

Scottish Borders Council

Equality Impact Assessment

3.1	Title of Proposal:	Overtime Policy
3.2	Service Area: Department:	Human Resources
3.3	Description:	<p>As defined by the Scottish Joint Council for Local Government Employees the standard working week is 37.00 hours per week, however, there is a local agreement for certain employees (previously APT&C staff) to work a 35 hour week.</p> <p>Any hours worked between 6.00am and 10.00pm will be classified as normal working hours and paid at the basic hourly rate, including hours worked on a Saturday or Sunday.</p> <p>Work in excess of these normal hours is classed as overtime. This policy sets out the conditions for the payment of overtime for employees.</p> <p>Work in excess of normal hours of duty is normally discouraged, and in particular employees should not be required to consistently work overtime. However, SBC recognises that there are occasions when overtime is unavoidable and in such cases conditions shall apply.</p> <p>Additionally overtime is not usually compulsory and staff are able to choose not to work overtime unless exigencies of the service indicated otherwise but if this were the case reasonable adjustments/considerations would be made to each case on its merits.</p>
3.4	Impact Assessment	<p>Given this policy features on the payment of overtime rather than the necessity to undertake it, it is considered that the policy is not relevant to the</p>

General Equality Duty, namely the advancement of equality, elimination of discrimination and promoting good relations. There is no likelihood that this policy will affect people who share protected characteristics differently from other people. The eligibility criteria which is used in the policy is objective and the entitlement limits are fixed. The documentation used is accessible and in clear and plain English.

However, in order to assess the effectiveness of this policy and to ensure that it is applied fairly and equitably, SBC will monitor equality data relating to complaints/grievances raised about the application of this Policy.

Equality Characteristic	Impact			Description	Mitigation & Recommendations
	No Impact	Positive Impact	Negative Impact		
				The payment of	
Protected characteristics including Age, Disability, Race, Sexual Orientation, Gender Reassignment, and associated equality themes including Carers, Poverty and Employees.	X				
Gender/Carer responsibilities			X	This can impact on both men and women. However as the data indicates there is a greater number of women than men within SBC that have declared caring and child care responsibilities. Therefore whilst not ruling out men, when considering this policy the emphasis was on how this would affect women with child care responsibilities. It may be that for some women they may find it more difficult to work later and/or longer hours due to childcare. Overtime is not usually compulsory and staff would be able to choose not to work overtime unless exigencies of the service indicated otherwise but if this were the case reasonable adjustments/considerations would be made to each case on its merits. This policy features on the payment of overtime rather than the necessity to undertake it.	

	Religion/Belief			X	Consideration was given to whether this would affect people on a religious basis. As specific overtime working days may affect some people from certain religions. For example Sundays for Christians, Saturdays for Jews. Other religions may be affected by evening working and specific times such as Ramadan and fasting during daylight hours. However as above overtime is not usually compulsory and staff would be able to choose not to work overtime unless exigencies of the service indicated otherwise but if this were the case reasonable adjustments/considerations would be made to each case on its merits. This policy features on the payment of overtime rather than the necessity to undertake it.
	Pregnancy/Maternity			X	As above pregnant women or those on maternity leave may find it more difficult to work overtime but his policy regards the payment of overtime when worked rather than the necessity to undertake overtime.

3.5	Recommendations & Mitigation		
	Characteristic	Mitigation/Recommendation	Approved Yes/No
	General	Amend policy to include: <ul style="list-style-type: none"> • accessible format strapline and version control matrix • Format into house style 	Yes
		As the guidance relates to entitlements granted on the basis of previous service with relevant bodies, it would be important in future to investigate the possibility of obtaining additional data about length of service and service with previous employer(s) which have been used to determine entitlement to certain employment related benefits.	Yes
		The outcomes of these guidelines will be reviewed at least every two years or earlier if there is a change to the regulations. If any trends emerge these will be analysed and appropriate steps taken, potentially including a full review of the guidelines.	Yes

Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)			
Name:	Clair Hepburn	Directorate:	Chief Executive
Post:	Chief Office Human Resources	Date:	07/02/17

EIA Completed By			
Name	Iain Davidson	Service Area.	Chief Executive - Human Resources
Post	Employee Relations Manager	Date	1 st February 2017
Name	Simone Doyle	Service Area	Chief Executive - Human Resources
Post	Equality & Diversity Officer (HR)	Date	1 st February 2017
Name	Dee Maclean	Service Area	Chief Executive - Human Resources
Post	HR Business Partner	Date	1 st February 2017