

Scottish Borders Council

Equality Impact Assessment

3.1	Title of Proposal:	Guidance of Politically Restricted Posts
3.2	Service Area: Department:	Human Resources
3.3	Description:	<p>Certain posts within Scottish Borders Council (The Council) are deemed to be 'politically restricted', which means that the individuals who hold them are effectively prevented from having any active political role either in or outside the workplace.</p> <p>The main provisions regarding Politically Restricted Posts are set out in Part 1 of the Local Government and Housing Act 1989. The restrictions cover membership of Local Authorities, the UK and Scottish Parliaments and the European Parliament. In addition the Local Government Officers' (Political Restrictions) Regulations 1990 provide that terms and conditions of employment are deemed to incorporate additional provisions set out in the Schedule to the Regulations .</p> <p>The Council has a duty to prepare and maintain a list of posts which are deemed to be politically restricted. This List must be sent annually to the Local Government Political Restrictions Exemptions Adjudicator for Scotland.</p> <p>Applicants for posts which are deemed to be politically restricted will be advised of the implications at the time of applying and throughout the recruitment process.</p>

3.4	Impact Assessment					
Equality Characteristic	Impact			Description	Mitigation & Recommendations	
	No Impact	Positive Impact	Negative Impact			
All protected characteristics including Age, Disability, Gender, Race, Religion/Belief, Pregnancy/Maternity, Sexual Orientation, Gender Reassignment, and associated equality themes including Carers, Poverty and Employees.	X			<p>There is deemed to be no impact.</p> <p>These guidelines are intended to ensure fair treatment for all employees of SBC regardless of their protected characteristic. The guidance provides a clear definition of a politically restricted post and identifies the posts that are most likely to fall into this definition.</p> <p>There is no likelihood that this guidance will affect people who share protected characteristics differently from other people. The documentation used is accessible and in clear and plain English.</p> <p>Furthermore given the legislative context it is deemed that this guidance is not relevant to the General Equality Duty, namely the advancement of equality, elimination of discrimination and promoting good relations.</p>		

3.5	Recommendations & Mitigation		
	Characteristic	Mitigation/Recommendation	Approved Yes/No
	General	Council's commitment to equalities is communicated to all	Yes
		Amend guidelines to include: <ul style="list-style-type: none"> • accessible format strapline and version control matrix • Reviewed content throughout to ensure that it is relevant and reflects legislative requirements • List of associated policies/guidance 	Yes
		Cross reference with Disciplinary Procedures for Misconduct and Recruitment and Selection Policies	Yes
		The outcomes of this guidance 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 guidance.	Yes

Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)			
Name:	Clair Hepburn	Directorate:	Chief Executive
Post:	Chief Officer Human Resources	Date:	21/02/17

EIA Completed By			
Name	Iain Davidson	Service Area.	Chief Executive - Human Resources
Post	Employee Relations Manager	Date	13 th February 2017
Name	Simone Doyle	Service Area	Chief Executive - Human Resources
Post	Equality & Diversity Officer (HR)	Date	13 th February 2017
Name	Dee Maclean	Service Area	Chief Executive - Human Resources
Post	HR Business Partner	Date	13 th February 2017