

Equality Impact Assessment

Career Development Gateways



May 2018



Equality Impact Assessment form

Date of assessment
May 2018
Title of policy to be created (or changed)
Career Development Gateways Process
What is the policy intended for?
<p>This Process articulates how colleagues in Pay Bands 1 and 2 can apply to progress through Career Development Gates (CDGs). Passing through a CDG includes access to a higher pay zone. The overall aim of the Process is to encourage career development and improve how individuals can directly influence and control career planning. This should assist Audit Scotland's ability to ensure that workforce development meets the business challenges ahead.</p> <p>Available documentation has been made available for the purposes of this assessment, namely: -</p> <ul style="list-style-type: none">GuidanceProcess OverviewSubmission FormQuestions and AnswersPanellist TrainingPanellist Skills and Competencies
In relation to the general equality duty and the protected characteristics, which issues or groups do you think would or could be affected and how? Be specific
<p>Note: Data referred to below is from Audit Scotland's most recently published Mainstreaming Equality Report 2017</p> <p>Age: The age group with the highest percentage of incumbents is between 35-49 (39%), followed by those aged over 50 (32%). There are comparatively fewer staff members from younger age groups. In general terms, there can be negative attitudes based on stereotypes of older or younger people. Older people may be perceived as being negative about change, or not confident in learning new processes. There is also a risk that older people may be perceived comparatively as not being motivated by career progression. Similarly, there can be external societal stereotypical assumptions made about younger people, for example, about "millennials".</p>

Disability: 3% of staff at Audit Scotland have declared that they have a disability. It is anticipated that the actual percentage may be higher given the fact that the percentage is considerably less than the Scottish population (it is estimated that approximately 10% of people in Scotland who are economically active have a disability). Having a disability can be perceived as a barrier to career progression. For example, people with mental health issues may feel that their job prospects would be curtailed if they were to disclose a mental health condition.

Gender Reassignment: No staff at Audit Scotland have disclosed that they have undergone or intend to undergo gender reassignment. Issues which could affect trans people with reference to career progression include the fact that they may undergo gender transition therapy which could affect attendance at work.

Pregnancy or Maternity: From February 2017 - February 2018, 5% of staff have declared that they are pregnant or/and have taken maternity leave. Research by the [EHRC](#) in 2016 showed that 77% of mothers had a negative or possibly discriminatory experience during pregnancy, maternity leave, and/or on return from maternity leave. 50% of mothers reported a negative experience with regards to career opportunities.

Race: 7% of staff are Black or Minority Ethnic (BME). There can be negative stereotypes about BME people in the workplace, and employers should aim to be objective and aware that unconscious bias can occur. It is also important that BME staff are adequately supported in their career development as it is known that negative assumptions can affect career progression.

Religion or Belief: 6% of staff have declared that they affiliate with a minority religion. There is little available external qualitative evidence which looks into career progression and religion or belief. [Research by ACAS](#) shows that discrimination over terms and conditions of employment was a major theme of religion or belief tribunal cases. Typically, the claims related to an employer not accommodating the religious needs of claimants, for example relating to annual leave, while meeting the needs of other religion or belief groups. Examples are given of pressure to put to work routines before religious needs and to conform to standard based on Christian employees. It is also known that there can be issues of religious segregation in Scotland, and that there can be negative societal attitudes towards minority religions.

Sex: 48% of staff are male and 52% are female. There is evidence that women are more likely than men to experience sexual discrimination in the workplace. Women are also more likely than men to be primarily responsible for child care and this can affect flexibility. In considering issues related to sex and career progression, there can be an overlap with pregnancy or maternity.

Sexual Orientation: 2% of staff have declared that they are lesbian, gay or bisexual (LGB). An [LGB Survey](#) published by the European Agency for Fundamental Rights in 2014 found that 19% of employed LGB people in the UK experienced discrimination while at work, including having experienced detrimental prospects with regards to developmental opportunities.

Did you need to obtain further information? If yes, how did you do that?

It was not necessary to obtain further information about the protected characteristics of staff at Audit Scotland as it was readily available. Additional research was carried out as produced above to consider specific issues which may affect protected groups.

What do you conclude is the potential impact on these areas?

Distinctive elements of the CDG process have been extrapolated below along with an assessment of how each element shows due regard to the General Equality Duty.

Application to go through a CDG: CDG submissions are instigated by the staff themselves, which assists them in controlling and pacing career progression. This should mitigate the risk of discrimination as it means that staff can choose the timing of application to suit their personal circumstances, which is particularly important for some protected groups (for example, someone who has recently returned from maternity leave).

Supporting Staff through the process: Support is available for staff to ensure that they are prepared for the process, including managers' feedback and coaching. This support will be tailored to the needs of an individual, and it is anticipated that will advance equality of opportunity by meeting the needs of different groups.

CDG documentation: A wide range of resources are available to staff to assist them with understanding the CDG process. The resources are clearly expressed, accessible and comprehensive, which should promote collaboration and information sharing. The Submission Form clearly sets out the criteria to advance through the Gates and provides that staff can decide the format of a portfolio of evidence. This should advance equality by meeting the needs of different groups (for example, someone with a disability could have anxiety about doing presentations and may prefer not to. Alternatively, someone may have a learning difference which affects their written work, and may prefer to use verbal evidence)

Gateway Requirements and Consideration: There are 3 criteria for passing through a Gateway, namely individual career interests, work availability and affordability. Staff are required to submit evidence on a range of categories. The use of an evidence-based approach should reduce the risk of discrimination occurring as decisions will be informed by objective evidence. Objectivity in decision making processes is essential to ensure fairness and avoid the risk of unconscious bias. Categories of evidence are commented on below:

- capability in the next Zone (consistency/frequency): the Band Profiles detail the responsibilities, knowledge and experience expected in each Zone. This should assist with ensuring objectivity of evidence.
- desired behavioural qualities: these are - self-awareness; team work; proactive and continuous learning. In terms of equality impact, these behaviours can be described as neutral as it is not anticipated that they will result in differential impact for protected groups.
- corporate citizenship: applicants should demonstrate an awareness of and contribution to corporate objectives and/organisational initiatives or improvements. Audit Scotland's Digital Services enable staff to take part in corporate activities or other organisational opportunities through digital media such as facetime, Skype and video conferencing. This should assist with removing or minimising disadvantages for protected groups, for example, women who work part time, or people with limited mobility.
- contribution in the next Zone: it is not anticipated that this category will result in differential impact for protected groups.
- development areas: this gives applicants an opportunity to consider support to make transition successful. The provision of individualised support should reduce the risk of less favourable treatment and could also encourage increased participation of protected groups.
- identification of improvements and innovation: it is not anticipated that this category will result in differential impact for protected groups.
- work availability and affordability: the documentation confirms that this decision will not be taken unilaterally by managers but instead collaboratively with staff. This should assist with achieving objective, evidence-based decisions.

Panel approach and remit

Where possible, the Panel will have a gender mix. This should assist with mitigating the risk of sex discrimination. Initial enquiries are carried out to identify neutral panel members, and individual also has the opportunity to provide input on the fairness and objectivity of potential panel members.

Panellists must demonstrate specified skills, many of which are relevant in the prevention of discrimination. Panellists are advised to acknowledge that unconscious bias can occur, and the skills specify equality of treatment. Another relevant specified skill is being analytical and using an evidence-based approach. Such objectivity should reduce the risk of less favourable treatment for groups. An empathetic approach is also specified, which should result in a better understanding of the circumstances of individuals. Panellists are also advised to avoid dominance, and instead must listen and take into account the views of other panellists. This should result in decisions being challenged if they are thought to be inappropriate, which in turn should assist in levels of confidence that decisions are fair, evidence based and transparent.

All panellists have received training which emphasised that an objective, evidence-based approach is crucial, and that panellists should acknowledge the risk of unconscious bias and take meaningful steps to avoid it impacting the decision-making process. Different types of bias were explored, including confirmation bias and the "expectation anchor". This should assist with ensuring that the decision-making process is fair and does not discriminate against protected groups.

Panel Decision: The Panel reconvenes to decide if there is enough evidence to go through the Gateways. The outcome of the decision will be that there is sufficient evidence; needs more evidence; or no evidence. Given that support is provided in the preparation of submissions, it is unlikely that there will be frequent "No Evidence" decisions. A meeting is arranged between the lead panelist, the individual and their manager where they are given the full feedback and a Development Report which details the strengths of the submission and the areas for development.

If the Panel decide that the applicant needs more evidence, applicants are given the opportunity to meet again at an agreed point in the future to act on feedback. Managers are responsible for supporting individuals' development plans and helping to source career development assignments and opportunities. Developmental opportunities are tailored to the individual and will take into account individual needs and preferences. This should complement the advancement of

equality as it should meet the needs of different groups. Tailored developmental opportunities should also assist with removing or minimising disadvantages faced by protected groups.

Quality Assurance

The proposed quality assurance of the CDG process should assist with minimising the risk that the process could result in less favourable treatment for protected groups. After each Gateway meeting, HR&OD will ask the individuals and the Panellists for their feedback on their experience including what worked well and how the process could be improved. It is anticipated that these discussions will help flag up any concerns of unfairness or bias, and that action can be taken to address such concerns. Effective use of feedback from individuals will complement the General Equality Duty as it will assist Audit Scotland in better meeting the needs of different groups.

A member of HD&OR will be present when the Panel members review a CDG submission. This acts as another check that the process is fair and evidence based.

An After Action Review takes place after CDG which captures learning and considers continuous improvement. There will be regular Panellist reviews and a formal review will take place 12 months after implementation. This review will involve PCS and the outputs will be submitted in a report to the Management Team. HR&OD will collect equality data on the individuals requesting a Gateway Meeting and on the results.

What will you do now?

There is good evidence that Audit Scotland has consciously paid due regard to the General Equality Duty in the design and development of the CDG process. As shown above, measures to ensure objectivity, mitigate the risk of discrimination and avoid bias are incorporated throughout.

Audit Scotland is also obliged to consider what it could do to better meet the General Equality Duty. It may be prudent to ensure that equality is kept high profile in this process, and embedded in the review system. Achieving this aim could be assisted by:

- ensuring that each feedback session explores whether the applicant feels that he or she has been treated fairly/objectively
- ensuring that reminders of the importance of CDG Panellist Skills are regularly issued
- specifying equality, diversity and the avoidance of unconscious bias as success criteria in the formal review process
- ensuring that the equality data is used to monitor equality impact, and that further consideration of how to better meet the General Equality Duty takes place following analysis of the data.

Date 1 May 2018

Signature

C Tracy Bray