

Scottish Borders Council

Equality Impact Assessment

3.1	Title of Proposal:	Flexible working policy
3.2	Service Area: Department:	Human Resources
3.3	Description:	Scottish Borders Council (SBC) recognises that all employees need to achieve a balance between their home and their work in order to live and work healthily. This policy aims to provide ways of achieving that balance through flexible working practices. The purpose of this policy is to inform and provide the necessary information to employees of the options, the general conditions of eligibility and the application process with regard to flexible working patterns with reference to terms and conditions of service and employment legislation.
3.4	Impact Assessment Note:	<p>SBC recognises that employees may wish to request flexible working arrangements for a variety of reasons, and is committed to facilitating such opportunities wherever the employee's preferred working arrangements can be balanced with the business needs of SBC an its commitment to providing a quality service.</p> <p>The policy provides managers and staff with a clear policy framework for the management of flexible working. Given the detailed process outlined in the policy it is hoped that any concerns or issues are addressed as timely as possible to minimise or remove any impact on our employees.</p>

Equality Characteristic	Impact			Description	Mitigation & Recommendations
	No Impact	Positive Impact	Negative Impact		
Age (Older or younger people or a specific age grouping)		X		This policy is intended to ensure fair treatment for young and older people who may experience the need to apply for flexible working in order to manage caring responsibilities and worklife balance. The impacts are likely to be positive.	
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring		X	X	<p>Potential positive impact for employees with disabilities where adjusting their work pattern might help them to continue to work.</p> <p>Although the policy makes mention of protection for those with a disability there is no substantial recognition that employees with a disability may benefit from flexible working.</p>	Strengthen policy to explicitly recognise that employees with a disability may benefit from flexible working link to reasonable adjustment policy
Gender (Males, Females, Transgender or Transsexual people)		X		This policy is consistent in its approach to the management of flexible working regardless of the employee's gender. Additionally the policy includes specific detail for part time working/job share which can be requested by both male and female employees ideal for example retuning to work after maternity/paternity/adoption leave.	Link /reference flexible working to Maternity/Paternity/Adoption policies
Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)		X		It is not considered that this policy would have an impact on people of different racial groups. However, where different racial groups face specific cultural necessities which may require a different working pattern, the policy will provide a mechanism to consider meeting this need.	
People with		X		Potential for positive impact on employees who may wish to	

<p>Religious or other Beliefs: different beliefs, customs (including atheists and those with no aligned belief)</p>				<p>work flexibly in order to observe religious practices.</p>	
<p>Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),</p>		X		<p>This policy recognises that employees who are pregnant or during a period of maternity may benefit from flexible working.</p> <p>Extend policy statement (second paragraph) to include Maternity and Pregnancy</p>	<p>Amend statement accordingly.</p>
<p>Sexual Orientation, e.g. Lesbian, Gay, Bisexual, Heterosexual</p>		X		<p>This policy is consistent in its approach to the management of flexible working regardless of an employee's sexual orientation.</p>	
<p>Carers (those who have caring responsibilities for someone with an equality Characteristic)</p>		X		<p>This policy recognises that employees who have caring responsibilities may benefit from flexible working.</p>	
<p>Gender Reassignment (Where person is living as the opposite gender)</p>		X	X	<p>Positive potential impact for employees under going gender reassignment process where adjusting their work pattern might help them have time to undergo treatment.</p> <p>Extend policy statement (second paragraph) to include Gender</p>	<p>Amend statement accordingly</p>

	to their birth)				reassignment.	
	Poverty (people who are on a low income including benefits claimants, people experiencing fuel poverty, isolated rural communities etc)		X		This policy is consistent in its approach to the management of flexible working regardless of an employee's social status/health inequalities.	
	Employees (those employed by the Council including full time, part time and temporary)		X	X	This policy is consistent in its approach to the management of flexible working regardless of an employee's employment status. It should be acknowledged that operation of the scheme can lead to some employees feeling resentful towards each other eg if some take the opportunity to leave early and others have to cover their work. Therefore it is managements responsibility to ensure scheme is operated fairly and in line with business need. It is therefore management responsibility to ensure Council's commitment to equalities is communicated to all.	Council's commitment to equalities is communicated to all along with the benefits that flexible working can bring.

3.5	Relevance to the Equality Duty in Summary:	
	What impact will your proposal have on the following :	
	Equality Duty	Reasoning:
	Elimination of discrimination (both direct & indirect), victimisation and harassment.	This 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 HR and the Employee Assistance Programme (PAM).
	Promotion of equality of opportunity?	The policy as a whole seeks to advance equality of opportunity for and between different protected groups. Equality monitoring of requests for flexible working is soon to be undertaken in support of ensuring equality of opportunity is consistent within SBC
	Foster good relations?	The purpose and intended outcomes of this policy do not seek to foster good relations between and across protected groups. However, SBC has a range of other policies that help bring people together. For example Equality Training, Equality, Diversity and Human Rights Policy, and Equality Outcomes contained with the Mainstreaming Report.

3.6	Recommendations & Mitigation		
	Characteristic	Mitigation/Recommendation	Approved Yes/No
	Disability	Strengthen policy to explicitly recognise that employees with a disability may benefit from flexible working link to reasonable adjustment policy	
	Gender	Link /reference flexible working to Maternity/Paternity/ Adoption policies	
	Gender reassignment/ Pregnancy and Maternity	Extend policy statement (second paragraph) to include Gender reassignment and Pregnancy and Maternity	
	Employees	Council's commitment to equalities is communicated to all along with the benefits that flexible working can bring. Link to Flexible Working Communications Plan.	
	Promotion	Flexible Working Policy Communications Plan formulated and delivered.	
	General	Continue to gather, monitor and analyse equality data of employee take up of flexible working	
		Amend policy to include: <ul style="list-style-type: none"> • accessible format strapline and version control matrix 	

		<ul style="list-style-type: none"> list of associated policies 	
		The outcomes of this Policy will be reviewed at least every two years. If any trends emerge these will be analysed and appropriate steps taken, potentially including a full review of the policy.	

Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)			
Name:	Clair Hepburn	Directorate:	Chief Executives
Post:	Chief Office Human Resources	Date:	02/02/2017

EIA Completed By			
Name	Iain Davidson	Service Area.	Chief Executive - Human Resources
Post	Employee Relations Manager	Date	25th January 2017
Name	Simone Doyle	Service Area	Chief Executive - Human Resources
Post	Equality & Diversity Officer (HR)	Date	25th January 2017
Name	Dee Maclean	Service Area	Chief Executive - Human Resources
Post	HR Business Partner	Date	25th January 2017