



EQUALITY & HUMAN RIGHTS IMPACT ASSESSMENT (EHRIA)

EHRIA PUBLICATION

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This is a summary of the key decisions/actions taken in the recent EHRIA, and has been separated from the full EHRIA document for publication on SCRA's external website in compliance with statutory requirements.

The Scottish Children's Reporter Administration (SCRA) are pleased to publish the outcome of this Equalities and Human Rights Impact Assessment on:

Our VR – VER Strategy

1) Our VR – VER strategy sits within our three year strategy, underpinned by the 2020/23 Corporate Plan. It is focused principally on our most valuable resource, our staff.

2) The aim of all of this integrated work is:

a) to continuously improve, provide guidance and direction and meet our statutory and best practice ambitions that make SCRA the best place to work,

b) attracting and retaining a diverse workforce that can deliver in a high performing organisation and who align with our organisational values.

3) The Business Case for VER/VR is led by EMT. Full consultation happened within EMT meetings. A business case was prepared for the Board seeking approval, which was granted on 29/01/20. There was also consultation with the Head of Finance on the finances available to fund the VER/VR scheme. Formal consultation was not taken forward with UNISON prior to the business case development as this is a specific management led activity. In addition, there is no legislative requirement to formally consult given the very small levels of exits being considered. Consultation was undertaken with the SG's Severance Policy and Sponsor Teams to ensure that the new guidelines/policy was adhered to in the development of the business case. The business case for 2020 seeks to enable up to 3 fte to leave SCRA under a voluntary retirement/voluntary redundancy exit package.

4) Applications from front line operational staff are not being considered. Our Operational and People strategies are about protecting front line service delivery. Applications will be considered from management and head office roles. Staff who are over the age of 50 who may be the subject of significant pension strain costs (outwith SCRA's control) , may not be eligible for consideration due to the affordability factor laid down by SG and SCRA. Available funding must be allocated within the financial year 2019/20, with those who are successful in their application leaving between April and December 2020. This is a tight timescale.

5) The process is shaped principally by the Scottish Government Severance Policy scheme and the affordability of the VER/VR package that SCRA can offer within the parameters of the SG scheme. Additionally, the Local Government Pension Scheme applies rules and costs that are outwith SCRA's control that require to be factored into the decision making process.

6) We considered evidence from our **Employee Statistics** – to model the costs of any potential VER/VR scheme to ascertain its affordability prior to submitting any business case to SG for approval. From the **Scottish Government Severance Scheme Policy Guidance** – compliance with the policy is guidance is compulsory. From the **Local Government Pension Scheme** – compliance with the LGPS is compulsory.

7) The negative impacts are linked to the compulsory compliance with the Local Government Pension Scheme. For example, a member of staff who applied for VER/VR who was in their early 50's may have significantly higher pension strain costs than someone in their later 50's, or someone under the age of 50 who will attract no pension strain costs. The member of staff in their early 50s is therefore likely to be unaffordable under the terms of the SG Severance Scheme and therefore not be considered for VER/VR.

8) The compulsory nature of compliance with the Local Government Pension Scheme and the SG Severance Scheme Policy may have an impact on staff who apply that are ultimately deemed unaffordable for an offer of VER/VR to be made. Clear feedback will be provided to each individual members of staff who falls into this category. Recognition that certain age groups may be affected does not make this unlawful discrimination as there are certain legal requirements that must be considered in the LGPS.

9) We will review the outcome of the exercise to assess how the mitigations have affected protected characteristics and log lessons learned.

The Public Sector Equality Duty

Will the impact and outcomes of the new or revised policy, practice or process:

(Consider for children and young people referred in terms of the equality risk assessment of their journey through the hearing system including initial referral, investigation and decision, attendance and participation at hearings and related court proceedings.

Consider for staff in terms of the equality risk assessment for the staff journey with SCRA which includes recruitment, retention, progression, promotion, training etc.)

The Public Sector Equality Duty	
<p>Contribute to eliminating discrimination, harassment and victimisation? E.g.</p> <ul style="list-style-type: none"> • Raise awareness of our SCRA's vision and values for equality, diversity and inclusion. • Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity 	<p>POSITIVE: It will contribute to eliminating discrimination, harassment, victimisation <input type="checkbox"/></p>
	<p>NO EFFECT: It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/></p>
	<p>NEGATIVE: It will make discrimination, harassment and victimisation worse <input checked="" type="checkbox"/></p>
<p>Advance equality of opportunity between those who share a protected characteristic and those who do not? E.g.</p> <ul style="list-style-type: none"> • Remove or minimise disadvantage • Meet the needs of equality groups that are different from the needs of others participation in public life 	<p>POSITIVE: It will advance equality of opportunity <input type="checkbox"/></p>
	<p>NO EFFECT: It will have no effect on equality of opportunity <input type="checkbox"/></p>
	<p>NEGATIVE: It will reduce equality of opportunity <input checked="" type="checkbox"/></p>
<p>Foster good relations between those who share a protected characteristic and those who do not? E.g.</p> <ul style="list-style-type: none"> • Tackle prejudice • Promote understanding 	<p>POSITIVE: It will foster good relations <input type="checkbox"/></p>
	<p>NO EFFECT: It will have no effect on good relations <input checked="" type="checkbox"/></p>
	<p>NEGATIVE: It will cause good relations to deteriorate <input type="checkbox"/></p>
<p>It will uphold human rights articles. <input checked="" type="checkbox"/></p>	
Recommended course of action	
<p>Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.</p>	<input type="checkbox"/>
<p>Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.</p>	<input checked="" type="checkbox"/>
<p>Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).</p>	<input type="checkbox"/>
<p>Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.</p>	<input type="checkbox"/>