

Equality Impact Assessment

Title of Proposal:	Flexible Working Policy
What is it?	A new Policy/Strategy/Practice <input type="checkbox"/> A revised Policy/Strategy/Practice <input checked="" type="checkbox"/>
Service Area: Department:	Human Resources
Description:	<p>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. Employees also have a legal right to request a change in working arrangements. 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.</p> <p>The reviewed Policy clearly defines several options for flexible working and has been extended to include home working. The revised Policy has also been further strengthened by well defined guidance on the application of the procedures contained within the Policy.</p>

	<p>It must be recognised that the operation of the Policy must fit with the needs of SBC in delivering services.. That can mean that flexible working may not be afforded to all employees. To ensure that the Policy is applied fairly and in line with business needs supporting briefing notes have been formulated and published with announcements made that reinforce the commitment to equalities whilst meeting business needs.</p> <p>The policy also allows a right of appeal against refusals of requests for flexible working.</p> <p>It should be noted that the Policy does not include the Flexitime Scheme/Policy. That Policy is stand-alone and as such has its own Equality Impact Assessment.</p>
--	---

<p>Impact Assessment Note:</p> <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 quickly 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 work -life balance. The impacts are		

				likely to be positive. For those employees who are near the age of retirement the Policy clearly sets out the arrangements and conditions that need to be met for phased and flexible retirement.	
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring		X		Potential positive impact for employees with disabilities where adjusting their work pattern might help them to continue to work. The Policy makes specific mention of protection for those with a disability recognising that employees with a disability may benefit from flexible working. People with limited mobility should be positively impacted by this Policy as home working can assist with overcoming the challenge of travel to the workplace.	
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. This will assist in, for example, employees returning to work after maternity/paternity/adoption leave.	
Race Groups: including colour, nationality, ethnic origins,		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.	

including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)					
People with Religious or other Beliefs: different beliefs, customs (including atheists and those with no aligned belief)		X		Potential for positive impact on employees who may wish to work flexibly in order to observe religious practices.	
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)		X		This Policy recognises that employees who are pregnant or during a period of maternity may benefit from flexible working.	

is for 26 weeks after giving birth),					
Sexual Orientation , e.g. Lesbian, Gay, Bisexual, Heterosexual		X		This Policy is consistent in its approach to the management of flexible working regardless of an employee's sexual orientation.	
Carers (those who have caring responsibilities for someone with an equality Characteristic)		X		This Policy recognises that employees who have caring responsibilities may benefit from flexible working.	
Gender Reassignment (Where person is living as the opposite gender to their birth)		X		Positive potential impact for employees undergoing gender reassignment process where adjusting their work pattern might help them have time to undergo treatment. In addition the Policy statement has been extended to include Gender reassignment as one of the protected characteristics.	
Poverty (people who are on a low income including benefits claimants, people		X		This Policy is consistent in its approach to the management of flexible working regardless of an employee's social status/health inequalities.	

experiencing fuel poverty, isolated rural communities etc)					
Employees (those employed by the Council including full time, part time and temporary)		X		This Policy is consistent in its approach to the management of flexible working regardless of an employee's employment status.	
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.		
Promotion of equality of opportunity?			The Policy as a whole seeks to advance equality of opportunity for and between different protected groups		
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.		

Recommendations & Mitigation		
Characteristic	Mitigation/Recommendation	Approved Yes/No
General	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.	Yes

EIA Completed By			
Name	Iain Davidson	Service Area.	Human Resources
Post	Employee Relations Manager	Date	10 th November 2018
Name	Simone Doyle	Service Area	Human Resources
Post	Equality & Diversity Officer (HR)	Date	10 th November 2018

Signed Off			
Name:	Clair Hepburn	Directorate:	Human Resources
Post:	Service Director Human Resources & Communications	Date:	13 th December 2018