EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/ practice/ process/ service:

Interim Approach to Work Policy

Is the policy new (proposed), a revision to an existing policy or a review of current policy?

This is a reviewed policy (Review of the Return to Work Policy).

Key findings from this assessment (or reason why an EqIA is not required):

There are potentially positive impacts from allowing staff to return to the office.

Potential negative impacts are mainly around the perceived or actual link between reasons for return to office and protected characteristics.

The use of personal and place based risk assessments mean that a person's individual circumstances can be taken into account within the policy.

Summary of actions taken because of this assessment:

No major change required.

EqIA to be reviewed and updated with evidence from test and trial initiatives and from other information sources available while we work to develop our long term approach.

Ongoing actions beyond implementation include:
Guidance for managers to be reviewed and updated.

Lead person(s) for this assessment (job title and department only):

Project Manager, Projects Office and Policy Projects Manager, Policy and Development

Senior responsible owner agreement that the policy has been fully assessed against the needs of the general duty (job title only): Director of Corporate Services and Accounts

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Publication date (for completion by Communications):
16/08/2022

Document control

Document control:	EQIA DANWE rtw V0.12	
Date policy live from:	16 August 2022	
Review/ Approval Group:	Designing a New Working Environment Project Board	
Last reviewed:	August 2022	
Review cycle:	6 Months	
Document change log		
Version/ Author	Date	Comment
V0.1 – V0.6	Summer 2020 to December 2021	Drafts developed and reviewed by DANWE project board and team as policy developed
V0.7	January 2022	Draft developed for review of final policy
V0.8	February 2022	Draft developed for approval by DANWE PB alongside revised policy
V0.9	March 2022	Draft updated following DANWE PB discussion
V0.10	August 2022	Updated with policy decision after further consultation with staff and union. No Equalities impact was found with the change to the policy
V0.11	August 2022	Updated to reflect the final version of the policy
V0.12	August 2022	Updated following PB comments.

Step 1 – Framing the planned change

Discussing step 1 and step 2 with the Corporate Policy Officer (Equalities) at an early stage will help identify appropriate evidence. This may include support from the wider Policy and Development team.

1.1 Briefly describe the aims, objectives and purpose of the policy/ practice/ process/ service. *You can use the information in your project specification, business case etc.*

The Return to Workplace policy sets out our current approach towards managing staff in relation to their working environment. This policy bridges the gap, between the current interim policy and a longer-term approach, by using the final phase of the RTW policy while making it clear that this policy is interim while we develop our long term policy.

In brief, our policy is that there are no restrictions currently in place to stop anyone attending the office as often as they wish or are required to for work. Office space should be utilised where the delivery of core services cannot be delivered from home, or our buildings are open to the public to access our public services, or where the quality of our services is improved or an improvement to productivity can be demonstrated by delivering them from the office environment. The offices are available where the employee wants to work in a non-home location.

The policy objectives recognise the importance of delivering on our Mission during this pandemic whilst seeking opportunities to improve– aligning with Strategic Objective 1: Deliver a high quality user focussed service. They also support our equality outcome: SLAB employees maintain good mental and physical health during the covid-19 pandemic and recovery phase.

The implementation of the policy and managing the return to the office is intended to enable us:

- To protect public health and the health and safety of our employees
- To deliver high quality services within the constraints of the COVID19 emergency
- To build capacity to provide high quality services at each stage of a public health emergency
- To increase resilience of service delivery in the event of any future emergency
- To ensure we consider any opportunities to make lasting changes to service design, which help us meet our strategic objectives and perform our public sector equality duties

1.2   Why is the change required? *Legislative, routine review etc.*

As the impact of Covid-19 has reduced, we required to review the RTW Policy to reflect the current environment.

1.3   Who is affected by this policy/ practice/ process/ service? *Be clear about who the 'customer' is.*

This policy statement applies to all employees regardless of location of office base or contractual status. It applies equally to contractors.

1.4   Policy/ practice/ process/ service implementation date e.g. *project end date, date new legislation will take effect.*
16/08/2022

1.5   What other SLAB policies or projects may be linked to or affected by changes to this policy/ practice/ process/ service?

The Interim Approach to Work policy is related primarily to the flexible home working policy, which governs how we work between office based and home working, by suspending part of it, and the health and safety policy (which governs home/office risk assessments and associated guidance), as well as a range of other Human Resources, Finance and Information Systems policies.

Step 2: Consider the available evidence and data relevant to your policy/ practice/ process/ service

2.1   What information is available about the experience of each equality group in relation to this policy/ practice/ process/ service?

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
General	1. Coronavirus (Covid-19) – prolonged home working for Scottish Government staff: equality impact assessment 2. Audit Scotland (EqIA)	Hybrid working or working from home on a part or full-time basis can have positive as well as negative impacts on most protected characteristics. Whilst working from home can help limit risk of infection, protect more vulnerable individuals, provide more flexibility, improve work-life balance, it can also have a negative impact, such as a lack of collaborative physical environment, individuals feeling isolated and increased stress. (1) Further challenges related to hybrid working and ongoing working from home might include a perceived loss of vital support from the organisation or colleagues, feeling isolated and a decrease in mental health. Other concerns may include health issues, juggling caring responsibilities, working in new ways, as well as staff lacking in correct equipment or space to work effectively. However, positive impacts may be that working from home/hybrid approach presents a more inclusive work environment, by individuals being able to work where and how it suits them best, improved work/life balance and reduced travel which leads to more time and less expense.(2)
Age	3. Staff Demographics in annual report 4. CIPD	Our employees are clustered around the middle age ranges with fewer employees aged <=24 years and 65+ years (both <5%). Around a third of our employees are aged 45-54 years (30-35%) and our next largest age group is 35-44 (25-30%).

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
	5. **National Records Scotland** 6. **Public Health Scotland** 7. **CIPD working lives Scotland 2021** 8. SLAB Staff Work Place Survey 9. **Kadence research** 10. **Younger workers fear loneliness form long-term home working** 11. **LSE survey of London flatshare homeworkers** 12. **ONS analysis of attitudes towards the future of homeworking (2021)** 13. **Coronavirus (COVID-19): health and social impact assessment** 14. SLAB staff internal data	Proportionally, our age demographic is similar to the 2019 Scottish population in employment. The main difference is across the lower age ranges where we have <5% aged <=24 years and 10-15% aged 25-34 years compared to the 2019 Scottish population in employment which is 11.9% aged <=24 years and 23% aged 25-34 years. The mean employee age is 46 years; a slight increase from 45 years in 2019/20. (3) We know that older people are more likely to have a serious illness if they contract coronavirus. A higher proportion of SLAB employees are aged 45 and over compared than the national figure of 46%. (3) (4) (5) (6) Younger employees are more likely to experience isolation and may wish to be in an office. (9) 67% of younger workers have said that they found it harder to make friends or to maintain relationships with colleagues since working from home. In comparison, the older generations have noticed less of an impact on their work relationships. Research from hybrid work found that continuing to work from home is likely to exacerbate the social disconnect for younger workers and negatively impact their productivity levels. 70% fear they will miss out on job opportunities to socialise if working from home becomes a permanent situation. Collaborating with colleagues and being able to socialise is seen a lot more important by the younger generation, compared to the older one. (10) Younger people's mental health was more at risk early on in the pandemic. (13)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		Older workers are more likely to report better mental health (65% of those 55+ report good mental health, compared with 42% of those aged 25–34). (5)
		Young people may have less suitable working environment if they are living in parents' homes, shared accommodation or flats with limited room space for working at home. (11)
		Young people are the only age group to report more distraction when working from home and were less likely to report an overall positive view of homeworking. All age groups reported that it was harder to work with others when working from home. (12)
		Fewer than ten staff recorded Covid-19 sickness absence. Such low numbers cannot be analysed by age. (14)
		The % of total SLAB staff who declared some form of caring responsibility is 30-35%. 20-25% of SLAB staff have child care responsibilities only; <5% care for an adult only; and <5% have responsibilities for both a child and adult. (14)
Disability	1. **Staff Demographics in annual report** 2. **CIPD** 3. **Public Health Scotland** 4. **People management**	15-20% of employees who completed their equality record declared a disability or long term health condition. This level remains higher than the 2019 Scottish population in employment figure of 13.8% but lower than the 25.9% of people with a disability in the general population. (1) We carried out a staff survey in 2021,

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
	5. **Scottish Health Survey** 6. **Mental Health Foundation** 7. **ACAS** 8. **Coronavirus (COVID-19): health and social impact assessment** 9. **SLAB staff workplace survey 2021** 10. **Disabled workers flexible working** 11. **Going back to the work environment (Mental Health Foundation)** 12. **SLAB staff internal data** 13. **A rapid review of mental and physical health effects of working at home: how do we optimise health?**	where the number of respondents identifying themselves as having a disability, long term illness or long term condition was 20-25%. (9) We know that people with disabilities are more likely to have a serious illness if they contract coronavirus. (2) (3) The Scottish Health Survey 2018 states 32% of Scottish Adults have a long term mental or physical health condition or disability. (5) Severe illness from COVID-19 disproportionately affects individuals with disabilities, their carers or families. (2) (3) (8) There are legal duties to take extra steps to keep people safe who have been identified as clinically extremely vulnerable. (7) In general, when working from home disabled staff may have a lack of reasonable adjustments, such as an accessible desk, chair or equipment to take part in video calls. However, employees with disabilities report a range of positive impacts from working from home and 90% wish to continue doing so some of the time. (11) Our staff survey showed that the majority of those with a disability (82%) would prefer to work from home at least some of the time in the short term (once offices can open safely) and the long term (once the pandemic has ended). However compared to people without a disability, people with a disability are more likely to want to be office based in the short or long term future; 14% compared to 7% of those without a disability. (9)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		Staff responses to the health and safety questionnaires indicated that 25% requested equipment to meet their needs. (10)
		The Mental Health Foundation indicates 1 in 6 adults experiences a common mental health problem, such as anxiety or depression. (6)
		A recent employment tribunal found indirect discrimination arising from a return to workplace policy for a carer of a relative with a disability. (4)
		Staff will have varied experiences of working from home and have a range of views on returning to the workplace. Staff involvement in planning, emphasising support available and enabling flexibility to take into account individual circumstances will be important to reducing anxiety and improving wellbeing. (11)
		Fewer than ten staff recorded Covid-19 sickness absence. Such low numbers cannot be analysed robustly by disability. (12)
		Several studies have been conducted on working from home and the impact it has on employees' mental health. The findings were complex and the impact of working from home on an individual's mental and physical health vary considerably. Prolonged working from home can have both positive and negative impacts. Results showed that impacts vary according to the demands of home working, level of organisational support, as well as social connections. In some instances, working from home can increase work load, lead to a perceived loss of privacy and a feeling

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		that individuals are expected to be constantly in electronic contact with work. Those working more from home may experience increased exhaustion, lower social support, lower feedback and cognitive stress. Social interactions, support from colleagues and communication overall are shown to have a great positive impact on an individual's mental health and wellbeing. Positive aspects of working from home were lower levels of stress, due to not being in a stressful office environment, less emotional exhaustion and cognitive stress, if support from colleagues was received. (13)
Race	1. **Staff Demographics in annual report** 2. **CIPD** 3. **Unison** 4. **Report on research into return to workplace** 5. **Report on research into US attitudes** 6. **SLAB staff internal data**	For ethnic origin our data tells us that: • 85-90% of employees identify as White Scottish, British or Irish • <5% identify as White minority ethnic • <5% identify as non-white minority ethnic • 5-10% selected prefer not to say Our employee demographic is broadly comparable to the 2019 Scottish population. Our representation of people from a white minority ethnic group is slightly lower than that reported in the 2019 Scottish population (6.8%) and for those in employment (8.2%). (1) Minority ethnic people generally have an increased risk of getting Covid-19, experiencing more severe symptoms and higher rates of death. (2) (3) This generalised risk should be considered and mitigated for individuals through individual risk assessments. (2) (3)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		Fewer than ten staff recorded Covid-19 sickness absence. Such low numbers cannot be analysed robustly by race. (6) Minority ethnic employees report being more anxious and stressed about returning to the office. (4) Minority ethnic staff report being more likely to want to work from home for longer portions of the week. (5)
Sex	1. **Staff Demographics in annual report** 2. **SLAB staff internal data** 3. **Unpaid work** - **Engender** 4. **CIPD** 5. **Domestic abuse: police recorded statistics** 6. **Report on research into return to workplace** 7. **SLAB staff workplace survey 2021**	We continue to have a 65-70% female and 30-35% male gender breakdown. The 2019 population data shows that in the general population 52% are female and 48% are male and of those in employment 48.5% are female and 51.5% are male. (1) Those roles which would fall into categories A-C in the policy (Facilities, Public Defence Solicitors Office and Solicitor Contact Line) have a gender split of 45-50% male and 55%-60% female. (2) The % of total SLAB staff who declared some form of caring responsibility is 30-35%. 20-25% of SLAB staff have child care responsibilities only; <5% care for an adult only; <5% have responsibilities for both a child and adult. The time spent caring in national statistics is differentiated by sex, with women spending more time undertaking unpaid care, whether for children or adults. (3)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
	8. [Revealing hidden realities: disclosing domestic abuse to informal others](#) 9. **SLAB staff internal data** 10. [A rapid review of mental and physical health of working from home: how do we optimise health?](#)	Men generally have an increased risk of getting Covid-19, experiencing more severe symptoms and higher rates of death. (4) Fewer than ten staff recorded Covid-19 sickness absence. Such low numbers cannot be analysed robustly by sex. (9) Possible increase in domestic abuse, which is predominantly carried out by men against women in a home or dwelling. (5) Disclosing domestic abuse is very difficult. (8) Female employees report being more anxious and stressed about returning to the office. (6) Looking at longterm work location preferences; there was no significant gender difference in overall profile, nor in preference to work mainly from home (male 39%; female 40%). However males were somewhat more likely to prefer office based working (male 15%; female 6%), and less likely to prefer mixed working (male 44%; female 52%). (7) Studies found that males had higher levels of work exhaustion by working from home. Females reported higher levels of exhaustion by working from home, compared to colleagues who remained in the office. One study showed that working from home improved quality of life through increased autonomy, however, that was inly significant in males. Those working from home full time may experience more

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		difficulties to disenagge from work and integrate work into their home life, which instreases job stress. Women tend to expereince a greater inability to disenagge from work, while men experience greater difficulties to disintegrate work into family life when working from home. Working from home may increase work family conflicts. High levels of work-family conflict were associated with poor mental and physical health.(10)
Gender Reassignment	1. **Staff Demographics in annual report** 2. **Coronavirus (COVID-19): health and social impact assessment** 3. **Hidden Figures: The Impact of the Covid-19 Pandemic on LGBT Communities** 4. **Report on research into return to workplace**	Fewer than 5% of SLAB's staff indicated that they are not the same gender identity they were assigned at birth. This is comparable to national statistics. (1) Trans employees may experience more stress and mental health problems. (2) (3) Employees who identified as LGBTQ+ are also experiencing higher levels of stress and anxiety at the possibility of returning to the office compared to their heterosexual peers. The survey found that LGBTQ+ people scored almost 12 per cent more than those who identify as heterosexual. WorkL also found that LGBTQ+ people are overall less happy at work and score low across all six of the platform's workplace engagement areas. (4)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Sexual orientation	1. **Staff Demographics in annual report** 2. **Coronavirus (COVID-19): health and social impact assessment** 3. **Hidden Figures: The Impact of the Covid-19 Pandemic on LGBT Communities** 4. **Report on research into return to workplace**	Fewer than five percent (<5%) of employees identify as lesbian, gay, bisexual, or other/ unsure. This has not changed since our October 2018 equality report. Representation in SLAB appears comparable to the 2019 Scottish population (2.9%) and people who are in employment (3.2%). However 10-15% of our employees have chosen not to disclose their sexual orientation. (1) Lesbian, gay, or bisexual staff may have increased stress and mental health problems. (2) (3) Employees who identified as LGBTQ+ are also experiencing higher levels of stress and anxiety at the possibility of returning to the office compared to their heterosexual peers.
Religion or Belief	1. **Staff Demographics in annual report**	The number of employees identifying as Christian (35-40%) is lower than that reported for the Scottish population in 2019 (42.5%) but comparable to those in employment (36.4%). The percentage of SLAB employees declaring no religion (45-50%) is lower than the 2019 Scottish population (53.7%) and significantly lower than those in employment (60%). The number of employees identifying with other religions (collating Buddhist, Hindu, Muslim and others e.g. Jewish) is <5%, in line with the 2019 national profile of 3.1%. Our 'prefer not to say' figure is relatively high at 15-20% which represents a gap in our knowledge. (1)
Pregnancy or maternity	1. **SLAB internal data** 2. **NHS**	SLAB has around 10 employees who are pregnant or are on maternity leave. (1)

Equality characteristics	Evidence source (e.g. web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/ practice/ process/ service? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
		People who are pregnant are in the list of moderate risk of COVID 19 due to the impact and other complications. People who are pregnant don't appear to be more susceptible to coronavirus (COVID-19) than the general population, but are generally more susceptible to infection. It is recommended to have the Covid-19 vaccine while pregnant to protect against known risks of coronavirus while pregnant. (2)
Marriage or civil partnership		None known
Care Experienced *(corporate parenting duty)*	1. **SLAB internal data** 2. **SLAB literature review**	We know that 5-10% of all staff members declare they are care-experienced. (1) We know that care experienced people are more likely to experience mental health problems. (2)

2.2   Using the information above and your knowledge of the policy/ practice/ process/ service, summarise your overall assessment of how important and relevant the policy/ practice/ process/ service is likely to be for equality groups.

The policy will impact on most equality groups and will be of direct relevance to many, due to the differential impact and experience of Covid-19 and evidence on differential attitudes towards return to the office.

2.3   Outcome of step 2 and next steps. Complete the table below to inform the next stage of the EqIA process.

Outcome of Step 2 following initial evidence gathering and relevance to equality characteristics	Yes/ No (Y or N)	Next steps
There is no relevance to equality or our corporate parenting duties	N	Proceed to Step 5: agree with decision makers that no EqIA is required based on current evidence
There is relevance to some or all of the equality groups and/ or our corporate parenting duties	Y	Proceed to Step 3: complete full EqIA
It is unclear if there is relevance to some or all of the equality groups and/ or our corporate parenting duties	N	Proceed to Step 3: complete full EqIA

Step 3 – stakeholder involvement and consultation

This step will help you to address any gaps in evidence identified in Step 2. Speaking to people who will be affected by your policy/ practice/ process/ service can help clarify the impact it will have on different equality groups.

> Remember that sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your policy/ practice/ process/ service on equality groups. An inadequate analysis in an assessment may mean failure to meet the general duty.

The Policy and Development team can help to identify appropriate ways to engage with external groups or to undertake research to fill evidence gaps.

3.1   Do you/did you have any consultation or involvement planned for this policy/ practice/ process/ service?
Yes. The RTW policy was consulted on prior to going live.

A further consultation was carried out in April 2022 to reflect on the current Covid situation and any further feedback. This consultation resulted in an amended policy to remove links to COVID which was felt were out of date and not relevant to the current situation. The updates to the policy, did not result in any updates to the EqIA. As part of the review of the policy, we decided to revise and issue an new interim policy which reflects the current environment.

3.2   List all the stakeholder groups that you will talk to about this policy/ practice/ process/ service.
Staff. GMB Union.

3.3   What did you learn from the consultation/ involvement? Remember to record relevant actions in the assessment action log.
First consultation

The staff consultation has given us a number of areas to consider in relation to the health and safety category (D) and the wellbeing grouping (E).

Most respondents felt the policy and the guidance were clear and easy to understand, with a minority providing comments on the policy and the accompanying office guidance. The office guidance is not covered by the return to workplace policy, although it is key to how people perceive the policy.

In terms of the return to workplace policy itself, the main theme was around the implementation of the policy in respect of concerns around identification or allocation to Groups D & E. Group D encompasses return to workplace on the grounds of health and safety concerns at home, with Group E covering return to workplace on grounds that wellbeing is negatively impacted by working from home.

Issues relating to allocating people to groups in the policy included specific concerns about data protection: *there is no information about how the assessment of individuals will be done & by whom; there is a suggestion that a further party will then be granted access to who is in each group to allow them to prioritise if there is over-subscription. This raises big concerns over data protection.*

The need for individual assessments of need was identified by respondents, both generally (*consulting with each employee*) and for specific characteristics (*mental health and wellbeing need to be taken into consideration*). It was noted that individuals with the same characteristics may have different workplace preferences (*some may be struggling with home working but equally some may be struggling with the thought of having to return to office based*).

The potential difficulties of providing information for the assessment of need process were also noted (*unreasonable burden being placed on all staff to disclose personal equality related information to gain access to the office …it's not clear who is going to see or assess that information*). As was the assessment process itself (*careful consideration should be given to how we will assess which band for returning to work a person falls into*).

A few health related issues were raised, most of these were framed as reasons not to return to the workplace (travel on public transport, those with asthma and additional dangers to them if are infected). General wellbeing was given as a reason to return.

The overall thrust of the policy was queried by some respondents, which this quotation illustrates:

- *The policy is all based on reasons for attending the office there is nothing on reasons for not attending the office* (working from home policy).

A range of potential impacts for different equality groups were raised in relation to how the accompanying office guidance would affect people's ability to return to the workplace or to gain the benefits intended from a return, with a focus on age, disability, race and pregnancy.

Second consultation

The feedback from the subsequent consultation highlighted the following:
The consultation highlighted that the RTW policy was no longer relevant with references to Covid throughout the document.

We had a 67% response rate to the consultation.

Q4 of the consultation - **Are there any equalities impacts of either homeworking or office-based working that should be taken into account in setting and applying the policy, which are not already covered in the Equality Impact Assessment?**

Question summary: **Of the 172 employees who answered this question, 94% of staff (161 people) were happy with the current policy. However, 6% (11 people) provided varying comments relating to policy and the EqIA.**

One of the concerns in response to this question related to women, support for victims of domestic abuse and caring responsibilities that are traditionally and disproportionately associated as a woman's role.
- *"Relating to sex- there should be additional guidance for domestic abuse support and disclosure."*
- *"Women may be disproportionally effected by return to office-based working if they have caring responsibilities. Additional time may be required to ensure childcare can be accessed in advance of a return to office working."*

Other concerns referenced personal preferences of SLAB staff. Indeed, it could be perceived that some staff have hesitation to return to the office and would prefer to work from home due commuting/location reasons.
- *"Some staff have been allowed to relocate to [remote areas] which allows them to WFH permanently - so will this precedent/ option of permanent homeworking now be rolled out to others regardless of their home location?"*
- *"No, as it seems many have a preference to work in whatever ways that work best for their circumstances. Failing this, I feel that staff can and should discuss their preferences and needs with a manager."*

- *"I think we should be considering whether people wish to return to the office at all for reasons as simple as they are more comfortable working from home. Less distractions at home, less chance of catching colds etc. not just covid-19, mental health."*
- *"You need to look beyond just protected characteristics and make sure everyone has an element of choice and that there is discretion to allow this to be the case."*
- The last responses to this question encompassed personal health concerns or the concern for a close relative.
- *"Living with someone designated as High Risk means additional precautions need to be taken."*
- *"Personally, I would be uncomfortable working in a busy office or working with people who were not vaccinated."*

Question 5: Is there anything in the policy or return to workplace discussion guidance that might impact differently on different groups based on characteristics related to groups within SLAB?[1]

Question Summary: 166 staff members provided a response to this question. Of those who did, 89% (147) people were happy for the current policy in terms of groups within SLAB, while 12% (19) provided comment on various issues, including staff preference, commuting times, management responsibilities and COVID-related risks.
Respondents discussed how those in different roles may have certain preferences in how their work environment allows them to do their job efficiently.

Question 6: Are there any other reasons for attendance that should be covered in the policy?

Question Summary: 161 staff members provided a response to this question. 92% of those who responded (148 people) had no other reasons to be added to the existing policy. The 8% (13 people) who did discussed possibilities of collaborative working, team building, and role-based reasons that could determine colleague's preferences and efficiency within a working environment.
Many SLAB colleagues discussed the return to the office would be good for collaborative working and relationships building.

Question 7: Do you have any further comments on the policy or guidance?

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[1] Characteristics relating to groups within SLAB apply to differences relating to features of employment at SLAB. These might include: management status, full or part time working, area of work/role or length of employment at SLAB. Things such as distance between home and place of work shouldn't be included, since it is not a feature of employment by SLAB.

Question Summary: Of the 164 staff members who responded to this question, 88% (145 people) had no further comment on the policy or guidance. Those who did (12%; 19 people) discussed a need to simplifying the guidance and a need for consideration on people's working preferences, and vulnerability and concerns surrounding COVID exposure.
Some staff employees provided a critique of the current guidance and policy. Specifically, they referenced their feelings that the current guidance may be out of date, may be too complicated to understand and may not apply to all scenarios and situations.

The new interim Approach to work policy and EqIA will bridge the gap between our current position and our long term policy.

Step 4 - Impact on equality groups and steps to address these

You must consider the three aims of the general duty for each protected characteristic. The following questions will help:

- **Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010?** How will this be mitigated?

- **Is there potential to advance equality of opportunity between people who share a characteristic and those who do not?** How can this be achieved?

- **Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not?** How can this be achieved?

4.1   **Does the policy/ practice/ process/ service have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?**

Age	Place 'X' in the relevant box(es)	

	Positive impact	Negative impact	No impact	Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination	x	x		Younger people are less likely to be at risk of severe illness if they contract Covid-19, but are more likely to be in unsuitable accommodation, experience mental health issues and desire a return to workplace. Older people might have an increased risk of Covid-19 infection, but also a higher likelihood of having a disability and therefore might have a higher preference for working from home. By having the opportunity and flexibility to choose whether to work in the office or at home, subject to job role and business need/requirements, individual needs, health & wellbeing can be achieved.
potential for developing good relations			x	By having the opportunity and flexibility to choose whether to work in the office or at home, subject to job role and business need/requirements and ensuring technology is effectively used to collaborate with colleagues and creating an inclusive environment, individual needs can be met.
potential to advance equality of opportunity	x			Ensure managers have guidance for work from home/in the office and engage in conversations with employees to ensure support for work/personal circumstances, which enhances the health and wellbeing of employees. Managers should frequently check in with their team and ensure individual's needs in terms of wellbeing, health & safety are met.

Sex	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	**Negative impacts**	**No impact**	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination	X			There is mixed evidence about the impact on males and females working from home part or full-time. Employees are able to choose and customise their hybrid work pattern based on their individual needs, subject to job role and business need/requirements. This approach aims at meeting people's needs, increasing their wellbeing and establishing a good work/life balance. Assessment of Health & safety at home could be considered to encourage people to disclose where they are at risk e.g. from domestic abuse, whilst acknowledging this is very hard to disclose. Men are more at risk of severe illness from Covid-19. The role based reasons for working from an office could be in conflict with the person's increased risk from Covid-19 due to being male. Women are more likely to be anxious about a return to the office and to undertake more unpaid caring that could constrain their ability to return to the workplace. The policy mitigates these issues by letting people choose where they prefer to work. This aims to meet individual needs and ensure health & safety of all employees.

potential for developing good relations			x	
potential to advance equality of opportunity	x			Ensure managers have guidance for work from home/in the office and engage in conversations with employees to ensure support for work/personal circumstances, which enhances the health and wellbeing of employees. Managers should frequently check in with their team and ensure individual's needs in terms of wellbeing, health & safety are met.

Disability	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	**Negative impacts**	**No impact**	
potential for discrimination	X			There is varying evidence about individuals with a disability and their preference of working from home or in an office environment. Some individuals prefer to work from home, as it reduces stress levels and barriers of accessing an office. Others, especially those with a mental health disability – may benefit from working in an office environment. They may feel less isolated and receive more support from colleagues, which may increase their wellbeing. Having the choice to either work from home or to work at the office, subject to job role and business need/ requirements, individual needs can be met. Employees are able to choose and customise their hybrid work pattern based on their individual needs. This approach aims at meeting people's needs, assists in increasing their wellbeing and establishing a good work/life balance.

potential for developing good relations	x			The policy is designed to let people into the office who are negatively affected from prolonged homeworking as well as for productivity reasons or generally prefer to work in an office environment. Those who feel more comfortable working at home are able to continue doing so, subject to job role and business need, individual needs. By ensuring technology is effectively used to collaborate with colleagues and creating an inclusive environment, individual needs can be met.
potential to advance equality of opportunity	x			Ensure managers have guidance for work from home/in the office and engage in conversations with employees to ensure support for work/personal circumstances, which enhances the health and wellbeing of employees. Managers should frequently check in with their team and ensure individual's needs in terms of wellbeing, health & safety are met.

Gender Reassignment	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	Negative impacts	No impact	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination			X	Evidence indicates that impact on this equality group is most likely through differential experience of mental health. That is covered in the disability section.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Race	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	**Negative impacts**	**No impact**	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination	x	x		Minority ethnic employees may be more anxious about a return to the office. The policy mitigates this by giving people the choice subject to job role and business need/requirements.
potential for developing good relations			X	
potential to advance equality of opportunity	X			Ensure managers have guidance for work from home/in the office and engage in conversations with employees to ensure support for work/personal circumstances, which enhances the health and wellbeing of employees. Managers should frequently check in with their team and ensure individual's needs in terms of wellbeing, health & safety are met.

Religion or Belief	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	**Negative impacts**	**No impact**	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination			X	
potential for developing good relations			x	

			x	
potential to advance equality of opportunity			x	

Sexual Orientation	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	Negative impacts	No impact	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination			X	Evidence indicates that impact on this equality group is most likely through differential experience of mental health. That is covered in the disability section.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Pregnancy & Maternity	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take.
	Positive impacts	Negative impacts	No impact	E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
potential for discrimination	x			Individuals who are pregnant might have a greater fear of catching Covid-19. The policy mitigates this by giving people the choice of where they prefer to work, subject to job role and business need / requirements.

potential for developing good relations			x	
potential to advance equality of opportunity	x			Ensure managers have guidance for work from home/in the office and engage in conversations with employees to ensure support for work/personal circumstances, which enhances the health and wellbeing of employees. Managers should frequently check in with their team and ensure individual's needs in terms of wellbeing, health & safety are met.

Marriage & Civil Partnership	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	
potential for developing good relations			X	
potential to advance equality of opportunity			x	

Care experienced young people	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	

potential for discrimination				Evidence indicates that impact on this group is most likely through differential experience of mental health. That is covered in the disability section.
potential for developing good relations				
potential to advance equality of opportunity				

4.2 Describe how the assessment so far might affect other areas of this policy/ practice/ process/ service **and/ or project timeline?**

The policy has been updated to reflect our current situation.

This policy reflects our work on our long term approach to work and our review of the Flexible working policy.

4.3 Having considered the potential or actual impacts of your policy/ practice/ process/ service on equality groups, you should now record the outcome of this assessment below. Choose from one of the following (mark with an X or delete as appropriate):

Please select (X)	Implications for the policy/ practice/ process/ service
X	**No major change** Your assessment demonstrates that the policy/ practice/ process/ service is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.

	Adjust the policy/ practice/ process/ service You need to take steps to remove any barriers, to better advance equality of to foster good relations. You have set actions to address this and have clear ways of monitoring the impact of the policy/ practice/ process/ service when implemented.
	Continue the policy/ practice/ process/ service with adverse impact The policy/ practice/ process/ service will continue despite the potential for adverse impact. You have justified this with this assessment and shown how this decision is compatible with our obligations under the public sector equality duty. When you believe any discrimination can be objectively justified you must record in this assessment what this is and how the decision was reached.
	Stop and remove the policy/ practice/ process/ service The policy/ practice/ process/ service will not be implemented due to adverse effects that are not justified and cannot be mitigated.

Step 5 - Discuss and review the assessment with decision makers and governance structures

You **must** discuss the findings of this assessment with senior decision makers during the lifetime of the project/ review and before you finalise the assessment. Relevant groups include, but are not limited to, a Project Board, Executive Team or Board members. EqIA should be on every project board agenda therefore only note dates where key decisions have been made (e.g. draft EqIA sign off, discussion about consultation response).

5.1   **Record details of the groups you report to about this policy/ practice/ process/ service and impact assessment.**
Include t**he date you presented progress** to each group and an **extract from the minutes** to reflect the discussion.

1ˢᵗ July 2021: It was agreed that we would issue the policy to the DANWE work stream members and ask for feedback. The policy would then be issued for consultation.   The draft EQIA would not be issued as this would be completed following the consultation.

20ᵗʰ July 2021: Agreed that we would adapt the policy to make it a prioritisation framework for staff returning.

18ᵗʰ August 2021: It was agreed that we should include the EQIA with the staff consultation so that staff are aware that we have considered them as part of the EQIA process.

21ˢᵗ September 2021: The project board were asked to review the consultation findings and feedback from staff and feedback any input for the EqIA.

16 February 2022: It was agreed that additional information would be added to the EqIA and this would be sent to the CEO for sign-off.

23ʳᵈ March 2022: Discussed with Equalities colleagues and agreed the change to the policy had no impact on the EQIA. The Policy and EqIA will be issued to all staff for consultation in the next week or so.

29ᵗʰ June 2022: Agreed that the next stage of development of the policy was to take the last phase of the policy and ensure that business need is part of the description.

2ⁿᵈ August 2022: It was agreed that since the policy is an amendment of the RTW policy after carrying out the staff consultation, the existing EqIA should be reviewed and updated rather than a new EqIA created. The EqIA would be reviewed and issued to Project board members for approval.

Step 6 – Post-implementation actions and monitoring impact

There may be further actions or changes planned after the policy/ practice/ process/ service is implemented and this assessment is signed off. It is important to continue to monitor the impact of your policy/ practice/ process/ service on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

6.1   **Record any ongoing actions below.**   This can be copied from the project action log or elsewhere in this assessment and should include timescales and person/ team responsible. If there are no outstanding items please make this clear.

Number	Description	Due date	Responsibility
1	Check best practice with Vaccination status. The vaccination status will not be requested. Complete.	Complete	ID / GH
2	Ensure managers have guidance for return to work/wfh conversations, which support work/personal circumstances and enhances the health and wellbeing of employees. Templates to help managers and staff decide if they can and want to return to the office have been made available prior to any phase of the policy becoming active.	Complete	GH / HR
3	Categories to be reduced to band together the role based (A-C) and person based (D-F) exceptions.	Complete	Policy
4	Policy wording to be clarified around the management of someone's health and safety, at category D.	Complete	Policy

5	Policy wording should be updated to be clear that role based return to workplace is subject to the personal and place based risk assessment.	Complete	Policy
6	Guidance for managers to be reviewed and updated in line with new categories.	Prior to implementation of new policy	GH / HR
7	EqIA to be reviewed and updated with evidence from test and trial initiatives and from other information sources available while we work to develop our long term approach	Prior to implementation of new policy	PB / HR

6.2 **Note here how you intend to monitor the impact of this policy/ practice/ process/ service on equality groups.** In the table below you should:

- list the relevant measures,
- Identify who or which team is responsible for implementing or monitoring any changes
- Where the measure will be reported to ensure any issues can be acted on as appropriate.

Measure	Lead department/ individual	Reporting (where/ frequency)
Staff wellbeing	HR/Linda Laughland	DANWE specific staff surveys
Staff physical health	HR/ Linda Laughland	Staff surveys
Staff approved under each category	HR/ Linda Laughland	DANWE Project Board, as needed
Building occupancy levels across the SLAB estate	Facilities/ Colin McKinnell	DANWE Project Board, as needed

6.3 **EqIA review date.** This EqIA should be reviewed as part of the wider post-implementation review of the policy/ practice/ process/ service. The date should not exceed 3 years from the policy/ practice/ process/ service implementation date.

01/04/2023

Step 7 – Assessment sign off and approval

All equality impact assessments must be signed off by the relevant Director or Senior Responsible Owner (SRO), even where an EqIA is not required, and be reviewed by the Director of Strategic Development for quality assurance purposes. The Chief Executive must approve all equality impact assessments. Note the relevant dates here:

Director/ SRO sign off: 15/08/2022

Quality assurance by Equalities project group: 12/08/2022

Chief Executive approval: 15/08/2022

All full equality impact assessments must be published on SLAB's website as early as possible after the decision is made to implement the policy, practice, process or service.