

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.

<b>Background</b>	
<b>Title of the Policy</b>	Pay Settlement 2019-22
<b>EHRIA Lead (role)</b>	Employee Relations & Reward
<b>Date EHRIA completed</b>	13/09/2019
<b>Review date and frequency</b>	31 <sup>st</sup> March 2022
<b>Is this a new or revised policy/practice?</b>	New <input type="checkbox"/> Revised <input checked="" type="checkbox"/>

<b>Scoping</b>
<p><b>What are the aims of this policy/practice?</b></p> <ul style="list-style-type: none"> <li>The SPS is required to engage with trade unions to find a pay agreement or settlement on an annual or two-yearly basis. In 2019 it is proposed to create an agreement or settlement for 2019/20.</li> <li>The pay settlement date is 1 April 2019.</li> </ul>
<p><b>WHO did you consult with?</b></p> <p>SPS' Recognised Trade Unions, Scottish Government Finance Pay Policy</p>
<p><b>WHAT did you learn?</b></p> <ul style="list-style-type: none"> <li>The Scottish Living Wage is £9.00 per hour, which equates to an annual salary of £17,550.</li> <li>SPS' lowest pay point is currently slightly below this at £17,212 but is subject to an increase following the outcome of 2019 pay award which will exceed the Scottish Living Wage figure.</li> <li>19.4% of all employees in Scotland earn less than the living wage (22.4% for females and 16% for males).</li> <li>The cost of living (as at October 2018) was 2.4%</li> <li>The SG and all agencies employing apprentices, with the exception of SPS, pay at least the living wage from year 1 of apprenticeship.</li> <li>The SPS pays less occupational maternity/adoption/shared parental pay than the SG, and a number of other SG agencies.</li> <li>There are overlaps between the top and bottom points between some SPS Pay Bands.</li> </ul>

**HOW will this shape your policy/practice?**

- SPS will ensure that the pay outcome continues our commitment to paying at least the living wage to those employees in our Main Staff Group, and will this year extend this commitment to our apprentice population; that appropriate measures are taken to reduce the number of employees earning below the Scottish Government’s low pay threshold (set for 2019/20 at £36,500);
- An incremental increase to occupational maternity pay was agreed as part of pay outcome 2018 (an increase of one week in 2019, 2020, and 2021), however this has an impact on pay for 2019, the equality impact is again considered).
- With regards to overlapping pay points, this issue is not created by this revision. SPS are aware that these anomalies exist and will seek to eliminate these through future pay settlements and/or revised pay structure arrangements as part of a wider exercise.

**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?**

- Public Sector Pay Policy for Staff Pay Remits, 2019-20 Technical Guide
- Public Sector Pay Policy 2019-20
- SPS EHRIA Pay Settlement 2018
- SPS Report on Gender Pay Gap, Occupational Segregation and Equal Pay Statement April 2018
- Internal Management Information on Staff Pay
- SPS Mainstreaming, Gender Pay Gap and Equality Outcomes Progress Report 2017 – 20.

**Impact**

Will the impact and outcomes of the new/revise policy/practice:

**Contribute to eliminating discrimination, harassment and victimisation?**

E.g.

- 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

**NO EFFECT:**

It will have no effect on discrimination, harassment and victimisation

**NEGATIVE:**

It will make discrimination, harassment and victimisation worse

**Advance equality of opportunity between those who share a protected characteristic and those who do not?**

E.g.

- Remove or minimise disadvantage

**POSITIVE:**

It will advance equality of opportunity

**NO EFFECT:**

It will have no effect on equality of opportunity

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

<b>Positive Impacts</b> Protected characteristics affected: <ul style="list-style-type: none"> <li>Increasing SPS' lowest pay point will ensure that the SPS remains compliant with the living wage for the 2019-20 next pay year. This will have a positive impact on our reputation e.g. attracting and recruiting prospective candidates.</li> <li>Consolidated pay increases of more than 6% to those earning £36,500 and below will benefit 92% of SPS employees will protect those on lower incomes</li> <li>A large number of SPS employees are on the maximum of their pay band. These are mainly employees who have more than 4 years' service, many who have been on the maximum for a number of years and who are likely to be at the higher end of the age profile spectrum. The limitations of the basic award available under previous Public Sector Pay Policies have meant that this population have received a lower than inflation pay increase in recent years, therefore the one percent non-consolidated award available in addition to the two or three percent increases to the pay band maximum will go some way towards addressing this socio-economic issue.</li> <li>Pay Bands will continue to be underpinned by an analytical, factor based job evaluation system. Such systems objectively value roles on the basis of factors such as knowledge, planning and managing others. Such an objective approach should have a positive impact on all protected groups as the system focuses on the job, as opposed to the person, and can therefore mitigate the risk that subjectivity arises.</li> </ul>
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<b>Negative Impacts</b> Protected characteristics affected:	
<b>Impact</b>	<b>Mitigation</b>

### Recommended course of action

<b>Outcome 1:</b> Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input checked="" type="checkbox"/>
<b>Outcome 2:</b> 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"/>
<b>Outcome 3:</b> 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"/>
<b>Outcome 4:</b> 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

In terms of impact with regard to the General Equality Duty, there is no indication that introducing the Bands will result in less favourable treatment for protected groups, or that this approach will give rise to indirect discrimination.

This EHRIA has no effect on discrimination and has had a positive effect on advancing equalities and fostering good relations.

### Next steps

Proceed as outlined above, implementing the low pay measures, additional maternity/adoption/shared parental pay, as well as 2% increases for those above the low pay threshold, and maintaining progression.

If you require this document in an alternative format, please contact [SPSEqualityandDiversityTeam@sps.pnn.gov.uk](mailto:SPSEqualityandDiversityTeam@sps.pnn.gov.uk)