

## Impact Assessment (IA) form

### General Information

<b>Name of policy/proposal</b>	<b>Annual Leave Policy</b>
<b>Responsible department</b>	Human Resources
<b>Date</b>	October 2019

### Aims of the proposal

<p><b>What do you hope to achieve? Why is the policy/proposal needed, for example is there currently a gap in service delivery?</b></p>	<p>The Scottish Social Services Council promotes a positive healthy work life balance and recognises the importance of annual leave in achieving this. This policy aims to provide a fair, consistent and equitable approach to managing annual leave, which ensures that individual needs are balanced with operational requirements.</p> <p>The SSSC will encourage employees to take regular breaks from work by planning and taking annual leave to help maintain employee welfare and ensure employees do not build up excessive leave at the end of the leave year.</p> <p>The policy applies to all SSSC employees.</p>
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<p><b>How will it contribute to the SSSC’s strategic objectives and/or priorities?</b></p>	<p>The annual leave policy contributes to strategic outcome 4, priority 5 – a customer focus throughout the organisation. The policy aims to provide a fair, consistent and equitable approach to managing annual leave, which ensures that individual needs are balanced with operational requirements.</p>
<p><b>Equality duties and protected groups Who will it affect (either positively or negatively)?</b></p>	<p><b>Human Rights Act 1998</b> - The annual leave policy promotes human rights of all staff. It ensures that staff are being given a healthy work life balance by encouraging employees to take regular breaks from work by planning and taking annual leave to help maintain welfare.</p> <p><b>Equality Act 2010</b> – amendments to the policy ensures we continue to meet the requirements of the legislation.</p>

**Data and evidence gathering, involvement and consultation**

**(Please include any evidence or relevant information that has influenced the decisions contained in this IA)**

<p><b>Please include details of all evidence used (qualitative and quantitative) you have included. This should include, where relevant, numbers of children and young people and their views/experiences and how this will affect them.</b></p>	
<p><b>Has the proposal been the subject of relevant engagement and/or consultation?</b></p> <p><b>If yes, please say who with.</b></p> <p><b>If no, please say why none took place.</b></p>	<p>Consultation has been carried out with the OMT, EMT, Resources Committee and Partnership Forum between January to June 2019.</p> <p>The consulted committees gave feedback, comments and suggestions to the policy. Any changes were actioned and the policy was given final approval in July 2019.</p>

<b>Engagement and/or consultation carried out</b>	The engagement and consultation carried out was with OMT, EMT, Resources Committee and Partnership Forum.
<b>What were the results? Please include any consultation report/engagement results</b>	We received comments from all groups consulted and made amendments/changes to the policy based on the comments received.
<b>Have you used best judgement (officer/practitioner knowledge and experience) in place of data/research/evidence?</b>  <b>If yes, who provided this best judgement and what was this based on?</b>	N/A
<b>What gaps (if any) did you find in your data?</b>	N/A
<b>Is further research necessary?</b>  <b>If yes, what will you do, for example a further consultation, conduct a survey, engage with specific groups of people etc?</b>	No further research is necessary at the current time.  The policy will be reviewed every three years and will be done in consultation with the Partnership Forum. When the review is due it may be that a focus group is set up to engage with staff.

**ASSESSING THE IMPACTS AND IDENTIFYING OPPORTUNITIES TO PROMOTE EQUALITY**

**Having considered the data and evidence you have gathered; you need to consider potential impacts – negative and positive that your proposal might have on each of the protected characteristics. It is important to remember the duty is also a positive one – this means we must explore whether the proposal offers the opportunity to promote quality and/or foster good relations. Under each protected characteristic please consider how your proposal achieves the following:**

- **eliminates discrimination, harassment, victimisation or any other prohibited conduct**
- **advances equality of opportunity by having due regard to:**
  - **removing or minimising disadvantage**
  - **meeting the needs of particular groups that are different from the needs of others**
  - **encouraging participation in public life**
- **fostering good relations – tackling prejudice, promoting understanding.**

**Gender – does the proposal take account of different roles and responsibilities? Does it assume, perhaps wrongly that men have no caring responsibilities? Is the proposal flexible enough to provide a service that everyone can access?**

<b>Positive impact</b>	<b>Neutral impact</b>	<b>Negative impact</b>	<b>Reasons for your decision</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request annual leave.

**Ethnicity – have you covered all minority ethnic groups? Consider the impact your proposal has on someone from a minority ethnic group and remember this impact may differ depending on the gender, disability, faith, sexual orientation or ethnicity of the person as different cultures have different views on what is acceptable. Consider language and format.**

<b>Positive impact</b>	<b>Neutral impact</b>	<b>Negative impact</b>	<b>Reasons for your decision</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Disability – a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person’s ability to carry out day-to-day activities. How does this proposal affect disabled people? Are there any impairment groups who are unfavourably affected by the policy?**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Sexual orientation – what are the issues for this group in terms of your proposal? Does it meet the needs of this group?**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Gender reassignment – does your proposal include people of different gender identities? Will your proposal impact transgender individuals in any way?**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Age – remember different age groups have different concerns. When considering age remember that some individuals are more vulnerable or have issues that may need additional consideration.**

Positive impact	Neutral impact	Negative impact	Reasons for your decision

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.
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**Marriage and civil partnership – it is unlawful discrimination for people who are married/civil partnership/same-sex couple to be treated less favourable in employment than those who are not married/civil partnership/mixed-sex couple.**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Pregnancy and maternity – protection against maternity discrimination covers 26 weeks after giving birth – this includes treating a woman unfavourable because she is breastfeeding.**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**Religion/belief/non-belief – does your proposal take into account different festivals, holidays, religious days and traditions? Will the different faith beliefs impact on women from that group and exclude or prevent them from using the service?**

Positive impact	Neutral impact	Negative impact	Reasons for your decision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any employee can request and take annual leave.

**CHALLENGES AND OPPORTUNITIES FOR EQUALITIES GROUPS LIVING IN AN ISLAND COMMUNITY**

**This section considers the impact or effect of your proposal on an island community and whether this could be significantly different from its effect on other communities. Your proposal should be developed and delivered to improve or reduce any negative impact(s). Please consider each of the protected characteristics and complete the table below highlighting your evidence and justification for your response.**

<b>Is the impact positive, negative or no impact? Give comments</b>	<b>Positive Impact</b>	<b>Neutral Impact</b>	<b>Negative Impact</b>	<b>Reasons for your decision</b>
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neither a positive nor negative impact identified.
<b>Advancing equality of opportunity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neither a positive nor negative impact identified.
<b>Promoting good relations among and between</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neither a positive nor negative impact identified.

## CHILD RIGHTS AND WELLBEING

**This section considers the impact of your proposal on children and young people, or specific groups of children and young people, in Scotland. The UNCRC (The United Nations Convention on the Rights of the Child) has four general principles which you should consider as you develop your proposal.**

- 1. Non-discrimination children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).**
- 2. Best interests of the child every decision and action taken relating to a child must be in their best interests.**
- 3. Life, survival and development every child has a right to life and to develop to their full potential.**
- 4. Respect for the views of the child every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.**

**Please identify the individual rights you consider most relevant to your proposal and highlight the potential impact.**

<b>Is the impact positive, negative or no impact? Give comments</b>	<b>Positive Impact</b>	<b>Neutral Impact</b>	<b>Negative Impact</b>	<b>Reason for your decision</b>
<b>Civil rights and freedoms (Children have a right to access and to move freely in public spaces, and to meet up and spend time with others. Children have a right to think and believe what they like, to access information</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neither a positive nor negative impact identified.



<p><b>and to speak their mind, so long as this is not harmful to others. They have a right to keep personal matters and communications private.)</b></p>				
<p><b>Violence against children (Children have a right to be protected from inhuman or degrading treatment in every setting.)</b></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Neither a positive nor negative impact identified.</p>
<p><b>Family environment and alternative care (Children have a right not to be separated from their parents, unless this is in their best interests. Where children must live apart from their families, they have a right to be well cared for. If the child's parents are living apart, the child has the right to maintain</b></p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Potentially positive impact as the policy encourages employees to take annual leave which could be used for time off with their children.</p>

<p><b>contact with both, if that is safe and in their best interests. Children should have a say when adults make decisions about where they live and how they should be cared for, and those placements should be subject to regular review.)</b></p>				
<p><b>Disability, basic health and welfare (Disabled children are children first and have a right to the same opportunities as every child. That means removing the barriers - whether social, cultural, attitudinal or physical which impede their inclusion in education, play and recreation, and society, and providing whatever protective measures, health and social care services</b></p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Potentially positive impact as the policy encourages employees to take annual leave which could be used for time off with their children.</p>

<p><b>they might need. It also means promoting their equal rights and protecting them from discrimination. To fully take part in these opportunities, disabled children and their families sometimes require special care and assistance which should, where possible, be delivered free of charge.)</b></p>				
<p><b>Education, leisure and cultural activities (All children, no matter what their ability, interests or background, have a right to an education that will help them achieve their potential without discrimination. Education should be child-centred and empowering. It should strengthen their</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Potentially positive impact as the policy encourages employees to take annual leave which could be used for time off with their children.</p>

<p><b>capacity to enjoy the full range of human rights as well as promote human rights values. Children should be able to express their views, and encouraged to participate in preschool, school and college life. Children have a right to learn about human rights. Children also have a right to play and recreational activities, to rest and leisure, and to take part in cultural life.)</b></p>				
<p><b>Special protection measures (There are groups of vulnerable and marginalised children who require special protection and these are often the children who are most at risk of having their rights</b></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Neither a positive nor negative impact identified.</p>

<p><b>ignored or infringed. They include asylum-seeking and refugee children, child victims of trafficking or exploitation, and children in trouble with the law. Asylum-seeking children and child refugees are entitled to special protection and all the other rights in the UNCRC. They must not be the victims of discrimination or stigmatisation. If they arrive unaccompanied by any parents or other family members, they should be well cared for. They should not be deprived of their liberty. Institutions where children are detained should treat them in a manner which takes into account their age,</b></p>				
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capacity and individual needs.)				
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**HEALTH AND WELLBEING AND HEALTH INEQUALITIES**

**This is about physical, mental health and wellbeing and includes for example, participation, creativity and developing potential. It also covers all aspects of poverty including income and fuel poverty. The Fairer Scotland Duty requires us to actively consider how we can reduce inequalities in any major decision we make. Think about health and the different causes of health inequalities:**

- **fundamental causes like macro-economic position, societal values about fairness and equity**
- **wider environmental influences like availability of jobs, physical environment for example, availability of services**
- **individual experiences like mental health and wellbeing, family income, ability to navigate services, connectedness**
- **socio-economic disadvantage like low income, low wealth, material deprivation and area deprivation.**

**Think about the different causes and types of poverty.**

- **Will this proposal provide services that meet the needs of people experiencing poverty?**

**Will the information and services be easy to access?**

<b>Is the impact positive, negative or no impact? Give comments</b>	<b>Positive Impact</b>	<b>Neutral Impact</b>	<b>Negative Impact</b>	<b>Comments</b>
<b>Remove inequalities and increase access</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The policy promotes a positive healthy work life balance and recognises the importance of annual leave in achieving this.

<b>to opportunities for improving health and wellbeing</b>				
<b>Advance opportunities for increasing health and wellbeing across the sector</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The policy promotes a positive healthy work life balance and recognises the importance of annual leave in achieving this.
<b>Foster good practice for sector wide health and wellbeing</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The policy promotes a positive healthy work life balance and recognises the importance of annual leave in achieving this.

### **ECONOMIC AND SOCIAL SUSTAINABILITY**

**This is about pay, employment opportunities, valuing and supporting voluntary work. It also covers some areas of poverty including individual and community resilience. The Fairer Scotland Duty requires us to actively consider how we can reduce inequalities in any major decision we make.**

**How will your proposal impact on social status, employment (paid or unpaid), encourage investment in skills and training, assist people on low incomes or support other disadvantaged groups in any way, the impact of delivery of services for people living rurally?**

**How will your proposal work in rural areas where the existing infrastructure is typically less developed or where infrastructure does not exist, for example there's no fast broadband connections?**

Is the impact positive, negative or no impact? Give comments	Positive impact	Neutral impact	Negative impact	Reason for your decision
<b>Removes disadvantage of inequality</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Employees could use annual leave but other policies provide time off for public and community service.
<b>Advance opportunities for individuals</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Employees could use annual leave but other policies provide time off for public and community service.
<b>Foster good relations and sustainability of communities</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Employees could use annual leave but other policies provide time off for public and community service.



## DECISION MAKING

**Which one of the following statements best matches your assessment of this proposal? Please give your reasons.**

<p><b>No major change – proposal is robust, evidence shows no potential for discrimination, all opportunities to promote equality have been taken</b></p>	<p>X - The policy was previously titled Annual Leave Framework and has only had some minor amendments made.</p>
<p><b>The proposal needs to be adjusted to remove barriers or better promote equality</b></p>	
<p><b>Proceed with proposal despite potential for adverse impact or missed opportunity to promote equality (not possible to remove all the risk protected characteristic groups)</b></p>	
<p><b>Stop and remove the proposal – shows actual/potential unlawful discrimination/in breach of equality legislation</b></p>	

## MONITORING AND REVIEWING

<b>How will you monitor the implementation of the proposal? For example, customer surveys.</b>	Human resources and the Partnership Forum are responsible for monitoring this policy. In consultation with the Partnership Forum, the policy will be reviewed on a three year basis.
<b>How will you use the results of the monitoring to develop the proposal? (This information will be useful when you review the policy.)</b>	
<b>When and how will you review the proposal? (Please also give details of who is responsible.)</b>	Human resources and the Partnership Forum are responsible for monitoring this policy. In consultation with the Partnership Forum, the policy will be reviewed on a three year basis.