

## Equality Impact Assessment (IA) form

GENERAL INFORMATION	
<b>Name of policy/proposal</b>	Paperless Hearings
<b>Contact details</b>	<p>Hannah Coleman</p> <p><a href="mailto:Hannah.Coleman@sssc.uk.com">Hannah.Coleman@sssc.uk.com</a></p> <p>01382 723603</p>
<b>Date</b>	20.01.2020 and updated 20.05.2020

AIMS OF THE PROPOSAL	
<p><b>What do you hope to achieve?</b></p> <p><b>Why is the policy/proposal needed, for example is there currently a gap in service delivery?</b></p>	<p>To send all hearings-related paperwork to panel members electronically and implement a paperless hearings system. This will allow us to hold hearings remotely and eliminate the risk of data breaches from papers going missing or being misplaced. We will continue to provide hard copy papers to workers involved in hearings.</p> <p>This proposal also encompasses the purchase of large, interactive screens to facilitate and improve the experience of workers, witnesses and panel members involved in hearings using video conferencing.</p>
<b>How will it contribute to the SSSC's strategic objectives and/or</b>	Strategic outcome 1: The right people are on the Register.

<b>priorities and/or your directorate plan?</b>	This work will contribute to Strategic Priority 2: Our fitness to practise process is proportionate and accessible, and the work that was included under this to introduce paperless hearings.
<ul style="list-style-type: none"> <li><b>Equality duties and protected groups</b></li> <li><b>Who will it affect (either positively or negatively)?</b></li> </ul>	<p>Please use the relevant legislation(s) below to give an explanation. Please delete any that are not relevant:</p> <ul style="list-style-type: none"> <li>Equality Act 2010</li> <li>Human Rights Act 1998</li> </ul>

## DATA AND EVIDENCE GATHERING, INVOLVEMENT AND CONSULTATION

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

<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>	The pilot of paperless hearings was due to start in May/June 2020 in line with updates to our Case Management System. As a result of COVID-19, on 18 March 2020 we stopped holding hearings in person and moved to hold hearings by remote video link. This change required us to move to a paperless approach for panel members more rapidly than first anticipated. This has been successful for the panel members involved. As a result, we are now seeking to roll out a paperless hearings process for panel members which will further facilitate the remote hearings process. This will require the purchase of additional devices for the panel members not involved in the pilot.
<b>Has the proposal been the subject of relevant engagement and/or consultation?</b>  <b>If yes, please say who with.</b>	When the initial proposals were drafted, there were over 80 panel members in post. It was intended that a pilot of the proposed paperless system would be carried out with 20 panel members. The 20 members would have consisted of a mix of the 3 types of panel member (legally qualified chairs, social service members and lay members), ages and gender. 40 devices were in fact purchased

<b>If no, please say why none took place.</b>	<p>for the pilot and a further 20 panel members who most often sit on hearings identified, again a mix of roles, ages and gender.</p> <p>We anticipated the pilot starting in May and running for at least 4 months. The implications of COVID-19 as detailed above have resulted in us starting the pilot early but without the ability to share electronic documents in the way intended. The devices have been used both to access papers (using an alternative method for sharing papers at present) and to enable panel members to engage in video remote hearings. Positive feedback from those involved has led to us seeking to extend this to further panel members rather than waiting several months until the pilot concludes.</p>
<b>Engagement and/or consultation carried out</b>	Feedback obtained from panel members involved in the pilot.
<b>What were the results? Please include any consultation report/engagement results</b>	We have obtained positive feedback from panel members involved. Some members not involved in the pilot have indicated that they would be better able to participate in hearings if they were provided with a device.
<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>	We have considered the feedback from the parties involved in addition to our own best judgement to inform our decision.
<b>What gaps (if any) did you find in your data?</b>	No gaps identified.
<b>Is further research necessary?</b>	Not at this stage but we will continue to obtain feedback from members. We anticipate being able to share documents as initially intended as of August, and will seek feedback on this as it is rolled out, refining processes as appropriate.

<b>If yes, what will you do, for example a further consultation, conduct a survey, engage with specific groups of people etc?</b>	
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## 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?**

	Positive impact	Neutral impact	Negative impact	Reasons for your decision
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have not identified any impact of this policy under this characteristic.

**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.**

	Positive impact	Neutral impact	Negative impact	Reasons for your decision
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have not identified any impact of this policy under this characteristic.

<b>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?</b>				
	<b>Positive impact</b>  <input type="checkbox"/>	<b>Neutral impact</b>  <input checked="" type="checkbox"/>	<b>Negative impact</b>  <input type="checkbox"/>	<b>Reasons for your decision</b>  In terms of paperless hearings, we will make reasonable adjustments to meet the needs of any panel members who have a disability and provide as much support as is required. The majority of the role will be unaffected, it will simply be that instead of receiving a physical copy of papers in advance of a hearing, the same papers will be received electronically.
<b>Sexual orientation – what are the issues for this group in terms of your proposal? Does it meet the needs of this group?</b>				
	<b>Positive impact</b>  <input type="checkbox"/>	<b>Neutral impact</b>  <input checked="" type="checkbox"/>	<b>Negative impact</b>  <input type="checkbox"/>	<b>Reasons for your decision</b>  We have not identified any impact of this policy under this characteristic.
<b>Gender reassignment – does your proposal include people of different gender identities? Will your proposal impact transgender individuals in any way?</b>				
	<b>Positive impact</b>  <input type="checkbox"/>	<b>Neutral impact</b>  <input checked="" type="checkbox"/>	<b>Negative impact</b>  <input type="checkbox"/>	<b>Reasons for your decision</b>  We have not identified any impact of this policy under this characteristic.
<b>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.</b>				

	<b>Positive impact</b> <input type="checkbox"/>	<b>Neutral impact</b> <input checked="" type="checkbox"/>	<b>Negative impact</b> <input type="checkbox"/>	<b>Reasons for your decision</b> <p>We note that individuals using the devices will range in age and have a mixed technical ability. We are providing high levels of technical support to ensure everyone can engage. If hard copy documents are required on account of age, alternative arrangements will be made.</p>
<b>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.</b>				
	<b>Positive impact</b> <input type="checkbox"/>	<b>Neutral impact</b> <input checked="" type="checkbox"/>	<b>Negative impact</b> <input type="checkbox"/>	<b>Reasons for your decision</b> <p>We have not identified any impact of this policy under this characteristic.</p>
<b>Pregnancy and maternity – protection against maternity discrimination covers 26 weeks after giving birth – this includes treating a woman unfavourable because she is breastfeeding.</b>				
	<b>Positive impact</b> <input type="checkbox"/>	<b>Neutral impact</b> <input checked="" type="checkbox"/>	<b>Negative impact</b> <input type="checkbox"/>	<b>Reasons for your decision</b> <p>We have not identified any impact of this policy under this characteristic.</p>
<b>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?</b>				
	<b>Positive impact</b> <input type="checkbox"/>	<b>Neutral impact</b> <input checked="" type="checkbox"/>	<b>Negative impact</b> <input type="checkbox"/>	<b>Reasons for your decision</b> <p>We have not identified any impact of this policy under this characteristic.</p>

## 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.

Is the impact positive, negative or no impact? Give comments	Positive Impact	Neutral Impact	Negative Impact	Reasons for your decision
<b>Eliminating unlawful discrimination, harassment and victimisation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will eliminate unlawful discrimination, harassment and victimisation of groups living in an island community.
<b>Advancing equality of opportunity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will advance equality of opportunity for groups living in an island community. We already have a policy in place which allows us to pay for travel and accommodation for parties attending hearings and this would apply to those from island communities (from which the costs of travel are high). Alternatively, we would consider holding an entire hearing in an alternative location if this was appropriate in the circumstances (and have previously held a hearing on one of the Scottish islands). The purchase of the interactive screens to improve worker and witness attendance from remote location will improve the experience of those parties attending in this way, but due to the policy of paying expenses and the option of relocating an entire hearing we do not anticipate this necessarily being of greater benefit to those on island communities.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Promoting good relations among and between				
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## 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.

Is the impact positive, negative or no impact? Give comments	Positive Impact	Neutral Impact	Negative Impact	Reason for your decision
Civil rights and freedoms (Children have a right to access and to move freely in public spaces, and to meet up and spend	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No impact identified on children's civil rights.

time with others. Children have a right to think and believe what they like, to access information 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.)				
Violence against children (Children have a right to be protected from inhuman or degrading treatment in every setting.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Children will continue to be protected through our fitness to practise processes.
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above.

<p>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 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.)</p>				
<p><b>Disability, basic health and welfare</b>  (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</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>As above.</p>

<p>education, play and recreation, and society, and providing whatever protective measures, health and social care services 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.)</p>				
<p>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</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>As above.</p>

<p>without discrimination. Education should be child-centred and empowering. It should strengthen their 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.)</p>				
<p><b>Special protection measures</b> (There are groups of vulnerable and</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>As above.</p>

<p><b>marginalised children who require special protection and these are often the children who are most at risk of having their rights 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.</b></p>				
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Institutions where children are detained should treat them in a manner which takes into account their age, capacity and individual needs.)				
<p align="center"><b>HEALTH AND WELLBEING AND HEALTH INEQUALITIES</b></p>				
<p>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:</p> <ul style="list-style-type: none"> <li>▪ fundamental causes like macro-economic position, societal values about fairness and equity</li> <li>▪ wider environmental influences like availability of jobs, physical environment for example, availability of services</li> <li>▪ individual experiences like mental health and wellbeing, family income, ability to navigate services, connectedness</li> <li>▪ socio-economic disadvantage like low income, low wealth, material deprivation and area deprivation.</li> </ul> <p>Think about the different causes and types of poverty.</p> <ul style="list-style-type: none"> <li>▪ Will this proposal provide services that meet the needs of people experiencing poverty?</li> <li>▪ Will the information and services be easy to access?</li> </ul>				
Is the impact positive, negative or no impact? Give comments	Positive Impact	Neutral Impact	Negative Impact	Reason for your decision

<b>Remove inequalities and increase access to opportunities for improving health and wellbeing</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will foster remove inequalities and increase access to opportunities for improving health and wellbeing.
<b>Advance opportunities for increasing health and wellbeing across the sector</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will advance opportunities for increasing health and wellbeing across the sector.
<b>Foster good practice for sector wide health and wellbeing</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will foster good practice for health and wellbeing.



## 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will remove disadvantage of inequality (we already meet the travel and subsistence costs of workers attending hearings; if a party is unable to attend remotely due to poor broadband connection we will make arrangements for them to attend an alternative local venue or will pay their travel and subsistence costs to attend Dundee).
<b>Advance opportunities for individuals</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will advance opportunities for individuals.

Foster good relations and sustainability of communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We have no data to suggest these steps will foster good relations and sustainability of communities.
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### DECISION MAKING

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

No major change – proposal is robust, evidence shows no potential for discrimination, all opportunities to promote equality have been taken	 The aim of this project is to reduce the risk of data breaches and to be more sustainable environmentally. Workers will still be provided with hard copy papers so not disadvantaged by any requirement to have technology in order to participate.
The proposal needs to be adjusted to remove barriers or better promote equality	
Proceed with proposal despite potential for adverse impact or missed opportunity	

<b>to promote equality (not possible to remove all the risk protected characteristic groups)</b>	
<b>Stop and remove the proposal – shows actual/potential unlawful discrimination/in breach of equality legislation</b>	

<b>MONITORING AND REVIEWING</b>	
<b>How will you monitor the implementation of the proposal? For example, customer surveys.</b>	We have been surveying panel members and will continue to do so.
<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>	As above, we will continue to survey, and will address results as required.
<b>When and how will you review the proposal? (Please also give details of who is responsible.)</b>	We will review the proposal throughout.