

Employee Passport – EQIA

June 2022

Equality Impact Assessment Record

Title of policy/ practice/ strategy/ legislation etc.	Employee Passport	
Minister	PD – Perm Sec	
Lead official	Lynne Allan	
Officials involved in the EQIA	Name	Team
	Lynne Allan Mark Dorrian Alan Lewis	Workplace Adjustments Project Team
Directorate: Division: Team	People Directorate, People Advice, Workplace Adjustment Project Team	
Is this new policy or revision to an existing policy?	New policy	

Screening

Policy Aim

Describe in this paragraph what the purpose of your policy/strategy/plan is and its desired outcomes and to which National Outcome(s) it contributes.

National outcomes:

- Fair Work and Business: We have thriving and innovative businesses, with quality jobs and fair work for everyone¹
- Human Rights: we respect, protect and fulfil human rights and live free from discrimination

Scottish Government Equality Outcomes:

- The Scottish Government's workforce increases in diversity to reflect the general Scottish population by 2025.
- By 2025, workforce culture will be more inclusive with employees from all backgrounds and characteristics and experiences reporting they feel increasingly valued

¹ Vision: We successfully attract and retain new talent and fully support business and social enterprise. Our achievements are underpinned by a strong culture of research, innovation and development. We take seriously the wellbeing and skills of our workforce and provide good quality, fair work, training and employment support for all. Employers actively fulfil their corporate responsibilities. (Indicator of reducing inequalities)

In progressing its Equality Outcomes the Scottish Government has made a commitment to empower disabled employees to realise their potential in the workplace, removing unnecessary barriers to recruitment, retention and progression. The Recruitment and Retention Plan for Disabled People 2019 (DRRAP) sets a target of 25% of external recruitment of disabled people over the next seven years.

The plan sets out the actions we will take as an employer to support more disabled people into work in Scottish Government and to enable existing disabled employees to thrive and succeed at work.

The anticipated outcomes for the project align with the desired outcomes of the DRRAP to:

- create an accessible workplace where everyone can perform without barriers
- have corporate policies and practices that work well, and work well together, to enable disabled people to thrive at work.

One of the commitments to support this outcome was to consider and take forward the findings of the Scottish Government: Reasonable Adjustments Discovery report published December 2018 and conducted by Storm ID to review and propose a revised approach for delivering a workplace adjustments service.

The aim of the Discovery research was to provide evidence so that Scottish Government had the knowledge it needed to remove barriers to recruitment, retention and progression of disabled staff. Workplace adjustments are a significant vehicle for this. Workplace adjustments and the employee passport are inextricably linked. The passport is a significant tool for understanding, mainstreaming, increasing uptake and establishing the new approach for workplace adjustments within Scottish Government. The Discovery research can therefore be used as an evidence base for the employee passport.

Who will it affect?

- All core Scottish Government employees. In particular\;
- colleagues with circumstances that impact on their day-to-day work life.
- colleagues with ongoing or long-term medical conditions
- new recruits to Scottish Government.
- those on the Graduate Development Programme who move from post to post and line manager to line manager as part of the Programme.
- disabled interns
- line managers

What might prevent the desired outcomes being achieved?

1. If the passport is not a co-production involving the various staff networks within Scottish Government from the outset then it will be seen as something which is being imposed on staff rather than something that has been widely consulted on and developed in partnership – a co-production.
2. Lack of uptake of the new passport because of lack of trust in managers or HR services and/or a perception that disclosure may have a negative impact on their job.
3. Benefits of the passport must be clear for both users and line managers.
4. Despite being for all core SG employees, the most likely users must be targeted and accommodated and this must be reflected in policy, process and guidance. It must adopt the Social Model of Disability.
5. Disabled colleagues have been promised a Disability Passport. This passport encompasses that passport and expands upon it. We must ensure that the new passport is seen to go further than the original promise rather than breaking it.
6. Data security must be a prime consideration. There must be clear processes for users and line managers handling data especially regarding retention (keeping it safe), sharing and disposal (when the line management relationship ends). Any data breach by the workplace adjustments team may also undermine its use so a DPIA will be needed as well as fully-trained staff.
7. We must ensure there is sufficient capacity in the workplace adjustments team to manage the expected increase in requests.
8. Communications on, and promotion of, the passport must be ongoing long after the launch.
9. The review of the workplace adjustments service concentrated on new starts. There is a blind spot for current staff and the issues they may wish to address which the team may not have managed previously.
10. The passport cannot be for core SG employees only. If successful, to avoid feelings of bias or less favourable treatment, the workplace adjustments team must work with agencies and NDPBs to enable them to offer the passport or a version thereof with suitable tweaks to the process.
11. A process for ongoing feedback and improvement must be built in.
12. The passport must highlight its main goal of inclusion and be careful not to be seen as something for disabled colleagues only.
13. The passport may not be considered by all staff networks, such as REN and LGBT, as applicable to them.
14. Both the passport and the passport process must be easily accessible or it will alienate potential users.
15. The passport cannot be seen as a one-off exercise but rather something that is a working document that needs periodic updating.

Stage 1: Framing

Results of framing exercise

The creation of an employee passport is in recognition that each member of staff has **circumstances** which may impact their work at some point in their career, whether on a short-term, long-term or permanent basis.

The purpose of the passport is to help create a supportive environment allowing people to function at work at their best, by recognising individual needs and circumstances. For some that might be living with a health condition or disability that requires a workplace adjustment to remove barriers. For others it may be carer responsibilities, pregnancy or fertility treatment, religious observance, volunteering commitments, part time working arrangements, or undergoing gender reassignment treatment – to name just a few.

The passport is in two parts:

- Part 1 – is a simple word document for staff to set out their particular circumstances to help start a discussion with their line manager. Some of that discussion may be for their manager's awareness or information, or it may lead to identifying and agreeing local arrangements or formal adjustments. Local arrangements are those adjustments which are agreed and implemented locally with agreement from the passport user and the line manager.
- Part 2 – colleagues submit this part of the passport to the Workplace Adjustments Team via HR online on iFix when it is felt that they would benefit from advice and/or support from the workplace adjustments team in putting in place a more formal adjustment. This could be a piece of Assistive Technology software, an assessment of workplace needs for staff with a neuro-diverse condition or some other piece of equipment. It may well be that the line manager and passport user do not know what is available and need to discuss the circumstances and ask for advice from the workplace adjustments team. At the end of the process, the formal workplace adjustments will be noted in the passport and the passport holder's HR record will be updated.

Benefits

There are a number of benefits for the employee, the line manager and the organisation more generally.

Benefits for employees:

- Setting out on paper some of an employee's circumstances might help start a discussion with their line manager, that might be uncomfortable to initiate verbally or in written communication.
- While the employee will decide what information to tell their manager, sharing information can help them better understand something they may be unfamiliar with and help them think about how best to support them.

- Allows an employee to explain the impact of their circumstances on them at work.
- Lets the employee suggest adjustments they think might assist.
- Lets the workplace adjustment team help arrange an adjustment and transfer adjustments when the employee moves to a new post.
- It will be particularly helpful if the employee changes line manager. Their passport will set out their circumstances, what adjustments have been previously agreed and the arrangements for them and will avoid having to “retell their story”.

Benefits for line managers:

- Better understanding of staff’s circumstances and possible impact on work.
- Able to better balance the needs of the business with that of the individual.
- Helps recognise signs that an employee’s circumstances may be having greater impact.
- Input of workplace adjustment team takes pressure off of the line manager to arrange adjustments.
- Sets out in advance, stay in touch arrangements during any absence from work.

Benefits for the organisation:

- The passport will record all workplace adjustments and this will provide a significant amount of management information on the nature and uptake of workplace adjustments which is not available at present.
- Everyone using the passport will become aware of workplace adjustments, and their use will become more mainstreamed. This will have a positive impact on the culture and values of the Scottish Government.
- The passport will provide a direct link to workplace adjustments policy and processes and will increase uptake.
- The passport will be key to establishing the new, recently piloted, approach to workplace adjustments.

Extent/Level of EQIA required

A full EQIA is required. It details a new product which seeks to increase inclusion, mainstream workplace adjustments, facilitate progression and improve the service for workplace adjustments for both new and existing staff.

This EQIA links to EQIAs relating to on-boarding and the recruitment of employees.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic ²	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	<p>Age is relevant to this EQIA because people at any age can require a workplace adjustment, and some age groups are more likely to require an adjustment or have a condition that can affect their recruitment, retention and progression.</p> <p>There has been a lot of feedback from existing staff that they wished they had had the passport in place when they started in Scottish Government. The Employee passport will be added to the induction pack for all new starts. This will be a significant aid in the retention of younger members of staff.</p> <p>The experience of the review of Workplace adjustments was that younger new starts are more likely to be aware of their health condition/neuro-diverse condition whereas older colleagues are more likely to have conditions associated with the aging process such as gradual hearing loss. Young new starts are also more likely to have received support during school and/or university and there is an expectation of a similar level of support in Scottish Government. When support is not there it feels like a hammer blow.</p> <p>Scottish Government has two programmes specifically aimed at encouraging young people into the workplace: the Modern Apprenticeship (MAP) and Graduate Development (GDP) programmes. The Workplace Adjustments team now work with both programmes. The GDP has recently had a high level of recruits with a stated disability. The 2021 GDP intake were asked to take part in the pilot of the passport and most of them did. They considered the passport to be beneficial to them because they</p>	<p>Source: <u>Annual Participation Measure for 16 – 19 year olds in Scotland 2019</u> (Published: August 2019, Skills Development Scotland (SDS))</p> <p>Source: The review of the Scottish Government workplace adjustments service in 2020/21</p> <p>Source: The trial of the Employee</p>	

² Refer to Definitions of Protected Characteristics document for information on the characteristics

	<p>changed job/line managers a number of times during the programme and it would help to avoid having to “retell their story”.</p> <p>The distribution table below shows that the Scottish Government has an age imbalance and that more young people are needed.</p> <p>SG Distribution of age group – trend – June 2020</p> <table border="1" data-bbox="383 411 1615 820"> <thead> <tr> <th></th> <th>16-29</th> <th>30-39</th> <th>40-49</th> <th>50-54</th> <th>55-59</th> <th>60+</th> </tr> </thead> <tbody> <tr> <td>June 2018</td> <td>15%</td> <td>25%</td> <td>27%</td> <td>16%</td> <td>11%</td> <td>6%</td> </tr> <tr> <td>June 2019</td> <td>17%</td> <td>25%</td> <td>27%</td> <td>14%</td> <td>11%</td> <td>6%</td> </tr> <tr> <td>September 2019</td> <td>17%</td> <td>25%</td> <td>27%</td> <td>14%</td> <td>11%</td> <td>6%</td> </tr> <tr> <td>December 2019</td> <td>17%</td> <td>25%</td> <td>27%</td> <td>14%</td> <td>11%</td> <td>6%</td> </tr> <tr> <td>March 2020</td> <td>18%</td> <td>25%</td> <td>27%</td> <td>14%</td> <td>11%</td> <td>6%</td> </tr> <tr> <td>June 2020</td> <td>17%</td> <td>25%</td> <td>27%</td> <td>14%</td> <td>11%</td> <td>6%</td> </tr> </tbody> </table>		16-29	30-39	40-49	50-54	55-59	60+	June 2018	15%	25%	27%	16%	11%	6%	June 2019	17%	25%	27%	14%	11%	6%	September 2019	17%	25%	27%	14%	11%	6%	December 2019	17%	25%	27%	14%	11%	6%	March 2020	18%	25%	27%	14%	11%	6%	June 2020	17%	25%	27%	14%	11%	6%	Passport in Nov/Dec 2021	
	16-29	30-39	40-49	50-54	55-59	60+																																														
June 2018	15%	25%	27%	16%	11%	6%																																														
June 2019	17%	25%	27%	14%	11%	6%																																														
September 2019	17%	25%	27%	14%	11%	6%																																														
December 2019	17%	25%	27%	14%	11%	6%																																														
March 2020	18%	25%	27%	14%	11%	6%																																														
June 2020	17%	25%	27%	14%	11%	6%																																														
DISABILITY	<p>This passport came about because the Scottish Government recognises that we need to improve the experiences of our existing and potential staff with disabilities. We have drawn on specific research to explore those experiences for this passport.</p> <ul style="list-style-type: none"> • in 2018, the employment rate for disabled people in Scotland (aged 16-64) was 45.6%, which compares with an employment rate of 81.1% for non-disabled people. • the employment gap between disabled and non-disabled people decreased to 35.5 percentage points from 35.9 percentage points in 2017. • the unemployment rate for disabled people (aged 16-64) in Scotland was 9.4% in 2018, compared with an unemployment rate of 3.6% for non-disabled people. 	<p>Source: <u>Disabled people in the labour market in Scotland 2018</u> (Published: February 2020)</p> <p>Source: <u>Equality Outcomes and Mainstreaming Report</u></p>	<p>The Workplace Adjustments Discovery project is the basis for both the Workplace Adjustments project and the employee passport.</p>																																																	

	<ul style="list-style-type: none"> • in 2018, almost half of disabled people (16-64 years) in Scotland were economically inactive (49.7%), compared with 15.9% of non-disabled people. • 26.3% of economically inactive disabled people wanted to work, higher than 16.9% of economically inactive non-disabled people. <p>Disabled staff increasingly comprise more of the Scottish Government's workforce</p> <p>In 2020, statistics on the Scottish Government workforce showed that:</p> <ul style="list-style-type: none"> • 8% have declared at least one disability • 48.9% were non-disabled • For 43.6% it's not known whether they had a disability <p>Between 2013 and 2020:</p> <ul style="list-style-type: none"> • Disabled people increasingly comprise more of the organisation's workforce: increasing from 4.0% to 7.6% • Declaration rates have increased from 61.2% to 66% • We also have a disability internship scheme run in partnership with Inclusion Scotland. <p>This passport aims to increase the number of disabled people in the Scottish Government and better retain them by putting adjustments in place on day one of their posts and mainstreaming adjustment needs.</p> <p>SG Core permanent & FTA staff</p> <ul style="list-style-type: none"> • Storm ID were commissioned to produce a report in 2018 with the following objective: through the successful evaluation of current services, and the discovery of evidenced user insights; ensure that Scottish Government has the knowledge it needs to empower disabled employees, removing unnecessary barriers to their recruitment, retention and progression whether they have declared a need or not - while achieving organisational objectives and fulfilling its legal obligations. 	<p><u>2019</u> (Last updated: April 2019)</p> <p>CAST Diversity Pack June 2020</p> <p>Source: Storm ID Report December 2018</p> <p>Source: SG CAST July 2019</p> <p>Source: The review of the Scottish Government workplace adjustments service in 2020/21</p> <p>Source: The trial of the Employee Passport in Nov/Dec 2021</p>	<p>We are members of the Business Disability Forum and UK wide government Workplace Adjustments Network as well as the Public Sector Partnership and will continue to refer to learning from them.</p> <p>Non-disclosure rates are high. Work by D&I team to increase confidence in completing diversity information. Specific work during induction to encourage</p>
--	--	--	---

	<ul style="list-style-type: none"> • A total of 76 participants were involved in this research. We had 28 screener survey respondents. Among them, 26 participants attended both interviews and workshops. • We had 35 SG-wide survey respondents, among whom two of them volunteered to attend workshops and the rest of them were anonymous. • A total of 30 participants were interviewed and a total of 22 participants attended the workshops. Of them, 11 participants participated in both interviews and workshops. • By and large, people have had negative experiences of having dealt with the reasonable adjustments process within SG. Below is the number of participants categorised with the different types of experiences: <ul style="list-style-type: none"> ○ Negative experience – 20 participants ○ Positive experience – 12 participants ○ Mixed experience – 8 participants ○ Neutral experience – 7 participants <p>Note: This data was not captured for 29 participants, as they did not take the screener survey nor the SG-wide survey.</p> <ul style="list-style-type: none"> • A total of 19 participants self-identified as having the following types of impairments. Note that this research involved approximately 10% of the self-declared disabled staff (SG Core permanent and FTA). • While the participants were asked about the following conditions, the numbers cannot be disclosed for data protection reasons: <ul style="list-style-type: none"> ○ Physical impairment - one or more physical impairments such as Psoriatic Arthritis, Hyper Mobility, Dyspraxia, Visual impairment, Osteoarthritis and Fibromyalgia. One other participant had both physical and cognitive impairments. Physical and neurological impairments. ○ Cognitive impairment, Dyslexia or Heightened Sensory issues or both cognitive and neurological impairments. ○ Neurological impairment, Neurological dizziness, Multiple Sclerosis or a Neurological condition. 		<p>new employees to complete diversity information as part of induction.</p>
--	---	--	--

	<ul style="list-style-type: none"> ○ Mental impairment, Obsessive Compulsive Disorder, Anxiety or Asperger’s Syndrome or both cognitive and neurological conditions. ○ Cognitive and physical conditions. ○ Neurological and physical conditions. <p>1. BENCHMARKING</p> <p>The evaluation framework in the benchmarking section of the report sets out five levels which an organisation should attain if it is to have a robust system for workplace adjustments. These are (1) complying, (2) promoting, (3) enabling, (4) learning and (5) leading. Four of these apply to the passport:</p> <p>Level 2, promoting, applies to the employee passport. This requires:</p> <ul style="list-style-type: none"> ● Visible indication that the organisation thinks that this is an important issue. ● Publication of a meaningful (detailed and tailored) strategy ● Visible senior stakeholder support – a named person who actively supports the strategy (for example, blog posts, internal staff networks, speaking at conferences) ● Active membership of schemes or organisations (such as Disability Confident and Business Disability Forum), and the active support of internal disability networks <p>The passport will be a “visible indication that the organisation thinks this is an important issue”. Scottish Government will be the first organisation in Scotland to have an employee passport. It will promote it and gradually mainstream workplace adjustments. The passport will make all staff aware of workplace adjustments not just staff who have required workplace adjustments in the past. The increased awareness will both increase uptake and consequently help to remove any sense of unfairness as everyone will have access to them. It will also hopefully gradually move to a model of prevention being better than cure.</p> <p>A communications and engagement strategy was undertaken during the pilot of the passport. The strategy ensured that the passport was a co-production, had widespread</p>		
--	--	--	--

	<p>support and buy-in and was welcomed and known about when it was rolled out. The passport has/had significant support from senior colleagues within the People Directorate and beyond.</p> <p>The Workplace Adjustments team are active members in a number of forums and networks. The team has already begun to present the passport at these networks. This will establish Scottish Government as a leader in workplace adjustments.</p> <p>Level 3, enabling, applies to the employee passport. This requires:</p> <ul style="list-style-type: none"> • Publication of meaningful (detailed) guidance around reasonable adjustments that is available to staff and managers • Development of proper processes that are visible to staff and managers <p>The passport is a tangible/visible tool made available to staff and managers. The guidance supporting the use of the passport provides a direct link to links to the new workplace adjustments service. The passport and the new service will help each other</p> <p>Level 4, learning, applies to the employee passport. This requires an organisation to:</p> <ul style="list-style-type: none"> • Capture data around reasonable adjustments • Evaluate that data • Publicly report the data • Use this data to improve the process <p>The passport is the main tool for capturing data for workplace adjustments. At present Scottish Government has very little data on workplace adjustments and uptake. The passport will generate a wealth of data as all users are asked to share Part II of the passport with HR.</p> <p>Level 5, leading, applies to the employee passport. This requires an organisation to:</p> <ul style="list-style-type: none"> • Evolve from being inward looking to seeking opportunities to help others. • Share best practice: experiences, processes and plans 		
--	--	--	--

	<ul style="list-style-type: none"> • Mentor others: working alongside others to help them develop their approach • Collaborate: working with others to address new challenges <p>The passport will be a first in Scotland. It is attracting a lot of attention and a lot of suitors just as the workplace adjustments process has. The passport is a tangible way to attract organisations to adopt SG good practice in workplace adjustments, to allow SG to mentor others and to collaborate as new challenges arise. The WAS team have already collaborated with Social Security Scotland, the Workplace Adjustments Network, the Business Disability Forum, and the Public Services Partnership. The passport is improving and expanding these links.</p> <p>2. PAIN POINTS</p> <p>The section entitled Pain Points sets out the experience of SG staff who have requested reasonable adjustments. It dissects the experience into a number of issues. The passport covers a number of these pain points. These include:</p> <ul style="list-style-type: none"> • Values and Culture – the SG is taking steps to improve its processes and approach to workplace adjustments. The employee passport is the next natural step in that process. There is/was a fear of being victimised for asking for a workplace adjustment, the passport will mainstream workplace adjustments. • Language – the passport will establish/mainstream the term “workplace adjustments” and move away once and for all from “reasonable adjustments”. This will represent a sea change in language leading to a different approach. Managers will not be inclined to question the “reasonableness” of an adjustment and instead consider them a workplace adjustment. This will reinforce and strengthen the new social model of disability approach • Awareness – there is/was an issue that many people do not recognise the term “workplace adjustment”. This leads/led to people searching for “reasonable adjustments guidance on Saltire, for example. The passport will mainstream the term “workplace adjustment”. There is also a lack of awareness of a line manager’s (and organisation’s) responsibilities to make reasonable adjustments. The passport will clarify this. 		
--	--	--	--

	<ul style="list-style-type: none"> • Continuous improvement – this is alluded to in level 4, learning, of the evaluation framework. There is currently no data to improve the service. Each workplace adjustment is implemented anew. There is currently very little data on numbers of staff and uptake of particular workplace adjustments, and no corporate memory as to what was requested and/or what was approved. The passport will generate a wealth of data. <p>3. AS IS USER JOURNEY – PRE-EMPLOYMENT</p> <p>Although the passport by its very nature will be used by existing staff, a number of barriers and opportunities in the interview process are highlighted in the pre-employment phase – but these equally apply to existing staff applying for a new post and/or promotion. The barriers and opportunities, which are relevant to the passport, are set out below;</p> <p>Barriers:</p> <ul style="list-style-type: none"> • Sometimes, negative responses are given to the applicant for requesting adjustments • Line managers are not up-to-date especially with mental health impairments • Some staff who deliver the service don't know what the process is between the Occupational Health team and People Advice and Wellbeing team • Unable to consistently provide workplace adjustments for all those who need them for interviews • Not always communicating with the end user about the interview environment and access details of the building prior to the interview, leaves the end users unable to say what adjustments they may require 		
--	---	--	--

	<ul style="list-style-type: none"> • Sometimes, the adjustments provided do not work for the end user. This stems from the lack of keeping the end user in the loop and not consulting them while the key decisions are being made <p>Opportunities:</p> <ul style="list-style-type: none"> • Design a seamless process that works for everyone • Information shared about one’s impairment and adjustments should be carried through to employment • Inform the end user about disclosing an impairment and the boundaries within which they can get adjustments. Give examples. • Provide actionable and meaningful guidance to the end user • Consult with the end user during key decisions • Quality assure the adjustments process to ensure requested adjustments are put into place <p>4. AS IS USER JOURNEY – IN EMPLOYMENT</p> <p>The user journey sets out six stages of the workplace adjustments process. An employee passport is recommended as part of the recommendations of the analysis. Two quotes illustrate the advantage of an employee passport:</p> <p>“If an individual moves to a new team, there’s no process in place to pass the reasonable adjustments info from the previous line manager to the new line manager”</p> <p>“Workplace Adjustment Passport stops users from having to go over reasonable adjustments all over again”</p> <p>5. SPACES FOR CHANGE AND THE IDEAL USER JOURNEY</p> <p>In the concluding part of the research, a number of ideas are put forward directly linked to the employee passport and all of these were explored during the pilot.</p>		
--	--	--	--

	<ul style="list-style-type: none"> • Saltire for tailored step-by-step guidance. Workplace adjustments passport to record – guidance now available on Saltire • Individuals should be responsible for their workplace passports – ownership is critical. Passport users own their passports and the information in it. • Workplace adjustments passport to record an individual’s impairment and adjustments data – the passport does this <p>The “Ideal User Journey” recommends that updates are recorded on a workplace adjustments passport and sets out expectations and opportunities</p> <p>Expectations:</p> <ul style="list-style-type: none"> • Individuals update their records about their impairment and adjustments as and when things change. This would make changes manageable and enable having a seamless process • Individuals can choose to share information about their impairment and adjustments with their line managers or anyone else as needed <p>Opportunities:</p> <ul style="list-style-type: none"> • Design a workplace adjustments passport and system for an individual to be able to access through their account <p>The employee passport is held by the user and they can make changes to it whenever they want. They own the passport. Their line manager cannot share it with anyone without their prior consent.</p> <p>SG Distribution of disability status – trend</p> <p>The passport will lead to an increase in the numbers of people who declare a disability. The table below shows that this is an issue. Again, it will improve management information on disabilities and enable a much better workplace adjustments service.</p>		
--	--	--	--

		Disabled	Not disabled	Prefer not to say	Unknown																				
	June 2018	7%	54%	1%	38%																				
	June 2019	8%	54%	1%	37%																				
	September 2019	8%	55%	1%	35%																				
	December 2019	8%	56%	1%	34%																				
	March 2020	8%	56%	2%	34%																				
	June 2020	8%	56%	2%	34%																				
SEX	<p>In 2018, the employment gap between disabled and non-disabled people was wider for men (40.0 percentage points compared with 31.1 percentage points for women).</p> <p>The SG workforce is made up of 54% women and 46% men. There are more women with disabilities (15%) than men (12%).</p> <p>SG Distribution of gender within pay band - June 2020</p> <table border="1"> <thead> <tr> <th></th> <th>Female</th> <th>Male</th> </tr> </thead> <tbody> <tr> <td>Band A</td> <td>60%</td> <td>40%</td> </tr> <tr> <td>Band B</td> <td>54%</td> <td>46%</td> </tr> <tr> <td>Band C</td> <td>56%</td> <td>44%</td> </tr> <tr> <td>Not Assim</td> <td>11%</td> <td>89%</td> </tr> <tr> <td>SCS</td> <td>43%</td> <td>57%</td> </tr> </tbody> </table>						Female	Male	Band A	60%	40%	Band B	54%	46%	Band C	56%	44%	Not Assim	11%	89%	SCS	43%	57%	<p>Source: Scottish Government People Survey Gender pack (2019)</p> <p>Source: SG Equality Mainstream Report 2019</p> <p>Source: The review of the Scottish Government workplace adjustments service in 2020/21</p>	
	Female	Male																							
Band A	60%	40%																							
Band B	54%	46%																							
Band C	56%	44%																							
Not Assim	11%	89%																							
SCS	43%	57%																							

	<p>The experience of the review of workplace adjustments and the trial of the passport highlighted a number of benefits of the passport in relation to sex. The workplace adjustments team gave a presentation to the Women’s Development Network and this led to a number of people taking up the passport. There are issues which are particular to women such as menopause, fertility treatment which are extremely difficult to “bring to work”. The passport enables these conversations.</p> <p>The same applies to men. There are a large number of men with mental health problems who need a trigger or structure to enable them to open up about it. The passport does this.</p>	<p>Source: The trial of the Employee Passport in Nov/Dec 2021</p>	
PREGNANCY AND MATERNITY	<p>The experience of the pilot of the passport and the review of workplace adjustments was that pregnant women may need a workplace adjustment to enable them to continue to work throughout their pregnancy.</p> <p>Women returning from maternity leave are likely to experience changes to their role due to the passage of time This could be a change of line manager or location or organisational set-up. In all of these cases and more, a passport would help the return to work.</p> <ul style="list-style-type: none"> • A higher percentage of women report having childcare responsibilities at A3, A4, B1, and C1 grades. • A higher percentage of men report having childcare responsibilities at B2, B3, SCS and other grades. • The largest group of men with childcare responsibilities was at B3 band (190) • The largest group of women with childcare responsibilities was at C1 (220) 	<p>Source: SG 2017 People Survey Gender</p> <p>Source: The review of the Scottish Government workplace adjustments service in 2020/21</p> <p>Source: The trial of the Employee Passport in Nov/Dec 2021</p>	
GENDER REASSIGNMENT	<p>Statistics for trans people in Scottish Government are suppressed due to very low returns. This gap in evidence/data is one of the issues the passport will attempt to resolve.</p>	<p>Source: SCOTTISH GOVERNMENT EQUALITY OUTCOMES:</p>	

	<p>The Scottish Transgender Alliance observes that the workplace is one of the most likely locations for transphobic discrimination and harassment to occur, and as a result many Transgender people are unemployed, under-employed or self-employed - Morton (2008) found that 19.7% of the respondents to his survey in Scotland were self-employed, although no comparison should be made from this sample to a national average.</p> <p>The SG will develop training and further guidance to accompany our refreshed Trans Equality and Inclusion Policy, to contribute to building a supportive environment for trans colleagues. We will develop further guidance for trans employees and their colleagues to support the refreshed policy.</p> <p>It is important to note the severe limitations on Transgender data. The EHRC Transgender Research Review presents a wealth of methodological material concerning definitions, research and data on Transgender people. It observes that, although there is a considerable amount of literature produced for campaigning or lobbying purposes, commentary on the legal position of Transgender people and anecdotal discussion of experiences, there is only a small number of robust studies. Where primary research has been conducted, difficulties associated with identifying Transgender people mean that samples were often too small to make robust generalisations from the data, or that reliance on convenience sampling meant that it was not possible to be sure that the studies had mapped sufficient diversity within the Transgender community to draw substantive conclusions. The Review specifically points out the methodological difficulties of conducting international comparative research, due to broad variations in administration, finance and ethics in different countries, in addition to the small amounts of Transgender research being undertaken in any country.</p>	<p>LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) EVIDENCE REVIEW Scottish Government Social Research 2013</p> <p>Source: SG LGBT Evidence Review 30 April 2013</p> <p>Source: Equality and Mainstream Report 2019</p> <p>Source: Life in Scotland for LGBT Young People Analysis of the 2017 survey for lesbian, gay, bisexual and transgender young people.</p>	
SEXUAL ORIENTATION	In 2018, people who identified as 'LGB and other' were twice as likely to be unemployed compared to those who identified as 'heterosexual' (4.0 percent versus 2.0	Source: <u>Scottish Surveys Core</u>	The LGBT staff network

per cent). It is important to note that a higher proportion of those identifying as 'LGB and other' were in the age groups 16-24 and 25-34, which were also the age groups where unemployment was higher.

Declaration rates have increased since SG began gathering data in 2015

In 2018 the Scottish Government workforce was made up of:

- 3.6% identified as Lesbian, Gay, Bisexual or an Other minority sexual orientation
- 62.3% identified as Heterosexual or straight
- The sexual orientation is not known for 34.1% of staff.

Between 2015 and 2018:

- LGBO people increasingly comprise more of the organisations workforce: increasing from 1.9% to 3.6%
- Declaration rates have increased from 49.8% to 69.7%

SG Distribution of sexual orientation - trend

	LGBO	Heterosexual/ straight	Prefer not to say	Unknown
June 2018	3%	63%	4%	29%
June 2019	4%	66%	4%	25%
September 2019	4%	67%	4%	24%
December 2019	4%	67%	4%	24%
March 2020	5%	66%	4%	25%
June 2020	5%	66%	4%	25%

The passport will facilitate conversations about LGBT issues and also help to increase declaration rates.

Questions 2018 (Last updated: October 2019)

Source: E&HRC

Source: Is Scotland Fairer Report 2018

Source: Equality Outcomes and Mainstreaming Report 2019 (Last updated: April 2019)

Source: The trial of the Employee Passport in Nov/Dec 2021

were not convinced the passport was relevant to them.

More engagement is needed.

Of the Part 2s of the passport that were submitted during the trial, none related to LGBT issues. However, the trial demonstrated that the passport has universal application.

<p>RACE</p>	<p>Minority Ethnic staff increasingly comprise more of the Scottish Government's workforce</p> <p>In 2018 the Scottish Government workforce was made up of:</p> <ul style="list-style-type: none"> • 2.1% were minority ethnic • 80.0% were white • The ethnic group is not known for 18.0% of staff. <p>Between 2013 and 2018:</p> <ul style="list-style-type: none"> • Minority ethnic people increasingly comprise more of the organisations workforce: increasing from 1.6% to 2.1% • Declaration rates have increased from 78.7% to 83.8% <p>The SG intends to take every opportunity to improve and increase the diversity of our workforce, including increasing the proportion of Black and Minority Ethnic employees from the current 2.4% to one that better represents the people of Scotland.</p> <p>Scottish Government has implemented a Race Recruitment and Retention Plan which has at its heart an explicitly anti-racist approach. The plan sets out action to improve the representation of ethnic minority staff at all grades and levels of the organisation. The workplace adjustments team are working together with colleagues who are managing this plan to ensure that both work-streams are aligned and any common issues identified.</p> <p>The passport will facilitate conversations about race issues and also help to increase declaration rates.</p> <p>Table: Distribution of ethnic group – trend</p>	<p>Source: Equality Outcomes and Mainstreaming Report 2019 (Last updated: April 2019)</p> <p>Source: Equality Outcomes and Mainstreaming Report 2019 (Last updated: April 2019)</p> <p>Source: The trial of the Employee Passport in Nov/Dec 2021</p>	<p>The REN staff network were not convinced the passport was relevant to them. More engagement needed here.</p> <p>Of the Part 2s of the passport that were submitted during the trial, none related to race issues. However, the trial demonstrated that the passport has universal application.</p>
--------------------	--	--	---

		Ethnic minority	White	Prefer not to say	Unknown																																												
	June 2018	2%	83%	2%	13%																																												
	June 2019	2%	83%	2%	13%																																												
	September 2019	2%	83%	2%	13%																																												
	December 2019	2%	82%	2%	13%																																												
	March 2020	2%	81%	2%	14%																																												
	June 2020	2%	81%	2%	15%																																												
RELIGION OR BELIEF	<p>The experience of the review of workplace adjustments highlighted a number of issues with prayer and contemplation spaces. Muslim colleagues, for example, needed a space for prayer during Ramadan.</p> <p>The passport allows staff to talk about any circumstances impacting on them at work and we are aware that this has enabled conversations about religion albeit in a small number of cases to date.</p> <p>The passport will also increase the disclosure of religious beliefs. The table below shows that this is a currently an issue.</p> <p>Table: Distribution of religion or belief - trend</p> <table border="1"> <thead> <tr> <th></th> <th>Christian</th> <th>Other Religion</th> <th>No Religion</th> <th>Prefer not to say</th> <th>Unknown</th> </tr> </thead> <tbody> <tr> <td>June 2018</td> <td>27%</td> <td>2%</td> <td>38%</td> <td>4%</td> <td>30%</td> </tr> <tr> <td>June 2019</td> <td>27%</td> <td>2%</td> <td>41%</td> <td>5%</td> <td>26%</td> </tr> <tr> <td>September 2019</td> <td>27%</td> <td>2%</td> <td>42%</td> <td>5%</td> <td>25%</td> </tr> <tr> <td>December 2019</td> <td>27%</td> <td>2%</td> <td>42%</td> <td>5%</td> <td>24%</td> </tr> <tr> <td>March 2020</td> <td>26%</td> <td>2%</td> <td>42%</td> <td>5%</td> <td>25%</td> </tr> <tr> <td>June 2020</td> <td>26%</td> <td>2%</td> <td>42%</td> <td>4%</td> <td>25%</td> </tr> </tbody> </table>							Christian	Other Religion	No Religion	Prefer not to say	Unknown	June 2018	27%	2%	38%	4%	30%	June 2019	27%	2%	41%	5%	26%	September 2019	27%	2%	42%	5%	25%	December 2019	27%	2%	42%	5%	24%	March 2020	26%	2%	42%	5%	25%	June 2020	26%	2%	42%	4%	25%	<p>Source: Equality Outcomes and Mainstreaming Report 2019 (Last updated: April 2019)</p> <p>Source: The review of the Scottish Government workplace adjustments service in 2020/21</p> <p>Source: The trial of the Employee</p>
	Christian	Other Religion	No Religion	Prefer not to say	Unknown																																												
June 2018	27%	2%	38%	4%	30%																																												
June 2019	27%	2%	41%	5%	26%																																												
September 2019	27%	2%	42%	5%	25%																																												
December 2019	27%	2%	42%	5%	24%																																												
March 2020	26%	2%	42%	5%	25%																																												
June 2020	26%	2%	42%	4%	25%																																												

		Passport in Nov/Dec 2021	
--	--	-----------------------------	--

Stage 3: Assessing the impacts and identifying opportunities to promote equality

1.1 Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age? Yes

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	x			The Employee Passport will mainstream workplace adjustments. This should significantly reduce any feeling of harassment or victimisation which can sometimes arise when colleagues perceive a workplace adjustment to be favouring another member of staff.
Advancing equality of opportunity	x			Adjustments seek to remove barriers to allow people to perform at their best at work. The Employee Passport will mainstream workplace adjustments meaning that more people will take advantage of them.
Promoting good relations among and between different age groups	x			<p>Young people coming into SG are more likely to have had an early diagnosis of a neuro-diverse condition – and had help with it at school or university. The Employee Passport will facilitate discussion with the line manager about this and improve relations.</p> <p>The Employee Passport will provide a chance for staff to discuss issues relating to age – menopause, worsening eye sight or hearing, or physical debilitation – with their line manager to see what adjustments could be made for them.</p>

Do you think that the policy impacts disabled people? Yes

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	x			The Employee Passport will mainstream workplace adjustments. This should significantly reduce any feeling of harassment or victimisation which can sometimes arise when colleagues perceive a workplace adjustment to be favouring another member of staff.
Advancing equality of opportunity	x			Adjustments seek to remove barriers to allow people to perform at their best at work. The Employee Passport will mainstream workplace adjustments meaning that more people will take advantage of them.
Promoting good relations among and between disabled and non-disabled people	x			The whole aim of the passport is inclusion.

Do you think that the policy impacts on men and women in different ways? Yes

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The Employee Passport will mainstream workplace adjustments. This should significantly reduce any feeling of harassment or victimisation which can sometimes arise when colleagues perceive a workplace adjustment to be favouring another member of staff.
Advancing equality of opportunity	x			Adjustments seek to remove barriers to allow people to perform at their best at work. The Employee Passport will mainstream workplace adjustments meaning that more people will take advantage of them.
Promoting good relations between men and women	x			It is not so much promoting good relations between men and women as the passport can be a vehicle for raising gender-specific issues.

Do you think that the policy impacts on women because of pregnancy and maternity? Yes

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The Employee passport will mainstream the workplace adjustments needed for pregnant women and make them more known about and accessible.
Advancing equality of opportunity	x			The provision of any workplace adjustments needed during pregnancy will allow staff to continue to work at their best.
Promoting good relations	x			Pregnant women will feel that SG is caring employer if adjustments are made as standard without much fuss – and the passport will help with this especially for women who become pregnant a second time and have their adjustments during the previous pregnancy already recorded.

Do you think your policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex? (NB: the Equality Act 2010 uses the term ‘transsexual people’ but ‘trans people’ is more commonly used) Yes

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The main aim of the passport is inclusion. Discrimination can appear in many forms and sometimes be unintended. The passport could be the vehicle for providing staff awareness sessions and thereby avoid discrimination.
Advancing equality of opportunity	x			The passport will provide a forum for the trans person to talk about their situation. Once recorded, this can then be passed to future line managers and the situation should become increasingly easier with the trans person not having to constantly retell their story or start from scratch – and thereby encourage progression up the organisation.
Promoting good relations	x			We won't identify trans people unless they disclose the information to us. We would not record this information unless requested to. Any information disclosed would be with the consent of the employee, however the service is designed to increase awareness and understanding of line managers and offer better and informed support to employees and so offers the chance of improved communication and relations.

Do you think that the policy impacts on people because of their sexual orientation? Yes

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The main aim of the passport is inclusion. Discrimination can appear in many forms and sometimes be unintended. The passport could be the vehicle for providing staff awareness sessions and thereby avoid discrimination.
Advancing equality of opportunity	x			The passport will provide a forum for the passport user to talk about their sexual orientation and how it impacts on their day-to-day working life. Once recorded, this can then be passed to future line managers and the situation should become increasingly easier with the passport user not having to constantly retell their story or start from scratch – and thereby encourage progression up the organisation.
Promoting good relations	x			The passport provides a forum for talking openly about sexual orientation – and thereby improve relations. The passport trial showed that the passport has universal application to facilitate discussions about any circumstances impacting on a person's daily work life.

Do you think the policy impacts on people on the grounds of their race? Yes

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The main aim of the passport is inclusion. Discrimination can appear in many forms and sometimes be unintended. The passport could be the vehicle for providing staff awareness sessions and thereby avoid discrimination.
Advancing equality of opportunity	x			The passport provides a forum for the passport user to talk about race and how it impacts on their day-to-day working life. Once recorded, this can then be passed to future line managers and the situation should become increasingly easier with the passport user not having to constantly retell their story or start from scratch – and thereby encourage progression up the organisation.
Promoting good race relations	x			The passport provides a forum for talking openly about race – and thereby improve relations. The passport trial showed that the passport has universal application to facilitate discussions about any circumstances impacting on a person's daily work life.

Do you think the policy impacts on people because of their religion or belief? Yes

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The main aim of the passport is inclusion. Discrimination can appear in many forms and sometimes be unintended. The passport could be the vehicle for providing staff awareness sessions and thereby avoid discrimination.
Advancing equality of opportunity	x			The passport provides a forum for the passport user to talk about religion and how it impacts on their day-to-day working life. Once recorded, this can then be passed to future line managers and the situation should become increasingly easier with the passport user not having to constantly retell their story or start from scratch – and thereby encourage progression up the organisation.
Promoting good relations	x			The passport provides a forum for talking openly about religion – and thereby improve relations. .

Do you think the policy impacts on people because of their marriage or civil partnership? No

Marriage and Civil Partnership³	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The employee passport is not relevant to marriage or civil partnership

³ In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	The underlying aim of the passport is to promote inclusion. Only positive impacts have been identified.
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ⁴ ?	There is no evidence that the policy is directly or indirectly discriminatory under the Equality Act 2010.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/A
If not justified, what mitigating action will be undertaken?	N/A

Describing how Equality Impact analysis has shaped the policy making process. In this section, set out a narrative that describes how the equality impact analysis has shaped and informed your policy development.

At a very early stage the EQIA helped to identify where we had tangible evidence and where there were evidence gaps. There were so many evidence gaps that the only way to plug the hole was to develop a communications and engagement strategy for developing and testing the passport as a co-production.

We set up a Quality Assurance Group made up of a number of staff networks and the unions who developed the passport. In tandem, we presented the passport to staff networks to gauge opinion, increase awareness and seek volunteers. We had 100 volunteers and their line managers in the trial and the results were really positive.

1) Was using the passport a positive experience?	Yes - 82% No – 4%	Yes - 80% No – 7%
2) Did you find the passport an effective tool for discussing and recording workplace adjustments?	Yes – 94% No – 0%	Yes – 80% No – 7%
3) Would you recommend the Employee Passport to colleagues?	Yes – 93% No – 0%	Yes – 79% No – 10%

Guidance was produced in accessible formats and included a video for the Q+A. We also produced a magazine to better engage potential users.

To ensure we had robust, useable feedback we employed the services of the CAST team.

The Storm ID report provided extremely useful evidence about the experience of recruitment, retention and progression of disabled colleagues. It set out the negative impacts experienced by some staff and the difficulties experienced as a result of a lack of clear process, roles and responsibilities between different teams in SG. There is significant evidence within this research in support of a passport. However, many characteristics are obviously not covered.

The EQIA has emphasised the importance of the Communications and Engagement Strategy and highlighted 15 areas (on page 3) which might undermine the passport . The EQIA also identified a huge source of evidence – the experience of the review of the workplace adjustments service - which fed into this EQIA and the passport design.

In summary, the EQIA has shaped the passport project in the following ways:

- The need to base every aspect of the passport on evidence.
- It highlighted the importance of the Communications and Engagement Strategy and the evidence gathered by the review of the workplace adjustments service.
- The need to build in continuous improvement

Monitoring and Review

Feedback for continuous improvement has been built into the passport by:

- Soliciting feedback from all passports and passport queries submitted via HR online on iFix.
- Ongoing engagement with passport users, and engagement with organisations such as Inclusion Scotland who have been using employee passports for some time.
- A follow-up conversation, one year later, being built into the process for anyone submitting part 2 of the passport to the workplace adjustments team

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the Employee Passport and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Judith Mackinnon

Position: Deputy Director

Authorisation date: 30/5/2022



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2022

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-568-8 (web only)

Published by The Scottish Government, June 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1101182 (06/22)

W W W . g o v . s c o t