



Equality Impact Assessment (EQIA) form

A. General Information

Name of proposal	Salary Protection Policy
Responsible department	Human Resources

B. Aims of the proposal

What do you hope to achieve?	<p>Compliance with Partnership Agreement and consultation with the Trade Union re workforce change.</p> <p>Compliance with employment law.</p> <p>Other anticipated outcomes of the policy include that employees' feel involved, supported and valued by the organisation during periods of change.</p> <p>The policy will be continually monitored by HR and the Partnership Forum.</p>
Why is the proposal needed?	The Salary Protection policy was created after benchmarking was done with Xpert HR, other Non-Departmental Public Bodies, Local Authorities and other public sector bodies.

	<p>The policy sets out how we will manage changes that affect our employees in accordance with our legal obligations (e.g. around timescales for staff consultation).</p> <p>In August 2020 the Council approved an HR people management policy review timetable. All policies are to be reviewed every three years to ensure they meet legislation and best practice.</p>
<p>How will the proposal contribute to the SSSC's strategic objectives and/or priorities?</p>	<p>This policy links to strategic priority 3 - Our workforce planning activities support employers, commissioners and proposal makers to deliver a sustainable, integrated and innovative workforce.</p> <p>As the strategic plan states "we are committed to investing in our own workforce the same way we are invested in the external workforce". This policy links to that as it is there to support all employees through organisational workforce change where the result is a change of grade and the associated protection of salary.</p> <p>We recognise that this would be an unsettling time and we seek to support staff through workforce change by applying the guiding principles:</p> <ul style="list-style-type: none"> ▪ We will try to safeguard the employment of all employees during workforce change, wherever possible. ▪ We will ensure employees remain on the same rate of pay on a protected basis for a three year period from when the role is effective. ▪ We will keep employees informed throughout the process through effective communication. ▪ We will support employees to adjust and where appropriate apply for alternative roles through appropriate learning and development opportunities.
<p>How will the proposal address the SSSC's Equality duties?</p>	<p>The policy addresses all 3 of the equality duties in accordance with the Equality Act 2010, Public Sector Equality Duty (PSED) ie eliminate</p>

	discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
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C. Data and evidence gathering

What evidence has been used to come to the decisions contained in this EqIA?	It is not possible to predict when an employee might need the supports of this policy. Therefore, various groups in the SSSC have been consulted on the policy and asked to provide their comments/feedback. Any changes have then been made to the policy as required.
Has the proposal been the subject of relevant engagement and/or consultation?	The Consultation Log will detail the consultation with the Policy and Intelligence Team, Partnership Forum, OMT and EMT members and is currently in progress. Once consultation has taken place, this will be updated.
Has best judgement been used in place of data/research/evidence?	See evidence below.
Have any gaps been found in the data?	No.

D. Assessing impact and identifying opportunities to promote equality

Age – remember different age groups have different concerns. When considering age remember that some individuals are more vulnerable or have issues that may need additional consideration.
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Neutral impact. The policy is designed to support employees through salary protection at all ages and should be read in conjunction with the redeployment policy which has specific provision for retraining and support which could particularly help older employees. There are pension implications for older employees as the employees new salary and their spinal column point they are protected on are non-pensionable.

Disability – a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out day-to-day activities. How does this proposal affect disabled people? Are there any impairment groups who are unfavourably affected by the policy?

Neutral impact. We recognise that protection of salary may exacerbate mental health issues. People with existing mental health issues may already have difficulties with personal resilience and this may add to anxieties around being subject to workforce change resulting in salary protection. Mitigation measures including the Employee Assistance Programme and support from Human Resources is offered to alleviate additional stress arising from the process. We will also make reasonable adjustments to the process to ensure that the employee can participate fully and is not disadvantaged in any way due to a disability.

Gender reassignment – does your proposal include people of different gender identities? Will your proposal impact transgender individuals in any way?

Neutral impact. The policy seeks to be inclusive by using gender neutral language throughout thereby not excluding employees who have undergone gender reassignment.

Marriage and civil partnership – it is unlawful discrimination for people who are married/civil partnership/same-sex couple to be treated less favourably in employment than those who are not married/civil partnership/mixed-sex couple.

Neutral impact. It is not considered that the policy will have potential for impact on this protected group(s) as this information would not be a determining factor in the application of the policy.

Pregnancy and maternity – protection against maternity discrimination covers 26 weeks after giving birth – this includes treating a woman unfavourable because she is breastfeeding.

Neutral impact. We recognise that being placed on a protected salary while pregnant or on maternity leave may cause additional stress to employees. The supports outlined in the policy will assist employees with this

Race – have you covered all minority ethnic groups? Consider the impact your proposal has on someone from a minority ethnic group and remember this impact may differ depending on the gender, disability, faith, sexual orientation or ethnicity of the person as different cultures have different views on what is acceptable. Consider language and format.

Neutral impact. We consider that the robust procedure outlined in the policy and the supports available to employees will assist in ensuring that the policy does not have an adverse impact on staff from a minority ethnic group.

Religion or belief – does your proposal take into account different festivals, holidays, religious days and traditions? Will the different faith beliefs impact on women from that group and exclude or prevent them from using the service?

Neutral impact. The procedure and supports outlined in the policy assist managers to consider requirements of employees' religion or belief when considering applying salary protection.

Sex - does the proposal take account of different roles and responsibilities? Does it assume, perhaps wrongly that men have no caring responsibilities? Is the proposal flexible enough to provide a service that everyone can access?

Neutral impact. The proportion of the SSSC workforce that is female is, approximately 75%. Given our staff are predominantly female, it is more likely that this policy will apply to women more often than men. The robust procedure and supports available to staff will assist in ensuring that the policy does not have an adverse impact on female staff.

Sexual orientation – what are the issues for this group in terms of your proposal? Does it meet the needs of this group?

Neutral impact. It is not considered that the policy will have potential for impact on this protected group(s) as this information would not be a determining factor in the application of the policy.

E. Challenges and opportunities for groups living in an island community

This section considers the impact or effect of the proposal on island communities and whether this could be significantly different from its effect on other communities.

Eliminating unlawful discrimination - the Salary Protection Policy is inclusive of all employees in the SSSC, there is no discrimination against any employee, regardless of protected characteristics or not. All dealings with any of the agencies or groups mentioned within the policy will ensure that everyone is treated fairly with the same opportunities.

The organisation offers flexible/agile working which would allow any staff based in an island community to access a range of redeployment opportunities and to carry out a role without their geographic location being a factor, unless the location means that they would not have access to internet of sufficient quality to carry out their role. Addressing internet supply issues would be beyond our remit as an employer and therefore this policy is likely to have no impact on people living in an island community.

An ICIA (Islands Community Impact Assessment) is not required.

F. Child rights and wellbeing

This section considers the impact of the proposal on children and young people, or specific groups of children and young people, in Scotland.

This policy, while not directly aimed at children, addresses in part the rights contained in article 27 of the UNCRC. In particular article 27 which requires that every child has the right to a standard of living adequate for their mental, spiritual, moral and social development. Assisting our employees through the Protection of Salary Policy will mean that those with children are well placed to meet this right.

G. Health and wellbeing and health inequalities

This section considers the impact of the proposal on physical and mental health and wellbeing; this includes for example, participation, creativity and developing potential.

Negative - this policy may have a negative impact on the physical and mental health and wellbeing for those employees who are subject to salary protection as the difference between the employee's new salary and their spinal column point they are protected on are non-pensionable. In terms of providing guidance to managers and employees on the approach that we will take in protected salary situations where staff may be affected by organisational change, we aim to provide guidance which should ensure, wherever possible that employees opportunities are maximised to secure alternative employment via redeployment should they so wish and they are supported in understanding and preparing for change.

H. Economic and social sustainability

The benefits of a Protection of Salary Policy for both the SSSC and its employees are:

- supports the Scottish Government position in relation to no compulsory redundancies
- allows retention of employees salary
- helps retain skills, knowledge and experience as salary is protected
- aligns with principles of good employment practice as a fair and reasonable employer
- employees remain flexible and adaptable.

I. Care experienced children, young people and adults

This section concerns our duties to put Scotland's care experienced children, young people and adults at the heart of what we do.

Describe the impact your proposal will have on:

- The well-being of children and young people
- Promoting the interests of eligible children and young people

- Providing opportunities to eligible children and young people
- How we exercise our functions in relation to eligible children and young people

This will have a significant positive impact as the Protection of Salary Policy complements the Scottish Government no compulsory redundancies thus ensuring that employees remain in employment at their substantive grade.

J. Decision making

Which of the following statements best describes the action that should be taken following the EqIA in relation to your proposal?

No major change	<input type="checkbox"/>
Adjust the policy	<input type="checkbox"/>
Continue with Policy	<input checked="" type="checkbox"/>
Stop and remove the policy	<input type="checkbox"/>

Outline the reasons why you've selected this option

The policy covers all employees across the organisation and aims to treat everyone fairly regardless of protected characteristics. We should continue with the policy because by ensuring we have a clear Salary Protection policy in place will provide reassurance and security to all employees through any organisational workforce change. This will have a positive impact on the SSSC by supporting employees through organisational change and in turn ensure a more motivated and productive workforce.

K. Monitoring and reviewing

How will the implementation of the policy/proposal be monitored? How and when will the impact of the proposal be reviewed? Outline the actions that will be taken, the timescale for these and who will be responsible for carrying out these actions.

Action	Timescale	Person Responsible
The policy will be reviewed every three years making amendments as appropriate in consultation with the Partnership Forum.	Every 3 years	Human Resources

L. SIGN OFF

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Title: Head of Human Resources

Date: September 2021