



Equality Impact Assessment

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Author's initials	CC
Job title	Acting Senior HR Adviser
Responsibility for this document	Head of Human Resources
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Key changes made since last version of document	
This is the first version of this document.	

Equality Impact Assessment – Template

Please refer to the Equality Impact Assessment Guidance for details on how to complete this template.

Section 1: Details of the Policy/Practice

Department/Team responsible for the policy:	Human Resources
Name of Policy or Practice being assessed:	Job Evaluation practice for the role of Inspector, Senior Inspector and Team Manager group.
Purpose and anticipated outcomes of the policy:	<p>The aim is to independently assess the pay grade for the role of the Inspector, Senior Inspector and Team Manager posts to ensure fair and equitable pay structure based on equal pay legislation. The job evaluation process may result in revised terms and conditions of employment.</p> <p>The report produced from Beamans recommended that Inspectors be upgraded from Grades 5/ 6 to Grade 7 with Senior Inspectors remaining at Grade 7 and Team Managers remaining at Grade 8.</p>
Is this a new or existing policy?	Existing practice.
How does this policy link to corporate values?	<p>Job evaluation is one aspect of providing clear roles and expectations for our employees. Well equipped, trained, supported and engaged employees will work to achieve the best outcomes for the people who use care services and their carers.</p> <p>The policy links to our corporate values by: Fairness: we will follow a fair process in our application of the job evaluation to ensure equal pay for equal work. Respect: we will be respectful in all what we do when applying this policy. Person-centred: we will consider the needs of our staff in applying this policy. Integrity: we will use a job evaluation that is transparent, and uses objective criteria that is free from bias in relation to all aspects of equalities Efficiency: we have a robust approach to managing our pay and grading structures.</p>

	When applying our pay and grading structures we expect our employees and our managers to act in accordance with our organisational values.		
List of participants in Equality Impact Assessment Process:	Marnie Westwood, Interim Head of HR. Christine Czyba, Acting Senior Human Resources Adviser.		
Date assessment started:	Oct 2019	Completion Date:	Aug 2020

Please indicate who is likely to be affected by the policy: For example: Employees, Care service providers/users, men, women, young people, children for whom there are corporate parenting responsibilities, people with disabilities	Employees in the role of Inspector, Senior Inspector and Team Manager will be affected by the outcome of job evaluation. The job evaluation process will result in revised terms and conditions of employment for those being regraded.
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Section 2: Collecting Information

What evidence is available about the needs of relevant groups? Please consider Demographic data, including Census information, Research, Consultation and survey reports, Service user feedback and complaints, Case law, Officer/adviser knowledge & experience. Please refer to the list of evidence on the EIA page of the intranet.

Details	Source of Evidence
Younger people 18-24 less likely to earn living wage, This doesn't apply as the Care Inspectorate are a living Wage employer.	Annual Survey of Hours and Earnings, last updated October 2019.
Gender pay gap has fallen over the past decade.	Annual Survey of Hours and Earnings 2019, last updated October 2019.
The Care Inspectorate gender pay gap is 13.4%.	Care Inspectorate Mainstreaming Report 2019.
Senior inspectors demographic Pregnancy & Maternity: None are on maternity leave.	HR data

Basis/gender	Female	Male
Full Time	17	4
Part Time	2	0

8% work part time. Only females work part time.

Ethnicity	
Unknown	4
White - British or other British	1
White - other or unspecified	1
White - Scottish	16
White -English	1

19 senior inspectors have recorded that they are white, 4 are unknown.

Disability	
No	15
Prefer not to say	1
Unknown	7

No grievances relating to pay.

HR data

Information is collected to gather details of the posts within the organisation.

Please see data table below.

Employees in the respective roles and their line managers.

Job evaluation consultants have advised it is best practice to place individuals on bottom of pay scale to avoid equal pay claims (i.e. potential for age discrimination, sex discrimination.)

EIA Information – Sept 20

Post title	Total no. of ees	Male	Female	% of male to female	Age banding s	Age banding %	Disabilities / Protected characteristics
Inspectors	274	51	223	19%	65+ 60-64 50-59 40-49 30-39 21-29	7% 17.5% 46% 21% 8% 0.5%	There is currently no recorded data held by the Care Inspectorate within their payroll management information system recording disabilities, sexual orientation, gender reassignment or race. However within the Mainstreaming report 2019, it shows that the overall disability pay gap is 13.2%. There is a -5% pay gap between those who are White Scottish in comparison to other reported ethnicities.
Senior Inspectors	23	4	19	18%	65+ 60-64 50-59 40-49 30-39 21-29	0 4% 61% 26% 9% 0	
Team Managers	30	5	25	17%	65+ 60-64 50-59 40-49 30-39 21-29	7% 7% 70% 16% 0 0	

From your research above have you identified any gaps in evidence? If so what are the gaps?

There are gaps in external research in relation to ethnicity, disability, religion, sexual orientation, transgender.

There is currently limited recorded data held by the Care Inspectorate recording disabilities, sexual orientation, gender reassignment or race. This information is either unknown or undisclosed and therefore it is not statistically valid to assess the impact of any of the proposals on each of these areas.

As appropriate please describe the consultation/engagement undertaken including details of the groups involved and the methods used.

Postholders were selected through consultation with their line manager. Those selected for evaluation were selected on a non-discriminatory basis and included both male and females of varying ages. A spreadsheet detailing the postholders names, email addresses, post title was then emailed to Beamans for them to begin

the job evaluation process.

The report produced from Beamans recommended that Inspectors be upgraded to Grade 7 with Senior Inspectors remaining at Grade 7 and Team Managers remaining at Grade 8. A consultation exercise will be undertaken with the affected staff and the Partnership Forum to advise of the outcome of the report and regrading exercise. Inspectors currently on grades 5 or 6 will move to spinal column point 1 of Grade 7. This will be backdated to 1 April 2020.

Are there any other groups to be consulted?

The Executive Group and Partnership Forum are consulted on all job evaluation exercises and outcomes. Agreement is also sourced from the Sponsor Branch.

Section 3: Impacts

Has the research and consultation identified any potential for impacts on the following groups:

Protected Characteristic	Yes	No	Please explain
Age (Older people, children and young people)	X		The majority of those carrying out the role of Inspector are aged 50+. The proposal to move all Inspectors (regardless of experience) to spinal point 1 of Grade 7 may have a disproportionate impact on this group of people as they feel they should be higher due to their age/experience.
Disability		X	
Gender Reassignment (Where a person is living as the opposite gender to their birth)		X	
Pregnancy and Maternity		X	
Race, ethnicity, colour, nationality or national origins (including Gypsy/Travellers, refugees, asylum seekers)		X	

Religion or belief (including non-belief)		X	
Sex/Gender	X		The majority of those in the Inspector role are female. The proposal to move all Inspectors (regardless of experience) to spinal point 1 of Grade 7 may have a disproportionate impact on this group of people. It may also have a disproportionate impact on males depending on their length of service.
Sexual Orientation		X	
Children for whom there are corporate parenting responsibilities.		X	

Is there any evidence that the policy may:

	Yes	No	No Evidence
Result in less favourable treatment for particular groups?		X	
Give rise to direct or indirect discrimination?	X		
Give rise to unlawful harassment or victimisation?		X	

If yes to any of the above, please give details:

Introducing all inspectors to spinal column point 1 of Grade 7 may have a disproportionate impact on those of a particular gender or age depending on their length of service. However, the Care Inspectorate considers that the legitimate aim in doing so is to ensure fairness and equality in salaries across the role of Inspector as well as mitigating risks that arise with pay disparity should the Care Inspector place post holders within the same job role at different points of the pay scale. This is a proportionate means of achieving that aim bearing in mind the Care Inspectorate makes use of public funds.

How will the policy be modified to mitigate this?

Taking into account the potential impact, the Care Inspectorate is satisfied that no

further action could be taken to mitigate this risk.

Section 4: Meeting our General Equality Duty

The following sections must be completed:

Which aspects of the policy seek to eliminate unlawful discrimination, harassment and victimisation?

Job Evaluation good practice is inclusive of all employees in the roles of Inspector, Senior Inspector and Team Manager across the organisation. All dealings with job evaluation will ensure that everyone is treated fairly regardless of any protected characteristic. Upgrading of those in the Inspector role will apply to all those who carry out that role regardless of any protected characteristics.

The JEGS process is an objective mechanism for managing internal relativities and to enable fair and consistent decisions to be made about the relative job weight of roles. It is an analytical job evaluation tool to support delegated grading across the civil service/public sector arena. It is reviewed and regularly updated by Civil Service Employee Policy (CSEP) who are the current owners of civil service job evaluation policy and practice. It is equality proofed and meets all the requirements of the legislation and EHRC (Equality & Human Rights Commission) statutory codes of practice on Equal Pay. Its use and application is supported by our Partnership Forum.

Job evaluation is all about ensuring there is equal pay for equal value and therefore seeking to reduce/eradicate inequalities. Job evaluation determines the requirements of the post and not the post holder. Performance and length of service is not considered when the role is regraded. This is best practice and in line with equal pay legislation. Implementation in this way is fair, transparent and gender neutral.

Employment law advice is that our approach is reasonable (since all inspectors are receiving a pay increase) and that moving the inspectors across to grade 7 on the different points of the scale would potentially create more risk in terms of introducing further pay inequalities which could be discriminatory.

Placing anyone above the base point could mean making value-based judgements about the relevance of experience which risks introducing discrimination into the pay system. It is an estimate, usually subjective of the worth or quality of something. What one person may consider counts as experience may be different to someone else and it will be open to interpretation. The Equalities and Human Rights Commission give the following example:

A definition of 'experience', which includes continuous length of service, may discriminate on grounds of sex, because women tend to have breaks in service associated with childcare.

By treating everyone the same we aimed to promote equality of opportunity.

Which aspects of the policy seek to advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

The job evaluation process seeks to fairly assess the salary grading of all those across a particular job role regardless of their protected characteristics.

Employees in a regraded role will progress through each point of the spinal scale annually in line with their employment contract, i.e.:

Incremental progression to the top of the pay band will be subject to:

- More than 6 months service as at 1 April
- Satisfactory performance
- Reaching the top of the pay band

Which aspects of the policy seek to foster good relations between people who share a protected characteristic and those who do not?

The job evaluation process seeks to fairly assess the salary grading of all those across a particular job role regardless of their protected characteristics.

Section 5: Outcome of Assessment

Please detail the outcome of the assessment:

No major change	The current job evaluation proposal shows minimal risk of discrimination based on the evidence available and seeks to promote equality for all those in the relevant job roles.
Adjust the policy	N/A
Continue the policy	N/A
Stop and remove the policy	N/A

Please detail recommendations, including any action required to address any negative impacts identified:

Negative impacts identified are grade or individual SCP placing. If an employee is unhappy with the grade as a result of job evaluation, then they have the right of

appeal and guidance and support is available from Human Resources on how to do this.

If an employee is aggrieved at their salary placing as a result of job evaluation, particularly if the post has been upgraded, then the salary placement point cannot be the subject of an appeal.

Section 6: Monitoring

Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure achievement of outcomes:

Once job evaluation is concluded then a report is issued with recommendations. If the recommendations are approved, then these are implemented into the organisation.

When and how is the policy or practice due to be reviewed?

It is normal practice that equal pay audits are undertaken as part of the annual Pay Remit for the Care Inspectorate.

Section 7: Sign Off

Please note that comments are only required from the Involvement and Equalities Team on the rare occasion that the team has not been involved earlier in the process.

Date sent to Involvement and Equalities Team:	3.9.20
Comments from Involvement and Equalities Team	General feedback provided, specific points around including information on gender, race and disability information from mainstreaming report and making linkages to equal pay policy. Including information from other regulators, caselaw, grievances, staff survey, external research from Scottish Government equality finder.
Date signed off by Involvement and Equalities Team	11.9.20

Please insert name and title of the Senior Manager who has signed off this Equality Impact Assessment:

Name	Marnie Westwood
Title	Interim Head of HR
Date approved	11/9/20