

This template summarises the key decisions/actions taken in the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

Background	
Title of the Policy	Pay Settlement 2016-17
EHRIA Lead Person	Employee Relations and Rewards Manager
Date EHRIA completed	20/08/16
Review date and frequency	30/03/17
Is this a new or revised policy/practice?	New <input type="checkbox"/> Revised <input checked="" type="checkbox"/>

Scoping	
What are the aims of this policy/practice?	<p>The SPS is required to engage with trades unions to find a pay agreement or settlement on an annual or two-yearly basis, this must be within the Pay Policy set by the Scottish Government. In 2016 it is proposed to create an agreement or settlement for 2016-17.</p> <p>The SPS hopes to use the limited resources available to contribute to reducing the gender pay gap by increasing occupational maternity pay; to enhance the rights of fathers by increasing paternity leave; and to reduce wage inequality by increasing the salaries of the lowest paid by at least £400, and at the bottom of the pay scale, by significantly more than this to ensure continued living wage compliance.</p>
WHO did you consult with?	Trades Union Side, Scottish Government Finance Pay Policy, Scottish Government Employment Relations, National FTOs for POA(S), Prospect and PCS. Poverty Alliance.
WHAT did you learn?	Around 1/3 of employees under the Scottish Government earn under £22,000 p/a. The Scottish Living Wage, at £8.25 per hour, equates to an annual salary of £16, 150 Paying the Living Wage allows employees to access the goods and services which most people deem necessary to participate in society. Research also shows that paying the Living Wage can increase staff retention and reduce

Scoping	
	sickness whilst improving morale, productivity and motivation. The SPS pays less occupational maternity and paternity pay than the SG, and a number of other SG agencies.
HOW will this shape your policy/practice?	The SPS will ensure that the pay outcome includes a commitment to paying at least the living wage. Separately, the SPS has gained living wage accreditation – which means that all contractors working on SPS sites (for at least 2 hours per day on 8 consecutive weeks) must also be paid the living wage. The SPS will also reduce conditioned working hours for our non-operational staff group from 42 to 37 hours, which will have an impact on overtime and ex gratia rates. The SPS will also seek to increase occupational maternity and paternity pay.
What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?	Scottish Government evidence finder Women in Whitehall report SG Finance Pay Policy technical Guide Poverty Alliance Living Wage Guide SPS Pay Data 2013/14, 2014/15, 2015/16 – detailing gender, salary, grade and business areas. EHRC reports (Is Britain Fairer?) SPS Equality Pay statement Gender pay gap reports 2013, 2015, SPS pay audit 2014

Impact	
Will the impact and outcomes of the new/ revised policy/practice:	
Contribute to eliminating discrimination, harassment and victimisation? E.g. <ul style="list-style-type: none"> • Raise awareness of our SPS vision and values for equality and diversity • Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity 	POSITIVE: It will contribute to eliminating discrimination, harassment, victimisation <input checked="" type="checkbox"/>
	NO EFFECT: It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/>
	NEGATIVE: It will make discrimination, harassment and victimisation worse <input type="checkbox"/>
Advance equality of opportunity between those who share a protected characteristic and those who do not?	POSITIVE: It will advance equality of opportunity <input checked="" type="checkbox"/>
	NO EFFECT:

Impact Will the impact and outcomes of the new/revised policy/practice:	
E.g. <ul style="list-style-type: none"> Remove or minimise disadvantage Meet the needs of equality groups that are different from the needs of others participation in public life 	It will have no effect on equality of opportunity <input type="checkbox"/>
	NEGATIVE: It will reduce equality of opportunity <input type="checkbox"/>
Foster good relations between those who share a protected characteristic and those who do not? E.g. <ul style="list-style-type: none"> Tackle prejudice Promote understanding 	POSITIVE: It will foster good relations <input checked="" type="checkbox"/>
	NO EFFECT: It will have no effect on good relations <input type="checkbox"/>
	NEGATIVE: It will cause good relations to deteriorate <input type="checkbox"/>
Ensure Human Rights Compliance?	It will uphold human rights articles. <input checked="" type="checkbox"/>
	It will breach human rights articles. <input type="checkbox"/>

Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.

<p>Positive Impacts</p> <p>Protected characteristics affected: Age, sex, pregnancy & maternity, socio-economic groups, human rights</p> <p>Increasing occupational maternity pay will ensure that new mothers are able to take longer paid maternity leave, and are less likely to take statutory maternity leave, thus contributing to decreasing the overall gender pay gap.</p> <p>The SPS' lowest pay point is a non-operational pay point, and there are a higher proportion of female employees in non-operational roles, so the larger increase in this pay point should also contribute to reducing the gender pay gap.</p> <p>Younger people tend to be at the lower end of the occupational ladder, therefore increasing the lowest pay points will assist younger people.</p> <p>Increasing our lowest pay point will also ensure that the SPS remains compliant with the living wage for the next pay year, and the minimum £400 uplift for those under £22k increases the pay of the lowest paid 1/3 of staff.</p> <p>The following Human Rights are also upheld: The pay proposals will afford additional paid time off for parents, which will support their Article 8 Rights to respect for private & family life.</p> <p>The targeting of the proposals towards the lowest paid will also ensure that the SPS contributes towards reducing social inequality. – Article 14</p>
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Positive Impacts

Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, or Equal Remuneration Convention

Articles 6, 7 and 10 of the International Covenant on Economic, Social and Cultural Rights

ILO Convention No. 111 Discrimination (Employment and Occupation) Convention, 1958

Negative Impacts

Protected characteristics affected:

None Identified

Impact	Mitigation

Recommended course of action

Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input checked="" type="checkbox"/>
Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input type="checkbox"/>
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

Summary of Outcome decision and Recommendations

Proceed as outlined above, implementing the low pay measures, additional maternity and paternity pay, as well as 1% increases for those above the low pay threshold, and maintaining progression.

Next steps

- Review of projected outturn to ascertain whether the proposals have been implemented and whether the costings are correct – Employee Relations & Reward / Finance (by November 2016).
- Review of projected outturn To ascertain whether the proposals have been implemented and whether the costings are correct ahead of next pay proposals – Employee Relations & Reward / Finance (by February 2017).
- Equal Pay audit to see understand there has been any effect on equal pay in SPS – Employee Relations & Reward / Finance / Equality & Diversity (Before April 2017).

If you require this document in an alternative format, please contact
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