil partnership</li> <li>• 1% are of Black or Minority Ethnic (BME) Ethnicity</li> <li>• 19.5% say they have no religion or belief</li> <li>• 2.2% are Lesbian, Gay or Bisexual</li> </ul> <p>103 employees are in part time work. 95% of those working part time are female and 57% are aged between 50 and 65. This shows part time working is popular amongst female employees and employees over the age of 50.</p> <p>We have 107 employees who work part time. This equates to 17.5% of our workforce.</p> <p>We offer a range of Flexible Working options including; annualised hours, additional unpaid annual leave, condensed hours, increased hours, reduced hours and term time working. We also offer some staff Homeworking contracts but this is covered under our Homeworking Policy.</p>	<p>Employee Information - Equality Outcomes and Monitoring Report, Care Inspectorate, April 2015.</p> <p>The OD Annual Report 2015.</p>
<p>A range of information was examined including the Scottish Government Equality Evidence Finder</p>	<p><a href="http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid">http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid</a></p>

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

No.

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

We have developed the draft Flexible Working Policy through a number of consultation and engagement exercises including:

- Discussion with Policy Review Group
- Internal consultation with teams via Policy Review Group
- Discussion with ET and Partnership Forum
- Discussion with Team Managers through Leadership Forum

Are there any other groups to be consulted?

Not at this time.

### Section 3: Impacts

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

Protected Characteristic	Yes	No	Please explain
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<b>Age</b> (Older people, children and young people)	x		This policy is intended to ensure fair treatment for young or older people who may experience the need to apply for flexible working in order to manage caring responsibilities and work life balance. The impacts are likely to be positive.
<b>Disability</b>	x		Potential positive impact for employees with disabilities where adjusting their work pattern might help them to continue to work.
<b>Gender Reassignment</b> (Where a person is living as the opposite gender to their birth)	x		Potential positive impact for employees undergoing gender reassignment process where adjusting their work pattern might help them have time to undergo treatment.
<b>Pregnancy and Maternity</b>	x		Potential positive impact for women returning from maternity leave who may experience the need to apply for flexible working in order to manage caring responsibilities and work life balance.
<b>Race, ethnicity, colour, nationality or national origins</b> (including Gypsy/Travellers, refugees, asylum seekers)		x	It is not considered that the flexible working policy would have any impact on people of different racial groups. However, where different racial groups face specific cultural necessities which may require a different working pattern, the flexible working policy will provide a mechanism to consider meeting this need.
<b>Religion or belief</b> (including non-belief)	x		Potential for positive impact on employees who may wish to work flexibly in order to observe religious practices.
<b>Sex/Gender</b>	x		Research shows that women are more likely to request flexible working patterns.
<b>Sexual Orientation</b>		x	It is not considered that the flexible working policy would have any impact on people due to their sexual orientation.

Is there any evidence that the policy may:

	Yes	No	No Evidence
<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 victimisation?</b>		x	

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

N/A

**How will the policy be modified to mitigate this?**

N/A

#### **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 policy and related procedures. Support measures have been put in place throughout the policy to ensure that no one receives unfair treatment due to their protected characteristic – this includes support from the OD Team, Employee Assistance Programme, measures to take account of 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?**

The policy as a whole seeks to advance equality of opportunity for and between different protected groups. Actions have been included to advance equality of opportunity including equality monitoring of who requests flexible working.

**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 policy do not seek to foster good relations between and across protected groups. However, the organisation has 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>	X
<b>Adjust the policy</b>	
<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:**

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 OD will team will monitor queries coming into the OD Enquiries mailbox around flexible working and will flag up any potential equalities issues to the Head of OD. An agreed course of action will follow.
- For flexible working requests that have been refused (and/or appealed by the employee) the OD team will produce an ‘equalities profile’ for each case. This will help us to identify any trends coming through, and whether we need to review the policy or put additional supports in place to reduce or remove any potential negative impact(s).

- We also provide an equalities breakdown for Flexible Working for The Equality Outcomes and Monitoring Report.

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

- The Flexible Working Policy will be formally reviewed every 3 years- we will consult with the Policy Review Group (the group consists of colleagues from across the Care Inspectorate including employees, our equalities and engagement adviser, managers and trade union representatives) and consult with our Executive Team, Resources Committee (which includes members of our Board) and Partnership Forum.
- We have a policy monitoring programme that means we review all our policies on an annual basis.
- The OD function produces and publishes the OD Annual Workforce Report. The report contains a section on employee relations which covers flexible working arrangements within the Care Inspectorate.
- The policy will be reviewed on an on-going basis e.g. if we receive intelligence from OD Enquiries/feedback from colleagues/particular case/ legislation/case law that would call for an earlier review of the policy.

#### Section 7: Sign Off

<b>Date sent to Involvement and Equalities Team:</b>	12/11/15
<b>Comments from Involvement and Equalities Team</b>	None required as Involvement and Equalities Team have been involved in the EIA process and comments have been included in the policy where appropriate.
<b>Date signed off by Involvement and Equalities Team</b>	12/11/15

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 Development
<b>Date approved</b>	9 December 2015

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