



## EQUALITY & HUMAN RIGHTS IMPACT ASSESSMENT (EHRIA)

# EHRIA PUBLICATION

**Date: 20/10/2020**

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:**

### **SCRA's Probationary Policy**

#### **Why are you introducing or revising the new policy, practice or process?**

To introduce a probationary period for all new employees to SCRA. This allows both parties in the contract of employment to assess capability and competency for a new role and organisation.

#### **What is the intended outcome(s) and impact of the new policy, practice or process, or making the changes to an existing policy, practice or process?**

To ensure a fair, transparent and consistent process to managing new employees into the organisation. The first 6 months of employment will provide clear expectations for new staff and regular communications on progress with line managers. At the successful conclusion of the 6 months probationary period staff will be provided with the appropriate longer term contract of employment.

In line with SCRA's Partnership Agreement, formal consultation was taken forward in the HR Sub Group, a sub group of the national partnership forum. The consultation included UNISON, members of the HR Team responsible for implementing and ensuring compliance with the policy and representatives from the LRM network.

This new policy forms part of the newly launched recruitment and selection policy so full consultation with managers on the recruitment and selection policy also included reference to a probationary scheme. There has also been a keen interest from EMT and the Board in the review and

development of what is a key HR policy and procedure and in response to the management of a number of cases.

**Recruitment Statistics** – We have considered the number of new starts to the organisation through our recruitment statistics, including the equalities monitoring information available to us as part of that process. Understanding this information has helped to identify the need for flexibility within the framework to support different protected characteristics.

**Induction Process** - We would expect that all new starts would be subject to indepth induction, training and support and supervision as part of the induction and probation period. We will build in reference to the probation period within the corporate e-induction process.

**ACAS Guidance** – we researched the guidance produced by ACAS on dismissals. All dismissals should be fair and follow a clear process. Having a clear probation policy with review periods and good communications between SCRA and new employee will demonstrate the process followed.

**Benchmarking** – we reviewed like organisations policies on probation.

**Previous Experience** - we referred to previous issues where new staff have found challenges in undertaking new roles. The absence of a probation period meant that employees found themselves quickly within a lengthy and fairly complex capability process. A clear policy at the start of the relationship provides a transparent approach to the expectations and contract of employment.

The Public Sector Equality Duty	
<p><b>Will the impact and outcomes of the new or revised policy, practice or process:</b>            (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.)</p>	
<p><b>Contribute to eliminating discrimination, harassment and victimisation?</b>  <b>E.g.</b></p> <ul style="list-style-type: none"> <li>• Raise awareness of our SCRA's vision and values for equality, diversity and inclusion.</li> <li>• Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity</li> </ul>	<p><b>POSITIVE:</b>            It will contribute to eliminating discrimination, harassment, victimisation <input checked="" type="checkbox"/></p>
	<p><b>NO EFFECT:</b>            It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/></p>
	<p><b>NEGATIVE:</b>            It will make discrimination, harassment and victimisation worse <input type="checkbox"/></p>
<p><b>Advance equality of opportunity between those who share a protected characteristic and those who do not?</b></p>	<p><b>POSITIVE:</b>            It will advance equality of opportunity <input checked="" type="checkbox"/></p>
	<p><b>NO EFFECT:</b></p>

The Public Sector Equality Duty	
<b>E.g.</b> <ul style="list-style-type: none"> <li>Remove or minimise disadvantage</li> <li>Meet the needs of equality groups that are different from the needs of others participation in public life</li> </ul>	It will have no effect on equality of opportunity <input type="checkbox"/>
	<b>NEGATIVE:</b> It will reduce equality of opportunity <input type="checkbox"/>
<b>Foster good relations between those who share a protected characteristic and those who do not? E.g.</b> <ul style="list-style-type: none"> <li>Tackle prejudice</li> <li>Promote understanding</li> </ul>	<b>POSITIVE:</b> It will foster good relations <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on good relations <input type="checkbox"/>
	<b>NEGATIVE:</b> It will cause good relations to deteriorate <input type="checkbox"/>
It will uphold human rights articles. <input checked="" type="checkbox"/>	

Recommended course of action: select relevant outcome and check the box when prompted:
<b>Outcome 1:</b> Proceed – no potential for unlawful discrimination/adverse impact on equality duty or interference with human rights has been identified. <input checked="" type="checkbox"/>

The HR Sub Group and HR team have consulted widely externally and internally in the review and development of the Recruitment and Selection Policy & Procedures, of which the Probationary Policy is part. The implementation of the policy will be reviewed to ensure it supports and enhance inclusion, equality and human rights, as well as other key aspects of workforce development in order to meet the ongoing and developing needs of SCRA, its workforce and society.

We believe the revised Recruitment and Selection Policy and Procedures achieves its aim of promoting and progressing inclusion and diversity across all protected characteristics.

### SCRA Equality Review Group.

October 2020