



Equality and Human Rights Impact Assessment (EHRIA)

Remember! When completing the Equality and Human Rights Impact Assessment ‘policy/practice’ must be interpreted in the widest possible sense to include the full range of SPS policies, provisions, criteria, functions, procedures, practices and activities for employment and service delivery. Please refer to the EHRIA Guidance document when completing the EHRIA.

Stage 1: Background information

To be completed by the person leading the EHRIA	
Title of Policy or Practice:	Flexible Working Policy
Lead Author/Reviewer:	E Fraser/ L Docherty (2019) N Malinowski (2020) R Parker (2021) S Magi (2024)
Date EHRIA Commenced:	January 2024
Date EHRIA Completed:	20/03/2024
Date New/revised policy/practice signed off by Management:	28/03/2024
Date EHRIA actions due for review on:	When the policy and related documents are reviewed, which will be as and when required to reflect changing business and legislative requirements.

Is the policy/practice:	
A new policy/practice	<input type="checkbox"/>
A revised policy/practice	<input checked="" type="checkbox"/>

Are there any other SPS policies that will be altered by the proposed changes?

Please provide details of the policies and changes required. Any policy subject to change due to the introduction/review of this policy should have an EHRIA review undertaken to ensure there are no detrimental impacts on protected characteristics, human rights or socio-economic impact.

Policy Name:

N/A

Changes identified:

N/A

Who is the policy/practice lead?

Please note: the policy lead is responsible for ensuring both the full EHRIA and the Publication version are completed and any reviews undertaken. They are also responsible for ensuring EHRIA's for other policies impacted during this process are completed.

Name

Sarolta Eva Magi

Role

ER&R Manager

Business Area

HR Central Services

Who else is involved in the EHRIA?

Those involved must have a detailed understanding of the policy/practice area and must be in a position to ensure that changes can be made to a developing policy/practice where they are required. It is advisable to seek the support of an Equality & Diversity Manager or practitioner for expert input. The Trade Union Side should be involved in support of the SPS Partnership agreement. Add additional boxes as necessary.

Name

Ellie Bates

Role

ER&R Manager

Business Area

HR Central Services

Name

Phil Thomas

Role

TUS Secretary

Business Area

TUS

Name	Kate Skibtschak
Role	Head of Equality Diversity & Inclusion
Business Area	Organisational Development Directorate

Stage 2: Scoping and evidence gathering

Scoping

Why are you introducing the new policy/practice, or why are you revising an existing policy/practice?

As a result of changes to legislation (effective 6 April 2024), action is needed to bring SPS’ Flexible Working Policy, guidance, and practices in line with the Employment Relations (Flexible Working) Act 2023.

What is the intended outcome(s) and impact of the new policy/practice, or making the changes to an existing policy/practice?

To ensure compliance with current legislation the coming legislation changes effective from 6th April 2024.

Evidence Gathering

Who did you consult with?

(Have you consulted/involved equality groups or other groups who will be affected by the new/revised policy/practice? The Trade Union Side should be always consulted in support of the SPS Partnership agreement. The PGA (Prison Governor’s Association) should be consulted as well. It may also be useful to consult with staff via support networks or with people in custody via focus groups.

Extract from 2021 EHRIA

- Trade Union partners including Prison Officers Association (POA(S)), Prospect, Public Commercial Services (PCS), and the Prison Governors Association (PGA),
- HR Policy Steering Group (including representatives from the Operations Directorate), SPS Management,
- Equality & Diversity team and SPS Network Groups,
- HR Business Partners and HR Assistants group,
- SPS Employment Relations & Reward policy team, and
- Scottish Government policy materials accessed via SPS ER&R

Updates 2024

- Trade Union partners including Prison Officers Association (POA(S)), Prospect, Public Commercial Services (PCS), and the Prison Governors Association (PGA),
- Head of Equality & Diversity,
- HR Business Partners,
- SPS Employment Relations & Reward policy team.

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? How did it shape your policy/practice?

(This could be in-house or external information such as monitoring data; research; surveys; reports; previous impact assessments; complaints; demographics or best practice relating to equality groups.)

Extract from 2021 EHRIA:

Office for National Statistics

- In 2020 there were 19.4 million families, an increase of 1.4% on the previous year, with a 7.4% increase over the decade from 2010 to 2020.
- There were 2.9 million lone parent families in 2020, which accounts for 14.7% of families in the UK;
- The number of people living alone in the UK has increased by 4.0% over the last 10 years; in 2020 the proportion of one-person households was 33.6% in Scotland
- The average household size in the UK is 2.4
- There were just under 50,000 births recorded in 2019 - the lowest number since records began in 1855.
- Scotland's total fertility rate is the lowest in the UK. Since 2008, fertility rates have been declining in all UK countries, with Scotland's falling at the fastest rate. The lowest total fertility rates were found in major cities.
- In 2019, 73% of births in Scotland were to mothers born in Scotland. A further 9% were to mothers born elsewhere in the UK.
- Scotland's population is ageing. The number of older people in Scotland has been increasing for decades and continues to do so.
- Source: [Families and households in the UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/families-and-households)

Scottish Government Report on Carers

- There are around 759,000 adults in Scotland aged 16 and over, providing care to one or more people.
- Women are more likely to view tasks as integral to their existing role rather than as separate "caring"
- Overall 41% of carers are male and 59% female.
- The likelihood of being a carer increases in the age band 55-64.
- Around 12% of women and 9% of men in their early 20's & 30's are carers but for those in their late 50's/early 60's nearly a third of women are carers as are over a fifth of men. Throughout the working years, women are more likely to be carers

than men. This is particularly true for women aged 35-44 age group when women may have pre-school or school age children to look after.

- Source: <https://www.gov.scot/publications/scotlands-carers/>

CIPD (Chartered Institute for Professional Development)

- The CIPD is calling on organisations and government to make the right to request flexible working a day-one right. Source: [Flex From 1st | Campaigns | CIPD](#)
- a [recent Chartered Institute of Personnel and Development report](#) into the impact of the COVID-19 pandemic on flexible working arrangements found that there was a drop in all forms of flexible working arrangements other than homeworking during the pandemic and a significant unmet desire for greater flexibility over working hours and arrangements.

Relevant Case Law

- ***Bryan v Corporate Advertising Ltd ET/2105111/10***: The employment tribunal penalised the employer almost £3,000 for failing to follow the statutory right to request flexible working procedure to the letter,
- ***Singh v Pennine Care NHS Foundation Trust***: The Employment Appeal Tribunal (EAT) held that the tribunal had done just enough to inform the claimant why she had failed to show an incorrect factual basis for the decision to refuse her flexible working request. Claimant argued that it was unjust for the respondent to have refused her request because it could be accommodated by other workers and unfair that others had had their requests granted ahead of her, and they had no children and therefore no childcare issues of the type she faced. The EAT dismissed the appeal. An employer is not bound in law to accept a request for flexible working. What the employer must do, among other things, is base any refusal of such a request on correct facts.
- ***Wolstencroft v Waste Recycling Group Ltd ET/1312573/2009***: A manager's mishandling of an application for flexible working, from an employee who had returned from maternity leave, meant that she resigned and successfully claimed constructive dismissal. Claimed constructive dismissal arguing the employer had expressly breached contract of employment by unilaterally taking away some of her duties and the status that went with them during flex working trial period. The employer predetermined the issue by imposing conditions before they had been discussed or agreed between the parties.
- ***British Airways plc v Starmar [2005] IRLR 862 EAT***. The EAT held that a decision to refuse an employee a request to work 50% of full time, and requiring 75% of full time, was unlawful indirect discrimination. The decision amounted to a provision, which was not justified by the employer on grounds other than sex.

Updates 2024:

The Flexible Working Policy was last formally reviewed in 2021. As a future focused employer, SPS already implemented a number of changes in anticipation of the changing

legislation, and the below table provides a summary of the outstanding changes required to the existing policy/guidance:

Legislative Changes	SPS Actions
a. new requirements for employers to consult with the employee before rejecting their flexible working request.	<p>Minimal change</p> <p>Existing policy/guidance already have a provision for manager to meet with employee to discuss request. The proposal is to change the word 'should' to 'must' to ensure there is no doubt that meeting with the employee is a mandatory.</p>
b. permission to make two statutory requests in any 12-month period (rather than the current one request).	<p>Minimal change</p> <p>Already implemented in 2021 with no restrictions on the number of applications per year, so there is an existing enhanced offering compared to statutory minimum. Wording added to clarify this to Section 6 in the policy.</p>
c. reduced waiting times for decisions to be made (within which an employer administers the statutory request) from 3 months to 2 months.	<p>Change required</p> <p>Our current policy makes a commitment to conclude the full process – including appeal – within 3 months. Due to the reduction in the time (from 3 months to 2 months) in some cases it might become challenging to conclude the process within the given timeframe due to individual / practical / business reasons. The proposal is to maintain the commitment to conclude the full process within 2 months whilst providing a provision for extension where an agreement is reached between management and the employee.</p> <p>Currently there are no other organisations who have updated their policy to reflect the upcoming legislation changes, therefore there was no opportunity for benchmarking. As such when proposed changes were made to the policy, they were done by reducing the existing timelines to match the 2 months deadline.</p>
d. the removal of existing requirements that the employee must explain what effect, if any, the change applied for would have on the employer and how that effect might be dealt with.	<p>Change required</p> <p>The policy and related documentation are to be amended to reflect this change.</p>
e. the right to request flexible working from day one of a new job.	<p>No change</p>

	Already implemented in 2021 update
<p>SPS Key Employee Demographics</p> <p>The composition of the SPS workforce is broken down below (as at April 2023), with an overall headcount of 4562.</p> <ul style="list-style-type: none">• AGE: 4.84% (16y-24y), 26.22% (25y-34y), 21.42% (35y-44y), 21.5% (45y-54y), 23.8% (55y-64y) and 2.21% (65y+).• GENDER: 36.48% (female) and 63.52% (male).• ETHNICITY: 34.3% (white), 7% (undisclosed), 58.2% (no response). The numbers of employees reporting their ethnic status as BAME has remained constant at less than 1% of the workforce population.• DISABILITY: 8.2% of SPS employees declared on e-HR that they have a disability.• GENDER IDENTITY: The SPS does not currently collect data in relation to gender identity of staff.• RELIGION: Approximately 20% of employees have disclosed a religion or belief and 10% have chosen not to disclose their religion or belief. Over 60% of employees have not provided any information. Approximately 10% have advised they have no religion or belief.• SEXUAL ORIENTATION: 65% of our employees have not provided any information on sexual orientation. Of those whose sexual orientation has been recorded, the majority are heterosexual/straight, with less than 2% recorded as gay, lesbian, bisexual or other.• MATERNITY: In 2023, there were 101 maternity cases.• MARITAL STATUS: Over 60% of our employees have not provided any information on marital status. Of those who have provided information approximately 23% have declared they are Married/Civil Partnership.• SOCIOECONOMIC: The SPS does not currently collect data in relation to staff who identify as experiencing, or having experienced, socioeconomic disadvantage. <p>SPS 2023 Engagement Survey</p> <p>This is a Civil Service Survey, completed annually around October/November time and last year, 56% of SPS employees completed the survey. Of those who did:</p> <ul style="list-style-type: none">• 56% of staff knew where to access information and support and 77% of them felt supported by their managers and 9% have a carer passport. <p>Case Law</p> <ul style="list-style-type: none">• In Miss Wilson V Financial Conduct Authority the tribunal found in Miss Wilson's favour in respect of the employer not concluding the request within the statutory decision period, however it found that the FCA's decision to reject Miss Wilson's flexible working request had not been based on incorrect facts.	

<ul style="list-style-type: none">• Mrs Alice Thompson v Scancrown Ltd T/a Manor: the tribunal ruled in favour of the employee who made a flexible working request so that they could finish work early, in order to pick up their child from nursery, and work a four-day week but had her request refused by her employer. The tribunal awarded the claimant almost £185,000 in compensation.• A recent analysis shown that the number of employment tribunals which are citing remote working (which were requested via Flexible Working Requests) has increased by 50% in 2022 and they equate to 42 cases. In the first half of 2023 there were 25 cases which projects further increase to the number of tribunal cases (the total number for year 2023 is not available at the date of the decision log). <p><u>Leading statutory authority:</u></p> <ul style="list-style-type: none">• Employment Rights Act 1996• Equality Act 2010• Employment Relations (Flexible Working) Act 2023• The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (SI 2000/1551)
<p>What did you learn from your evidence-gathering exercises?</p> <p>The minimal changes required to be made are further supporting and improving the impact of the Flexible Working Policy.</p> <p>Flexible working remains the future, whether mandated or not. Businesses are likely to see a significant increase in flexible working requests due to the changes brought on by the Covid pandemic.</p> <p>The policy remains critical to those employees with caring and parental responsibilities who may be seeking flexible working to enable them to achieve the balance for those in their care and work responsibilities.</p> <p>This policy impacts on a number of the 9 protected characteristics within the Equality Act 2010 which remains status quo after the update.</p> <p>Implemented well, the policy can support women returning from maternity leave. The guides promote and normalise the idea that employees returning from maternity leave may want to review their work pattern to accommodate caring responsibilities.</p> <p>The policy can have a positive impact on gender reassignment by providing support for employees who may need flexible working arrangements during their transition.</p> <p>It may help employees balance work and aspects of their personal life, including religious practices such as observing Ramadan or prayer rituals.</p> <p>It can have a positive intersectional impact. Recognising that disabled women face multiple barriers, supporting disabled women with flexible working can help them manage their conditions and caregiving responsibilities. Flexible working can support victim-survivors of gender-based violence by allowing changes in work pattern or location. Minority ethnic women and migrant women may lack a local family support network, making flexible working policies particularly beneficial.</p>

The cost of an employment tribunal case could be significant. Those cases where the employer complied with the Flexible Working Request in line with the organisational policy and current legislation are less likely to succeed. To mitigate the risk of employment tribunal claims and potential costs arising from them, SPS should ensure that all flexible working requests are considered in full and in line with the organisations policy. Therefore, updating the policy, the guidance and other supportive documents is imperative to ensure compliance.

Implementing the reduction of the timeline from 3 months to 2 months would have a number of benefits for the employees. Knowing the outcome of their request sooner will enable them to plan their individual circumstances and make adjustments in lines of said outcome. Flexible working arrangements could enable of enabling staff who have caring responsibilities to remain within the working environment whilst balancing their requirements for supporting family. It could enable staff with parental responsibilities to stay at work where their families might not have the financial cover for additional child care costs. It could also enable staff with disabilities to have flexibility in relation to travel to work by avoiding travelling during peak time periods.

How will this shape your policy/practice?

All staff have the right to request flexible working from day one, this policy has used language designed to make the revised policy inclusive of all SPS employees.

The policy will be relevant to a wide audience within the SPS which has a duty to make the information available in an accessible format. Individuals with visual impairments were considered in the formatting and layout of the policy.

The approach SPS takes to flexible working and how it is communicated to counter the perception of “it’s too hard”, through introducing improved guidance to managers in the form of an updated checklist, and through the use of inclusive language throughout to encourage all requests for flexible working are considered in an open and transparent manner in line with the statutory position.

The awareness-raising measures amongst line managers in particular which will be captured in the Training Needs Analysis including the need to issue a comms message at the re-launch stage emphasising the policy is open to all staff.

How the SPS monitors the consistent and fair application of the policy. Local HR Teams will continue to be required to record the outcome of flexible working applications to ensure we have a clear audit trail for monitoring purposes.

The wording of the revised Policy/Guidance has been designed to support managers applying the policy in the form of a checklist to encourage them to think creatively about options to meet requests for flexible working, in an attempt to change the culture of perceiving flexible working as incompatible with shift work, and that managers don’t genuinely apply the policy/give their request serious consideration

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Stage 3: Identifying impact/outcomes

The Public Sector Equality Duty – will the impact and outcomes of the 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? 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. 	POSITIVE: It will advance equality of opportunity <input checked="" type="checkbox"/>
	NO EFFECT: 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"/>

Fairer Scotland Duty 2018 - Socio-Economic considerations	
Will the policy reduce inequalities of outcome as outlined within the Guidance Document?	
It will take steps to reduce socio-economic inequalities.	<input checked="" type="checkbox"/>
It will make no impact on reducing socio-economic inequalities.	<input type="checkbox"/>

Human Rights	
European Convention on Human Rights	
Article 2	Right to life (e.g. suicide prevention)
Article 3	Prohibition of torture (e.g. person unable to consent)
Article 4	Prohibition of slavery & forced labour (e.g. safeguarding vulnerable people)
Article 5	Right to liberty & security (e.g. security procedures)
Article 6	Right to a fair trial (e.g. disciplinary procedures)
Article 7	No punishment without law (e.g. disciplinary procedures)
Article 8	Right to respect for private & family life (e.g. access to family)
Article 9	Freedom of thought, conscience & religion (e.g. sacred space)
Article 10	Freedom of expression (e.g. whistleblowing procedures)
Article 11	Freedom of assembly & association (e.g. trade union recognition)
Article 12	Right to marry (e.g. pregnancy)
Article 14	Prohibition of discrimination (e.g. protected characteristic groups)
Protocol 1 Article 1	Protection of property (e.g. staff/prisoner property)
Protocol 1 Article 2	Right to education (e.g. accessible information)
International Covenant on Economic, Social and Cultural Rights. Rights to: Work in just and favourable conditions Social protection An adequate standard of living The highest attainable standards of physical and mental health Education	
It will uphold human rights articles. <input checked="" type="checkbox"/>	
It will breach human rights articles. <input type="checkbox"/>	

Stage 4: Analysis of impact/outcomes

This new/revised policy/practice will have an impact/outcome on one or more of the 3 main duties of the Public Sector Equality Duty, Socio-Economic considerations as defined within Fairer Scotland Duty 2018 and Human Rights articles for people in custody or staff. Use the

sections below to detail the impact, and justify your assessment using the data and evidence you have already gathered (via statistics, consultation, etc.)

Positive Impact or Outcome

How does the new/revised policy or practice reduce barriers or issues for people with protected characteristics/Reduce discrimination/harassment or victimisation against any equality group/Have a positive impact on community relations internally and/or externally/Support any equality groups’ access to a service or any other aspect of prison life/Reduce any equality group entry or progression as a member of staff, breach human rights articles or Reduce the socio-economic barriers experienced by our staff, those within our care, and those we come into contact with?

Protected Characteristics (*Detail the specific impact on each protected characteristic you have identified*)

This reviewed policy continues to support SPS employees' ability to apply for a range flexible working arrangements across the service. This is in line with good practice and legislative requirements, and ensures SPS is taking positive actions that ensure no staff are treated unfairly under the Equality Act 2010.

Expectant and existing parents will have a particular interest in flexible working patterns available to them on their return from maternity, shared parental leave, adoption leave (including parents who have been fostering with the intent to adopt their child), or during their career thus this policy will provide updated advice and clarification to members of the protected group Maternity and Pregnancy. Expectant mothers typically fall into the age category 16 – 45 thus the updated Policy will be of particular relevance and interest to this age group.

Alternatively, those with carer responsibility typically affect the older workforce thus employees in the age category 50 – 59 and 60+ will also have a particular interest in the updated policy.

However, regardless of age as all employees are entitled to make a request under the Flexible Working Policy and so will be of interest to all staff. The aim is to make the advice and guidance accessible to all, to eliminate discrimination, advance equal opportunities and foster good relations.

The policy may promote good relations among and between different age groups and between disabled and non-disabled people. The policy minimises the perception of a hierarchy of need by recognising that employees have diverse needs and reasons for requesting a flexible work pattern. It moves away from the traditional focus on flexibility associated with family friendly and employees with children. Instead, the policy makes the request for flexible working options available to all employees.

In addition, as parents, carers or employees in general may have changed or be changing their gender the aim is to make the advice and guidance accessible to all, to raise awareness through the language used that we cannot make stereotypical assumptions based on gender in relation to parenting. The revised policy seeks to make it clear that the policy applies equally to all employees regardless of gender or sexual orientation and that inclusive language is used throughout to reflect this. On an annual basis the SPS completes the Stonewall Workplace Equality Index which includes a measurement whether policies use terminology which is explicitly inclusive of LGBT employees.

As noted above those with childcare responsibility will be interested in the updated Policy. The quantitative data reflects that the majority of children in Scotland live in a married/cohabitating family therefore this policy is directly relevant to the marriage and civil partnership group. However, the language used in the revised policy has been designed to be inclusive to make the information accessible and relevant to all employees.

All staff regardless of sexual orientation will benefit from the updated policy and procedures. The revised Policy seeks to make it clear that the policy applies equally to employees regardless of sexual orientation and that inclusive language is used throughout to reflect this.

The new policy will be presented in a format which will make it more accessible to individuals with visual or other impairments which make reading difficult.

<p>Socio-Ecomonic Considerations:</p> <p>The SPS continues to provide in excess of the statutory provisions for flexile working applications by not limiting the number of them within any 12 months period. This supports staff to fully engage in the process regardless of their financial situation and have the ability request a flexible working that suits best to their other commitments.</p>
<p>Human Rights:</p> <ul style="list-style-type: none">• This policy takes cognisance of the articles set out in the Human Rights Act and seeks to uphold these, and in particular:<ul style="list-style-type: none">○ Article 8 - Right to respect for private and family life, home, and correspondence.○ Article 14 – Prohibition of discrimination (e.g. protected characteristic groups)• The policy will be monitored on an ongoing basis to ensure that there is no breach of Human Rights in its application.

<p>Negative Impact or Outcome</p> <p><i>Please detail any negative impact identified through your evidence gathering and consultation on equality groups or human rights. Please also indicate whether there are negative implications for groups experiencing socio-economic inequalities.</i></p>
<p>Protected Characteristics: <i>(Detail the specific impact on each protected characteristic you have identified)</i></p> <p><u>Gender:</u> SPS has a legal requirement to have specific numbers of staff at work to ensure compliance with Prison Rules. There is a potential that this might an impact on the decisions made by managers when they are considering the submitted flexible working requests. In some cases the operational requirements might not allow approval of the requests. Given societal expectations for women to undertake the majority of care giving, there is a risk of sex discrimination.</p>
<p>Socio-Ecomonic Considerations:</p>
<p>Human Rights:</p>

Mitigation

Any aspect of the policy/practice that has a negative impact must either be mitigated to a reasonable, objectively justifiable level, or abandoned altogether if this is not possible. Please detail the steps taken to mitigate above negative impact

The potential impact of managers not agreeing to flexible working requests due to operational requirements could be mitigated by supporting and educating managers to consider flexible working within the context of the overall organisation not just their local establishment. There may be opportunities elsewhere in the organisation where the request could be supported as it would be suitable for both SPS and individual requirements. Managers are encouraged to consider the requests in a wider organisational context and to take use of considering alternative arrangements and the use of trial periods.

Stage 5: Identifying options and course of action

Select relevant outcome:

Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified. ☒

Policy/practice addresses the intended outcome and is positive in its language and terminology. It advances equality and human rights as well as fosters good relations.

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. ☐

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). ☐

Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified. ☐

Summary of outcome decision and any other recommendations

The updated policy addresses the intended outcome and is positive in its language and terminology. It advances equality and human rights as well as fosters good relations. It is a legal requirement to bring the policy and related documents up to date with the legislation changes coming in force on 6th April 2024.

Outcome is to launch revised policy. Research and consultation undertaken through the update indicates the amendments will have a positive impact.

The identified potential negative impact in relation to balancing the operational and individual requirements are mitigated by supporting managers and encouraging them to give consideration to the request in the context of the wider organisation.

Therefore, the recommendation is to publish the updated policy & related documents.

Inclusive Communications

What consideration have you given to the communication needs of those who will be impacted by your policy/practice, and what steps are you taking to ensure your policy/practice will be easily understood by them? For example, accessible formatting of document, alternative formats such as Plain English, Easy Read, foreign language translations, BSL translation, etc. Your local E&D Manager will be able to advise on options available for Easy Read and translations through SPS' procured translation services.

The updated policy, guidance and related documents will be published on SharePoint and therefore will be available to staff in various fonts and text sizes and using assisted technology.

Individuals who have identified neurological requirements are supported by relevant technology (ie Dragon) to assist with their understanding of the documents.

Terminology used in the documents is sense checked for ease of understanding for all staff.

Outline plans to action and review the impact of the new/revised policy/practice. <i>Note: any evidence that raises concern would trigger an early review rather than the scheduled date. Indicate if there is any data which needs to be collected as part of action to be taken and how often it will be analysed. Indicate how the person responsible will continue to involve relevant groups and communities in the implementation and monitoring of the new/changed policy/practice.</i>	
What:	<ul style="list-style-type: none">• Anecdotal feedback from HR Teams, Trade Unions, Line Managers, recruitment panels, candidates.• Analytics on interactions with SharePoint policy page.
Why:	To monitor for unexpected negative consequences and identify opportunities for improvement.
Who:	ER&R
When:	As & when needed.
Name of lead:	Sarolta Magi
Date:	20/03/2024

Please refer to the [Guidance document](#) for details of publication requirements.