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Equality Impact Assessment (EqIA)	Issue date: 08/08/2013
	Review date: 08/08/2016
	Originator: Carol Gillespie
	Authorised by: Jennifer Russell

It is important to note that not all policy, strategy or projects will require a full impact assessment to be carried out. In order to ascertain whether this is required or not please ensure that you have carried out an Initial Equality Impact Assessment. The following table provides further details on each of the protected characteristics and definitions of each strand.

Protected characteristic	Definition
Age	Protects people of all ages
Disability	Applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer
Gender	Applies to male or female
Gender Reassignment	The definition of gender reassignment includes people who chose to live in the opposite gender to the gender assigned to them at birth removing the previously legal requirement for them to undergo medical supervision
Marriage or civil partnership (HR projects only)	The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected
Sexual Orientation	The Act protects lesbian, gay, bi-sexual and heterosexual people
Race	This includes colour, ethnic / national origin or nationality
Religion or Belief	The Act covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief
Pregnancy and Maternity	A woman is protected against discrimination on the grounds of pregnancy and maternity. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled

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Name of Business Unit	Human Resources
Name/designation of person(s) responsible for managing/ conducting this policy, strategy or projects	Jennifer Russell
Have you carried out an Initial Equality Impact Assessment?	Yes

Name of Policy, Strategy or Project	Probation Period Guidance	
Is it (*delete as applicable)	New Guidance	
Is responsibility for delivery shared with others? (*delete as applicable)		Yes
If yes, who are your partners?	All SEPA staff members	

Which of the following equality areas are relevant to this policy, strategy or projects?			
Age	Yes	Sexual Orientation	Yes
Disability	Yes	Race	Yes
Gender	Yes	Religion or Belief	Yes
Gender Reassignment	No as we do not collate this information at this time.	Pregnancy and Maternity (HR projects only)	Yes
Marriage or Civil Partnership (HR projects only)	Yes		

Start Date	18/07/2014	Completion Date	21/07/2014
Approved by		Date Approved	
Date sent to: equalities@sepa.org.uk		Signed:	
Date the Equality Impact Assessment was published		Signed:	

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1. Identify ALL the Aims of the policy, strategy or projects

1. What is the purpose of the policy, strategy or projects? (consider explicit and implicit aims)
2. Who does the policy, strategy or projects affect?
3. Who does the policy, strategy or projects benefit directly? (e.g. employees/service users; equality groups, other stakeholders)
4. What results/outcomes are intended?

1 The purpose of this document is to provide guidance on the usage of Probationary periods to SEPA line managers, existing staff members and potential new recruits.

A probation period is a trial period which allows both the line manager and new employee to assess objectively whether the employee is suitable for the role taking into account the new employee's overall capability, skills, performance and general conduct.

2 This policy affects all SEPA recruiting managers and any future job applicants who may wish to be considered for employment with SEPA.

3 The policy benefits SEPA as an organisation, SEPA recruiting managers and prospective staff. SEPA is committed to equal opportunities and our Equal Opportunities Statement describes this commitment as follows:

"We treat everyone fairly and with respect regardless of their sex, marital status, age, race, ethnic origin, sexual orientation, disability, religion or belief, working pattern, gender identity, caring responsibility or trade union membership.

SEPA believes that its workforce should be as diverse as the environment it protects. Our roles call for a variety of skills and for people from all kinds of backgrounds with different life experiences. We offer employment and training to people solely on the basis of their skills, aptitudes and attitude.

The guidance helps SEPA managers to make consistent decisions on probationary periods. The key advantages with a probation period are:

It can help managers to manage address poor performance, which had has been highlighted in the last two People Survey's as being an issue of concern to staff who perceive that not enough is being done to tackle this. If a new member of staff proves demonstrably unsatisfactory, SEPA would be able to address this in a structured way at

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an early instance and, where necessary, end the employment contract, without having to go through lengthy procedures required in the case of a permanent, non-probationary contract.

It is a trial period for both the manager and employee to assess whether the employee meets the requirements of the role in terms of skills, performance, conduct and capability. This can be particularly helpful in cases where the skillset of a role is difficult to assess at interview

It is a structured programme, providing tailored training and development. This can be seen as a significant benefit to new employees and help enhance employee engagement and assist managers in building relationships with their staff at an early stage. In the case of the SCC pilot we have successfully retained all 19 staff, including the employee who had their probation period extended. There are now competent in their role and have been supported by their management team in getting to the required standard.

All probation periods follow the same structure and as such it ensures a consistent approach across the organisation

4 By conducting this Equality Impact Assessment we are seeking to identify whether the proposed policy will have an adverse impact on staff who share any of the protected characteristics listed above and, if so, whether there are any changes that can be made to reduce any impact.

2. Consider the Evidence (data and information)

1. What information or data would it be useful to have? What data (quantitative and qualitative) is available? (in-house/external)
2. How reliable/valid/up-to-date is it?
3. What information is available?
4. What does the data/information tell you about
 - Different needs?
 - Different experiences?
 - Different access to services, information or opportunities?
 - Different impacts/different outcomes?
5. Are there any gaps that you should fill now/later by further evidence gathering/commissioning or by secondary analysis of existing data? Are there any

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experts or stakeholders you should consult now? Have you consulted any experts already? What were their views?

1. SEPA's monitoring of equal opportunity data for existing staff members highlights the differences between groups, such as minority groups and gender. As part of this process I have disaggregated this data by each of the protected characteristics that we hold data on. The analysis highlighted that:

Age

The following table reflects the age grouping of SEPA staff members:

Age (all sexes)	Number of staff	Percentages
16 - 24	24	1.85%
25 - 34	291	22.38%
35 - 44	490	37.69%
45 - 54	359	27.62%
55 - 64	128	9.85%
65 and over	8	0.62%
Total	1300	100.00%

Disability

- 2% of staff members have declared themselves to be disabled
- 6% have not provided information
- 92% have stated that they do not have a disability

Gender

- 53% of SEPA staff members are female
- 47% are male

Sexual Orientation

- 78% of staff have stated that they are heterosexual
- 2% have stated that they are lesbian, gay or bisexual
- 20% have not provided this information

Race

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- 2% of staff members have identified themselves to be of ethnic minority
- 10% of staff members have not declared their ethnicity
- 88% of staff members have identified themselves to be white

Religion or Beliefs

The following table reflects the religious beliefs of SEPA staff members

Religion	Number of staff	Percentages
None	517	39.8%
Church Scotland/England/Wales	269	20.7%
Roman Catholic	118	9.1%
Budhist	7	0.5%
Muslim	10	0.8%
Sikh	1	0.1%
Other	15	1.2%
Other Christian	60	4.6%
Pagan	3	0.2%
Information not provided	300	23.1%

Pregnancy or Maternity

SEPA routinely has 5% of its female staff members on maternity leave at any one time.

Marital Status

The following table reflects the marital status of SEPA staff members

Marital Status	Number of staff	Percentage
Civil Partnership	5	0.4%
Divorced	19	1.5%
Information not provided	95	7.3%
Married	672	51.7%
Not married	495	38.1%
Separated	7	0.5%
Widowed/Widower	7	0.5%

Recruitment

The HR team continues to monitor all job applications and liaise with the recruiting line

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managers to ensure that reasonable adjustments are applied during and after the recruitment process.

In line with employment legislation and best practice we are committed to equality of opportunity in employment, both in principle and in practice. It is our policy to ensure that no job applicant or employee receives less favourable treatment, either directly or indirectly, on grounds of age, race, disability, sex, marital status, pregnancy or maternity, gender reassignment, religion or belief or sexual orientation, therefore equality information is not shared with recruiting managers.

From 04 February 2013 to 04 February 2014, SEPA had 339 vacancies receiving 4795 applications, 49% were female, and 51% were male. There were 246 successful candidates of which 50% were female.

2.3% of job applicants identified themselves as being disabled.

19.4% applicants are married, 35.6% not married and 42% did not declare any marital status

96% of applicants stated that they are heterosexual, whilst 3.4% are lesbian, gay or bisexual and 0.6% did not specify.

93% of job applicants were white, 5% of ethnic minority and 2% did not specify their ethnicity.

43% of applicants stated they had religious beliefs, 49% stated that they had no religion and 8% did not specify whether they had a religion or not.

The following table reflects the percentage of the age range of job applicants versus that of successful applicants:

Age Range	Job applicants	Successful candidates
Up to 19	0.73%	0.4%
20 - 29	34.85%	24%
30 - 39	30.26%	42%
40 - 49	20.04%	19.9%
50 - 59	12.45%	12.6%

At this time we do not collate equality data from job applicants on gender reassignment and pregnancy and maternity.

2. This data is valid as at 04 February 2014

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3. This data is comprehensive allowing the Equality Impact Assessment to be completed.

3. Assess the likely impact on different groups

1. Does your analysis of the evidence indicate any possible adverse impact on a particular group (age, disability, gender, transgender, sexual orientation, race, religion or belief, pregnancy or maternity and marriage or civil partnership)
2. If it is adverse, is it likely to be discriminatory?
3. In what areas does it have an impact? E.g. access to information, experience of services.
4. Even if there is no evidence of adverse impact, is there an opportunity to promote equality more effectively, or foster good relations between groups.

1. The analysis does not highlight any adverse impact on any of the protected characteristics.
2. In terms of direct discrimination there is no evidence that this policy is unlawful towards any of the protected characteristics. As an employer SEPA has to adhere to the Equalities Act (2010).
3. SEPA has recently experienced a number of performance issues with new employees who have not demonstrated the skills required of a role upon commencing employment. These types of issues are difficult to identify during the recruitment and selection process and have only become apparent upon commencement of employment. A probation period would ensure that a structured programme of training was implemented for these employees but would also provide management with a method by which to dismiss those who cannot meet the required standards within the probation period.
4. Having a clear procedure in place will help existing staff and prospective candidates to understand the process that will be followed within each external recruitment campaign. This will help to demonstrate fairness and equality of opportunity as well as SEPA's compliance with legislation.

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4. Consider alternatives (what to do if you find adverse impact)

1. How can you change your proposal in a way that is proportionate, and will
 - Remove discrimination?
 - Reduce any adverse impact?
 - Promote equality more effectively?
 - Foster good relations between groups?
2. If there are none, can the policy, strategy or projects still be justified?
3. Can the aims be met in some other way? What can you do now/later?
4. What are you recommending?

This guidance has been developed after a pilot of the process was undertaken using the 19 new recruits employed to work within the SCC. Following on from this pilot HR took the opportunity to discuss the pilot with the manager responsible for the SCC. Feedback included:

- SCC staff members were made aware of the probation period during their interview.
- Staff did not think that this was unusual as most employers put in place a probation period and they were aware that they would receive full training and support during their 6 month probation period to meet the job specifications.
- The general training programme for a new member of staff to SCC is 3 months and this involves full training of all systems and processes that SCC carry out. Regular 1-2-1's and coaching sessions are carried out to monitor how staff are performing.
- Attendance during the 6 month probation period was very good – with 13 days of absence in SCC and 1 member who had 2 occasions, which was addressed in the review.
- The staff members concerned have continued to meet the standards expected since the probation period ended.

By introducing a probation period this will bring SEPA in line with other Government bodies namely: Scottish Government, Scottish Natural Heritage, Forestry Commission, Visit Scotland, Cairngorm National Park, SQA and Highland Council.

No other conditions of employment have been affected by this policy. It is recommended that the policy is implemented, subject to consultation with UNISON and agreement by

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AMT.

5. Consult formally (relevant stakeholders)

1. What are the views of the people who are likely to be affected or who have an interest about?

- Whether you have identified the right issues?
- Whether you have proposed suitable modifications?
- Whether your proposals will meet their needs?

2. How will you consult?

3. Whom do you need to get views from?(internally/externally)

4. What methods will you use?

5. What formats will you use for communicating with different groups?

As this is an internal policy there is no requirement to consult externally.

The policy will require to be formally consulted upon with our Trade Union UNISON and this will be progressed through the normal arrangements for consultation.

6. Decide whether to adopt this policy, strategy or project- (consider these questions to prompt answers)

What were your findings from the consultation?

Taking into account all of the data, information, potential impact issues and consultation feedback, what will you recommend?

- Stop and remove the policy, strategy or project
- No major change the policy, strategy or project is robust
- Modify the policy, strategy or project (Say how your changes will deal with adverse impacts) (consider if there are any new adverse impacts for any

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equality group)

- Adopt the policy, strategy or project as proposed. (You should justify this where you identified adverse impact, or where you are not incorporating feedback from your consultations)

As there is no evidence of direct discrimination and there is no adverse impact I have recommended that SEPA should apply the following statement to section 3 of the guidance document:

SEPA has a duty to promote equality in all its policies and practices. If during the regular 1-2-1 meetings the line manager identifies that their new employee's performance issues may relate to a disability, reasonable adjustments must be applied. Examples of a reasonable adjustment may include extending the probationary period.

In the first instance the line manager must discuss any requirements with HR. However it is recognised that there may be changes required dependant upon the consultation with UNISON.

7. Make Monitoring (and review) Arrangements - (consider these questions to prompt answers)

1. How will you know what the actual effect of the policy, strategy or project is?
2. In what ways will you monitor? e.g. continuously or irregularly, quantitative methods such as surveys, qualitative methods such as interviews
3. How often will monitoring information be analysed (and published)?
4. When will you review the policy, strategy or project taking into account any monitoring information?

It is recommended that once consultation with UNISON has been completed that this policy is reviewed again in order to incorporate any changes.

Any effect that this guidance has had will be identified by monitoring the number of job applications received from prospective candidates and identifying whether introducing a

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probationary period results in a reduction of the number of applicants.

The data monitored will include the equality data on SEPA's workforce; the number of probationary periods offered by SEPA each year; the number of extensions and the number of staff members who do not meet the required level and therefore have to leave SEPA. This may be included within the 6 monthly equality report presented to JNCC.