



EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/practice/process/service:
Managing Absence Policy and Procedure.

Is the policy new (proposed), a revision to an existing policy or a review of current policy?

Revision of an existing policy.

Key findings from this assessment (or reason why an EqIA is not required):

This policy sets out the means by which SLAB monitors and manages absence. Absence can occur for a number of reasons that are within or out with the employee's control. In many cases absences will arise due to reasons related to protected characteristics. Effective absence management should maximise attendance, ensure fairness and identify circumstances when an employee may be in need of supportive rather than punitive measures, including when a duty to make reasonable adjustments arises in respect of employees with disabilities. Given SLAB's PSED duties it is crucial that employees are not subjected to detriments or placed at a disadvantage as a result of any mismanagement of their absences. The main suggested changes to this policy bring the written policy into line with how the policy operates in practice as well as providing formal structures for managing absence. New sections are added which outline the informal stage of absence management which take place in practice and provide a new formal absence management procedure. Other suggested changes are made in order to reduce the risk of discrimination, increase clarity, and promote good communication.

Summary of actions taken because of this assessment:

- Wording is added to make it clear that any manager or HR staff member making decisions under the policy will be given training on avoiding unconscious bias and diversity awareness
- New wording incorporated to outline the informal absence management procedure that is in place - this is implemented in reality but has not been captured within the policy before
- New wording incorporated to outline a formal absence management procedure which will be implemented if the informal procedure does not yield adequate results - we rarely require the use of a formal procedure but it is recommended that one is put in place in case it is ever required, for the sake of clarity and fair notice

- New section to make reference to the Holiday Policy so employees know where to find guidance on the relationship between sickness absence and annual leave
- More flexibility on how an employee reports that they are too unwell to work.

Ongoing actions beyond implementation include:

Ongoing monitoring and consultation to fill gaps in statistical knowledge including the collection of absence data disaggregated by protected characteristics.

Lead person(s) for this assessment (job title and department only):

Head of Human Resources.

Senior responsible owner agreement that the policy has been fully assessed against the needs of the general duty (job title only):

Director of Corporate Services and Accounts.

Publication date (for completion by Communications):

12/06/2023

Document control		
Document control:	Managing Absence Policy & Procedure	
Date policy live from:	12 June 2023	
Review cycle:	Three years unless a change in law or practice and any results from equality monitoring.	
Document change log		
Version/Author	Date	Comment
V0.1 Morton Fraser	Feb 22	
V0.2 Agata Soroka	Feb 23	Further evidence gathered to explore promoting and fostering arms of the PSED and reviewed against further redraft of policy.
V0.3 Agata Soroka	April 23	To reflect findings of staff consultation and add data on sickness absence rates of protected characteristic groups.
V0.4 HR	May 23	To update following changes made as a result of consultation.

Step 1 - Framing the planned change

Discussing step 1 and step 2 with the Policy Officer (Equalities) at an early stage will help identify appropriate evidence. This may include support from the wider Policy and Development team.

1.1 Briefly describe the aims, objectives and purpose of the policy/practice/process/service. You can use the information in your project specification, business case etc.

This policy aims to set out the means by which SLAB monitors and manages absence. Absence can occur for a number of reasons that are within or out with the employee's control. In many cases absences will arise due to reasons related to protected characteristics. Effective absence management should maximise attendance, ensure fairness and identify circumstances when an employee may be in need of supportive rather than punitive measures, including when a duty to make reasonable adjustments arises in respect of employees with disabilities. It is also vital that employees are not subjected to detriments or placed at a disadvantage as a result of any mismanagement of their absences. The suggested changes to this policy are made in order to reduce the risk of discrimination, to increase clarity, and promote good communication.

1.2 Why is the change required? Legislative, routine review etc.

The Managing Absence Policy and Procedure was last fully reviewed in 2014. SLAB aims to have as many employees as possible in attendance at all times during the working week but understands that employees may need to be absent from work from time to time due to sickness. Sickness absence needs to be managed so that an acceptable level of attendance can be achieved and any problems resolved, reducing the impact of absence on colleagues and customers, as well as those experiencing ill health. Therefore a review and update of the Managing Sickness Absence policy and supporting documentation was required.

1.3 Who is affected by this policy/practice/process/service? Be clear about who the 'customer' is.

This policy applies to all employees within SLAB.

1.4 Policy/practice/process/service implementation date? Project end date, date new legislation will take effect.

12/06/2023

1.5 What other SLAB policies or projects may be linked to or affected by changes to this policy/practice/process/service?

The EqlA for related policies might help you understand potential impacts, and/or your findings might be relevant to share.

- Leave Policy
- Family Friendly Policy
- Compassionate/Bereavement Policy
- Disciplinary Procedure
- Dignity at Work Policy.

Step 2: Consider the available evidence and data relevant to your policy/practice/process/service

The information you gather in this section will:

- *help you to understand the importance of your policy/practice/process/service for different equality groups,*
- *inform the depth of equality impact assessment you need to do (this should be proportional to the potential impact on equality groups), and*
- *provide justification and an audit trail behind your decisions, including where it is agreed an equality impact assessment is not required.*

2.1 What information is available about the experience of each equality group in relation to this policy/practice/process/service?

Stay focused on the topic and scope of your policy/practice/process/service. Does the policy/practice/process/service relate to an area where there are already known inequalities? Refer to the EqlA guidance for sources of evidence.

Remember, this step in the EqlA process is NOT about the impact your policy has on equality groups and what we need to do to mitigate those. That assessment is done under Step 4.

Note: If you proceed to a full EqlA you should continue to add to this section as you develop the policy/practice/process/service, come across new evidence and/or undertake a consultation.

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
All protected groups	<p>(1) Expert knowledge on employment and discrimination law standards</p> <p>(2) SLAB Annual Report and Accounts 2021-22</p>	<p>The absence of a written procedure for absence management within a policy can mean that there is an increased risk that an inconsistent approach is taken to absence management which can lead to poor communication and confusion. The suggested changes require that a supportive approach is taken before formal measures are considered. This allows for greater exploration of the relevant issues, thus reducing the risk that decisions are made as a result of discriminatory assumption or lack of understanding. It should help to identify where support is more appropriate than punitive measures including identifying reasonable adjustments. This should reduce the risk of discrimination. (1)</p> <p>SLAB's annual report 2021-22 states: <i>"Total employee sickness absence for 2021-22 was 8.5 days per whole time equivalent (WTE) compared to 5.6 in 2020-21. The increase in absence overall is most likely due to the impact of Covid-19 preventative measures coming to an end with more opportunity for commonly spread illnesses to impact on staff. We have not yet reached pre-Covid levels (10.0 days)."</i> (2)</p> <p>No further comment on absence rates is provided within the annual report, except in relation to disability. There is no breakdown by protected characteristic.</p>
Age	(1) Staff Demographics	<p>SLAB employees are clustered around the middle age ranges with fewer employees aged <=24 years and 65+ years (both <5%). Around a third of our employees are aged 45-54 years (30-35%) and our next largest age group is 35-44 (20-25%). The SLAB mean employee age as of March 2022 is 46 years; a slight increase from 45 years in 2019/20. (1)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(2) Scottish Surveys Core Questions 2019</p> <p>(3) SLAB's sickness absence data</p> <p>(4) Sickness absence in the UK labour market: 2021 (ONS)</p> <p>(5) Staff consultation on HR policies</p>	<p>Proportionally, SLAB's age demographic is similar to the 2019 Scottish population in employment. (1) The main difference is across the lower age ranges where we have <5% aged <=24 years and 10-15% aged 25-34 years compared to the 2019 Scottish population in employment which is 11.9% aged <=24 years and 23% aged 25-34 years. (2)</p> <p>SLAB's sickness absence records (3) suggest the following average rates of absence for each age group:</p> <p><= 24 - 3.13 counts of absence, ~ 67 hours 25-34 - 4.19 counts of absence, ~ 59 hours 35-44 - 4.73 counts of absence, ~ 106 hours 45-54 - 4.54 counts of absence, ~ 94 hours 55-64 - 4.59 counts of absence, ~ 126 hours 65+ - 5.33 counts of absence, ~ 392 hours</p> <p>It can be noted that overall the rate of sickness absence increased with age, with some uptick in the 35-44 group. The data suggests that managing sickness absence is likely to be of particular importance to older employees. (3)</p> <p>ONS data for the whole of UK suggests a general trend of sickness absences increasing with age (Figure 3). People age 65 and over have a higher rate of absence which is consistent with SLAB figures. (4)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		<p>The feedback received through staff consultation carried out in March 2023 suggested that younger employees may be disproportionately affected by sickness absences related to children’s illnesses. (5)</p> <p>It is noted that there is an uptick in the 35-44 age group; however, the opposite trend where the older employees are more likely to have a higher rate of sickness absence suggested by ONS data (4) is broadly reflected within SLAB. The issue has been examined in more detail under ‘Sex’ below (6), (7), (8) and (9).</p>
Disability	<p>(1) Staff Demographics</p> <p>(2) DANWE Staff Survey 2021</p> <p>(3) SLAB Annual Report and Accounts 2021-22</p> <p>(4) SLAB’s sickness absence data</p> <p>(5) DANWE Research Briefing, 2023</p>	<p>In 2020-21, 15-20% of all SLAB employees disclosed a disability. (1)</p> <p>Our 2019 Mental Health Check (MHC) found that 36% of respondents had experience of a mental health condition (70% of employees participated).</p> <p>In SLAB’s DANWE staff survey undertaken in Feb/Mar 2021, it was found that whilst the percentage of respondents rating their mental health as very good/good had increased since the 2020 survey (by 4 percentage points to 80%); negative ratings had also increased (by 2 percentage points to 6%). Managers were more likely to rate their mental health as ‘poor/very poor’ (11%) as opposed to 4% of non-managers. The survey did not gather data on mental health of protected characteristic groups. (2)</p> <p>SLAB’s annual report 2021-22 states: <i>“Total employee sickness absence for 2021-22 was 8.5 days per whole time equivalent (WTE) compared to 5.6 in 2020-21”</i> It further states:</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(6) ONS: Sickness absence rates by disability status 2014-2017</p> <p>(7) Staff consultation on HR policies</p> <p>(8) Covid-19 and disabled workers: Time for a homeworking revolution?</p>	<p><i>“In 2021-22, 70% of employees on long term disability related absence leave returned to work and 30% remained absent in the reporting period. Note that these figures include employees who did not declare a disability, but who were supported in the context of requiring a reasonable adjustment.” (3)</i></p> <p>SLAB’s sickness absence records suggest the following rates of absence in relation to disability:</p> <ul style="list-style-type: none"> • Employees declaring no disability - 4.24 counts of absence, ~ 81 hours • Employees declaring a disability - 8.91 counts of absence, ~ 192.73 hours. <p>It can be noted that employees declaring a disability were around twice as likely to be absent due to sickness, both in terms of counts of absence and total absence hours. This suggests that absence management procedures would be of particular significance to this group.</p> <p>SLAB’s absence reporting system allows employees to declare whether absence was disability related; however, a significant majority of employees declaring an absence (99%) does not use that option. The remaining 1% using this option declared a disability. (4)</p> <p>The findings of the 2023 DANWE Staff Survey suggest some disparity in perception of physical and mental health between those who declare a disability and those who don’t:</p> <ul style="list-style-type: none"> • 10% of those declaring a disability had a negative perception of their wellbeing related to physical health, as compared to 2% of those not declaring a disability.

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		<ul style="list-style-type: none"> • For mental health, this figure was 4% and 1% respectively. (Fig. 18) <p>The disparity can be linked to the trends in absence rates for both groups. (5)</p> <p>ONS data reports significantly higher absence rate for employees with disabilities in the years 2014-2017: between 1.2 and 1.3% for those without disabilities and between 6.7% and 8.1% for those disabled. This trend is replicated in SLAB figures, although the gap between those two groups at SLAB is not as wide. (6)</p> <p>The feedback received through staff consultation carried out in March 2023 suggested that disabled employees are much more likely to reach the trigger point for absences, and that recording disability-related absences in the same manner as absences not linked to a disability can put disabled employees at a significant disadvantage. The feedback received through staff consultation carried out in March 2023 suggested that disabled employees may find it more difficult to meet the requirement of phoning line manager in person rather than through a third party. (7)</p> <p>Following a 2020 survey, UNISON observed that working from home can lead to decreased absence rates among employees with disabilities. Working from home in relation to disability or sickness-related absences has not been raised by respondents in the March 2023 consultation. (8)</p>
Race	(1) Staff Demographics	<p>The demographics of SLAB staff by race are as follows:</p> <ul style="list-style-type: none"> • 85-90% white majority, • <5% white minority,

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(2) SLAB's sickness absence data</p> <p>(3) Ethnic health inequalities and the NHS, NHS Race & Health Observatory (2021)</p> <p>(4) Staff consultation on HR policies</p>	<ul style="list-style-type: none"> • <5 non-white minority ethnic, • 5-10% prefer not to say. (1) <p>SLAB's sickness absence records suggest the following rates of absence in relation to nationality:</p> <ul style="list-style-type: none"> • Scottish: 5.47 counts of absence, ~ 109 hours • British/English/N. Irish: 4.48 counts of absence, ~ 93 hours • Other: 2.86 counts of absence, ~ 21 hours. <p>When ethnicity is considered instead, the rates of absence are as follows:</p> <ul style="list-style-type: none"> • White (all): 5.45 counts of absence, ~ 109 hours • Other: 2.5 counts of absence, ~ 42 hours. <p>It can be noted that "Other" nationality/ethnicity employees experienced significantly lower rates of absence as compared to their counterparts. However, employees in these groups amounted to only 1 and 2% of total employee cohort respectively, meaning that the results may not accurately reflect the trends due to relatively low numbers. (2)</p> <p>The 2021 report published by NHS Race & Health Observatory states that people from different ethnicities experience poorer health outcomes than the average UK population, especially in regards to diabetes, cardiovascular disease and mental illness. These findings could translate to higher than average rate of workplace absence. (3)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		No feedback specific to the protected characteristic of race has been received through the staff consultation carried out in March 2023. (4)
Sex	<p>(1) Staff Demographics 2021-2022</p> <p>(2) Regional Employment Stats 2018</p> <p>(3) SLAB data on Sickness Absence Hours 2022-23</p> <p>(4) Sickness absence in the UK labour market: 2021 (ONS)</p> <p>(5) Menopause and the workplace, TUC</p> <p>(6) Staff consultation results</p>	<p>Women make up 60-65% of the SLAB workforce. (1)</p> <p>This is reflective of the higher proportion of women in public sector employment in Scotland - 16.3% of men in employment work in the public sector compared to 35.4 % of women. (2)</p> <p>SLAB's data suggests that an average female employee accrued more instances of absence in 2022-2023 than an average male employee - 5.19 instances as compared to 4.04. However, an average male employee accrued more absence hours - the equivalent of around 16 days as compared to 13 days for female employees. This data suggests that the nature of the absences experienced by female employees is more likely to be more frequent short absences, as opposed to longer but less frequent absences for male employees.</p> <p>SLAB's data is also not reflective of the broad trend in the UK (see (4) below) where female employees experienced higher rates of absence in % of working time lost due to sickness (ONS does not report on absence instance count). (3)</p> <p>ONS data for the whole of UK suggests a general trend of women having higher rates of sickness absences (in %) in every age category (Figure 3). Women age 50-64 have the highest rate of absence of all groups reported. This data suggests that absence management procedures would be of particular significance to female employees, and especially older female employees. (4)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(7) Explaining the gender gap in sickness absence</p> <p>(8) Parenthood, gender and sickness absence</p> <p>(9) The influence of household work and of having children on sickness absence among publicly employed women in Sweden</p> <p>(10) Fertility Network UK</p> <p>(11) How fertility issues can affect employees - and what HR can do to</p>	<p>TUC “Menopause and the workplace” publication refers to research findings stating that around half of respondents reported having time off work due to menopausal or perimenopause symptoms with 19% being absent for more than 8 weeks. (5)</p> <p>The feedback received through staff consultation carried out in March 2023 suggested that parents are particularly likely to have higher absence rates due to illnesses passed on by their children, and that mothers are at risk of an increased absence rate as a result since women are more likely to have a care-giver role than men. (6)</p> <p>A 2018 study of Norwegian parents found that the gender gap in sickness absence rates remains unexplained. (7)</p> <p>A 2000 Norwegian study has found a link between higher sickness absence rates and single, never married mothers that is somewhat stronger than among other groups; however, overall the link between sickness absences and parenthood was assessed as weak. (10) Similar results were replicated in a 2000 Swedish study of female public sector employees. (8)</p> <p>The feedback received through staff consultation carried out in March 2023 referred to the need for provisions to be introduced to SLAB’s approach to manage fertility-related absences. (7)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>provide support, People Management</p> <p>(12) Pregnancy and Baby Loss in the workplace, CIPD</p> <p>(13) Will menstrual leave come to the UK? HR inform</p> <p>(14) Menstrual Leave Policy, Endometriosis UK</p>	<p>Fertility Network UK reports that 36% of surveyed men and women experiencing fertility issues reported increased sickness absence. 60% of the survey respondents were not honest about the time taken off for appointments and fertility-related illness. (10)</p> <p>People Management points out that where employees have the flexibility to adjust their working schedules to attend appointments, this is often achieved by working during times when rest is needed. (11)</p> <p>In its guidance on Pregnancy and Baby Loss, CIPD recommends that pregnancy and baby loss is recognised as a workplace wellbeing issue, and that Absence management policies and procedures should be flexible and take into account the potentially far-reaching impacts of experiencing this kind of loss, for both partners. (12)</p> <p>The feedback received through staff consultation carried out in March 2023 referred to the need for provisions to be introduced to SLAB’s approach to manage menstruation-related absences. (7)</p> <p>The idea of menstrual leave becoming a legally enshrined right has been part of recent public discourse; however, the benefit of menstrual leave has been questioned by some, with concerns around stigmatisation and employees’ preference not to take time off mentioned by HR Inform. (13)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
		Endometriosis UK states that a blanket policy risks downplaying symptoms of menstrual conditions, and recommends that employers adapt their working practices and policies to recognise the impact that endometriosis has on individual employees. (14)
Gender Reassignment	<p>(1) Staff Demographics 2021-2022</p> <p>(2) SLAB's data on sickness absence</p> <p>(3) How can employers support trans staff at work? (2021), People Management (CIPD)</p> <p>(4) Trans Equality Model Policy, UNISON</p> <p>(5) Staff consultation on HR policies</p>	<p>Fewer than 5% of SLAB's staff indicated that they are not the same gender identity they were assigned at birth. (1)</p> <p>The number of employees in this category is too low to report on sickness absence trends due to data suppression.(2)</p> <p>CIPD suggests that employers may wish to explain in their absence management policy that absences because of gender reassignment will not be counted in the same way that other absences would be. (3) This is reflected in UNISON's Trans Equality Model Policy. (4)</p> <p>No feedback specific to the protected characteristic of gender reassignment has been received through the staff consultation carried out in March 2023. (5)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
Sexual orientation	<p>(1) Staff Demographics 2021-2022</p> <p>(2) Scottish Surveys Core Questions 2019</p> <p>(3) SLAB's data on sickness absences</p> <p>(4) LGBT in Britain: Health Report (2018)</p> <p>(5) Mental Health at Work: statistics, Mental Health Foundation</p> <p>(6) Staff consultation on HR policies</p>	<p>Fewer than 5% of SLAB's staff indicated they are either lesbian, gay or bisexual; (1) this is comparable to national statistics.(2)</p> <p>SLAB's sickness absence records (3) suggest the following rates of absence in relation to sexual orientation:</p> <ul style="list-style-type: none"> • Bisexual/Gay/Lesbian: 10.2 counts of absence, ~ 248 hours • Heterosexual/Straight: 5.25 counts of absence, ~ 105 hours <p>It can be noted that LGB employees experienced much higher rates of absence as compared to their counterparts. However, employees in this group amounted to only 5% of the total employee cohort, meaning that the results may not accurately reflect the trends due to relatively low numbers. (3)</p> <p>Stonewall reports that the prevalence of mental health issues is significantly higher in the LGBTQ+ population compared to the general population in the UK. (4)</p> <p>This trend could translate to higher rates of sickness absence as mental health-related absence accounted for 12.7% of all sickness absence in the UK (5), and suggests that absence management procedures would be of particular significance to this group.</p> <p>No feedback specific to the protected characteristic of gender reassignment has been received through the staff consultation carried out in March 2023. (6)</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
Religion or Belief	<p>(1) SLAB Demographics 2021-2022</p> <p>(2) SLAB's sickness absence data</p> <p>(3) Staff consultation on HR policies</p>	<p>Of all staff, around 40% employees declared a religion or belief (35-40% Christian and less than 5% other religion). SLAB collects statistics as to the breakdown of employees of a non-Christian religion but small numbers mean this cannot be reported due to data suppression. (1)</p> <p>SLAB's sickness absence records suggest the following rates of absence in relation to religion:</p> <ul style="list-style-type: none"> • Christian/Church of Scotland: 4.7 counts of absence, ~ 135 hours • Roman Catholic: 5.48 counts of absence, ~ 99 hours • Other: cannot be reported due to data suppression • None: 5.54 counts of absence, ~ 91 hours. <p>It can be noted that the rates of absence are broadly similar among these groups, with employees declaring no religion experiencing the highest number of counts of absence, and Christian/Church of Scotland employees experiencing the highest number of absence hours. (2)</p> <p>We have found no evidence on immediate link between religion or belief and sickness absences through desk research. Similarly, no feedback specific to the protected characteristic of religion has been received through the staff consultation carried out in March 2023. (3)</p>
Pregnancy or maternity	(1) SLAB Annual Report and Accounts 2021-22	In 2021-22, 100% of maternity leavers returned to work. Of these, 20% (13% less than year prior) requested a variation to their contractual hours on return to work and all

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	<p>(2) Employers obligations during pregnancy Pregnancy related illness, EHRC</p> <p>(3) Staff consultation on HR policies</p>	<p>were approved on a permanent basis. SLAB does not gather information on absence rates among this protected characteristic group. (1)</p> <p>EHRC states that no account must be taken of pregnancy related illness, for example, in disciplinary or redundancy decisions using sickness absence levels and it should be recorded separately from other sickness absences. (2)</p> <p>No feedback specific to the protected characteristic of pregnancy and maternity has been received through the staff consultation carried out in March 2023. (3)</p>
Marriage/civil partnership	(1) Staff consultation on HR policies	<p>We have no evidence in relation to SLAB employees or from wider desk research that there is a significant impact, positive or negative, for this group in terms of this policy. Marriage and civil partnership status is not collected as part of the recruitment process and so we do not appear to have clear statistics on the breakdown of staff according to this PC.</p> <p>We have found no evidence on immediate link between marriage or civil partnership and sickness absences through desk research. Similarly, no feedback specific to the protected characteristic of pregnancy and maternity has been received through the staff consultation carried out in March 2023. (1)</p>
Care Experienced <i>(corporate parenting duty)</i>	<p>(1) Staff demographics</p> <p>(2) SLAB's data on sickness absence</p>	<p>5-10% of all staff members declare they are care-experienced, 80-85% are not and 10-15% prefer not to say. (1)</p> <p>SLAB's sickness absence records suggest the following rates of absence in relation to care experience:</p>

Equality characteristics	Evidence source (web link, report, survey, complaint)	What does the evidence tell you about the experiences of this group in relation to the policy/practice/process/service? <i>Lack of evidence may suggest a gap in knowledge/need for consultation (step 3).</i>
	(3) Care experienced children and young people’s mental health, IRISS	<ul style="list-style-type: none"> • Not care experienced: 5.45 counts of absence, ~ 107 hours • Care experienced: 2.71 counts of absence, ~ 93 hours. <p>It can be noted that care experienced employees experienced much lower rates of absence in terms of instances of absence as compared to their counterparts. However, employees in this group amounted to only 5% of the total employee cohort, meaning that the results may not accurately reflect the trends due to relatively low numbers. (2)</p> <p>IRISS reports that there are strong links between exposure to adverse childhood experiences (ACEs), experienced by around two thirds of those in care and mental illness. These findings could translate to higher rates of sickness absence among this group, as mental health-related absence accounted for 12.7% of all sickness absence in the UK, suggesting that absence management procedures would be of particular significance to this group. (3) (4)</p>

2.2 Using the information above and your knowledge of the policy/practice/process/service, summarise your overall assessment of how important and relevant the policy/practice/process/service is likely to be for equality groups.

SLAB data on absence rates suggest that the policy is likely to be especially relevant to the protected characteristics of age, disability, sex and sexual orientation. External sources suggest relevance to the protected characteristics of race and care experience.

2.3 Outcome of step 2 and next steps. Complete the table below to inform the next stage of the EqIA process. Consult with the project group and/or Corporate Policy Officer (Equalities) on completing this section.

Outcome of Step 2 following initial evidence gathering and relevance to equality characteristics	Yes/ No (Y or N)	Next steps
There is no relevance to equality or our corporate parenting duties	N	Proceed to Step 5: agree with decision makers that no EqIA is required based on current evidence
There is relevance to some or all of the equality groups and/or our corporate parenting duties	Y	Proceed to Step 3: complete full EqIA
It is unclear if there is relevance to some or all of the equality groups and/or our corporate parenting duties	N	Proceed to Step 3: complete full EqIA

Step 3 - stakeholder involvement and consultation

This step will help you to address any gaps in evidence identified in Step 2. Speaking to people who will be affected by your policy/practice/process/service can help clarify the impact it will have on different equality groups.

Remember that sufficient evidence is required for you to show ‘due regard’ to the likely or actual impact of your policy/practice/process/service on equality groups. An inadequate analysis in an assessment may mean failure to meet the general duty.

The Policy and Development team can help to identify appropriate ways to engage with external groups or to undertake research to fill evidence gaps.

3.1 Do you/did you have any consultation or involvement planned for this policy/practice/process service?

Yes

3.2 List all the stakeholder groups that you will talk to about this policy/practice/process/service.

Carried out consultations with SLAB leadership team, employees and our recognised Trade Union.

3.3 What did you learn from the consultation/involvement? Remember to record relevant actions in the assessment action log.

Union and Employee Consultation - April 2023:

- Negative impact on protected characteristics - disability and sex
- A few respondents noted that they felt employees with disabilities would be disadvantaged with the sickness absence triggers, as they may be more likely to reach the triggers
- A further respondent felt there should be different triggers for 'normal absences' and those attributed to a disability
- One person felt consideration should be given to parents who have younger children who may experience more frequent absences due to illnesses passed on by their children; they believed it impacted the protected characteristics of sex given women were more likely to be the care giver.

In addition to providing their observations, a small number of respondents also made some suggestions:

- A few respondents felt more flexibility should be allowed regarding how employees contact their manager if unable to work for example, texting. It was felt this could apply more to employees with disabilities.
- A few respondents said the wording of the policy sounded like punitive steps would be taken too quickly and believed it should be made clearer.

Step 4 - Impact on equality groups and steps to address these

You must consider the three aims of the general duty for each protected characteristic. The following questions will help:

- **Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?**
- **Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?**
- **Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?**

4.1 Does the policy/practice/process/service have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?

In the tables below, record the impact the policy/practice/process/service might have on each equality characteristic,

as it is planned or as it operates, and describe what changes in policy/practice process/service or actions will be required to mitigate that impact. Copy any actions across to the project action log.

Age	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to older employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.
potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence.
potential to advance equality of opportunity	X			The changes to the policy should help to ensure that absence is appropriately managed and increase the chances of identifying and implementing supportive measures, thus maximising employee potential. The emphasis placed on applying supportive measures before punitive measures will allow for an opportunity to identify potential needs of employees with protected characteristics that are different from those not sharing a protected characteristic.

Sex	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to female employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.
potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence.
potential to advance equality of opportunity	X	X		<p>The changes to the policy should help to ensure that absence is appropriately managed and increase the chances of identifying and implementing supportive measures, thus maximising employee potential.</p> <p>The emphasis placed on applying supportive measures before punitive measures will allow for an opportunity to identify potential needs of employees with protected characteristics that are different from those not sharing a protected characteristic.</p> <p>Evidence obtained through staff consultation suggests that those experiencing menopause, fertility issues and menstrual issues may be more likely to be affected by sickness absences.</p>

				<p>A Menopause Policy detailing approach to menopause-related absences may be developed in the future to ensure further clarity for employees experiencing menopause.</p> <p>A Fertility Policy detailing approach to fertility treatment may be developed in the future to ensure further clarity for employees receiving fertility treatment.</p> <p>Third party evidence suggests that caution must be exercised when considering adapting a Menstrual Leave Policy. The prevalent recommended approach evident in the sources consulted is to demonstrate flexible approach to menstruation-related absences. The emphasis on applying supportive measures before punitive measures are implemented that is embedded in the policy will be conducive to maximising the positive impact on those affected by menstrual issues.</p>
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Disability	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to disabled employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.

potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence
potential to advance equality of opportunity	X	X		<p>The changes to the policy should help to ensure that absence is appropriately managed and increase the chances of identifying and implementing supportive measures, thus maximising employee potential.</p> <p>The emphasis placed on applying supportive measures before punitive measures will allow for an opportunity to identify potential needs of employees with protected characteristics that are different from those not sharing a protected characteristic.</p> <p>The policy recognises that employees with disabilities may have different needs in relation to sickness absence. A policy detailing approach to disability absences and Disability Leave may be developed in the future to ensure further clarity for employees with disabilities and maximise the positive impact while reducing potential adverse impact.</p> <p>Evidence obtained through the staff consultation suggests that emphasis on calling line manager in person to report sickness may be challenging to those with disabilities, and thus have a negative impact on this protected characteristic. The policy allows for a third party to report the absence instead of the employee in exceptional circumstances.</p>

Gender reassignment	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Managers Guidelines and Training will cover how to manage and record absence in relation to gender reassignment-related absence, in that it should not be included in for example any absence management triggers.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Race	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to minority ethnic employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.
potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence

potential to advance equality of opportunity			X	
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Religion or Belief	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	The evidence does not suggest that this policy is likely to have an impact on this protected characteristic group.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Sexual Orientation	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to LGBT+ employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.

potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence.
potential to advance equality of opportunity	X			<p>The changes to the policy should help to ensure that absence is appropriately managed and increase the chances of identifying and implementing supportive measures, thus maximising employee potential.</p> <p>The emphasis placed on applying supportive measures before punitive measures will allow for an opportunity to identify potential needs of employees with protected characteristics that are different from those not sharing a protected characteristic.</p>

Pregnancy & Maternity	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Managers Guidelines and Training will cover how to manage and record absence in relation to pregnancy related absence, in that it should not be included in for example any absence management triggers.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Marriage & Civil Partnership	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination			X	The evidence does not suggest that this policy is likely to have an impact on this protected characteristic group.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Care experienced young people	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. For example, to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
	Positive impacts	Negative impacts	No impact	
potential for discrimination	X	X		Evidence shows that robust absence management practices may be of particular significance to care experienced employees. The training on diversity awareness and unconscious bias will help to mitigate potential for discrimination on grounds of age related to absence management, and resulting increased sensitivity in respect of issues about which managers might have no prior experience or insight has potential to result in positive impact.
potential for developing good relations	X			Greater clarity of process will assist in developing good relations as there will be less confusion and uncertainty for managers and employees if a process must commence.

potential to advance equality of opportunity	X			The changes to the policy should help to ensure that absence is appropriately managed and increase the chances of identifying and implementing supportive measures, thus maximising employee potential. The emphasis placed on applying supportive measures before punitive measures will allow for an opportunity to identify potential needs of employees with protected characteristics that are different from those not sharing a protected characteristic.
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4.2 Describe how the assessment so far might affect other areas of this policy/practice/process/service and/or project timeline?

- We conducted a consultation with all staff and our recognised Union seeking views on the refreshed policy and made changes to the policy as a result
- Managers Guidelines and documentation will be produced along with specific training for managers
- Training to those involved making decisions with this policy will be required, all of which will be additional cost compared to the current set up.

4.3 Having considered the potential or actual impacts of your policy/practice/process/service on equality groups, you should now record the outcome of this assessment below.

Choose from one of the following (mark with an X or delete as appropriate):

Please select (X)	Implications for the policy/practice/process/service
	No major change Your assessment demonstrates that the policy/practice/process/service is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
X	Adjust the policy/practice/process/service

	You need to take steps to remove any barriers, to better advance equality of to foster good relations. You have set actions to address this and have clear ways of monitoring the impact of the policy/practice/process/service when implemented.
	Continue the policy/practice/process/service with adverse impact The policy/practice/process/service will continue despite the potential for adverse impact. You have justified this with this assessment and shown how this decision is compatible with our obligations under the public sector equality duty. When you believe any discrimination can be objectively justified you must record in this assessment what this is and how the decision was reached.
	Stop and remove the policy/practice/process/service The policy/practice/process/service will not be implemented due to adverse effects that are not justified and cannot be mitigated.

Step 5 - Discuss and review the assessment with decision makers and governance structures

You must discuss the findings of this assessment with senior decision makers during the lifetime of the project/review and before you finalise the assessment. Relevant groups include, but are not limited to, a Project Board, Executive Team or Board members. EqIA should be on every project board agenda therefore only note dates where key decisions have been made (for example draft EqIA sign off, discussion about consultation response).

5.1 Record details of the groups you report to about this policy/practice/process/service and impact assessment. Include the date you presented progress to each group and an extract from the minutes to reflect the discussion.

- From January 2022 - Regular reviews and updates to the EqIA between Policy Team and Human Resources, with input from Morton Fraser
- March 2023 - Consultation with Employees and our recognised Trade Union
- April/May 2023 - Following consultation with employees and our recognised Trade Union changes made to the policy and EqIA.

Step 6 - Post-implementation actions and monitoring impact

There may be further actions or changes planned after the policy/practice/process/service is implemented and this assessment

is signed off. It is important to continue to monitor the impact of your policy/practice/process/service on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

6.1 Record any ongoing actions below.

This can be copied from the project action log or elsewhere in this assessment and should include timescales and person/team responsible. If there are no outstanding items please make this clear.

- Examine absence levels and reasons by each of the protected characteristics to help us from any better conclusion in terms of equality (HR - ongoing)
- All employees making decisions on absences issues will be alerted to this refreshed policy and given training as required on Anti-Bullying and Harassment, unconscious bias and diversity awareness (HR from June 2023).

6.2 Note here how you intend to monitor the impact of this policy/practice/process/service on equality groups. In the table below you should:

- *list the relevant measures,*
- *identify who or which team is responsible for implementing or monitoring any changes,*
- *identify where the measure will be reported to ensure any issues can be acted on as appropriate.*

Measure	Lead department/ individual	Reporting (where/ frequency)
Absence levels and reasons disaggregated by protected characteristic.	Human Resources with policy support for analysis	Annually as part of our regulatory reporting
Staff survey or Wellbeing survey?	Human Resources with policy support for analysis	Every two years, to project board and Executive Team

6.3 EqlA review date.

This EqlA should be reviewed as part of the post-implementation review of the policy/practice/process/service. The date should not exceed three years from the policy/practice/process/service implementation date.

12/06/2026

Step 7 - Assessment sign off and approval

Once final consultation has been undertaken with Corporate Policy Officer (Equalities), all equality impact assessments must be signed off by the relevant Director or Senior Responsible Owner (SRO), even where an EqIA is not required. The Chief Executive must approve all equality impact assessments. Note the relevant dates here:

Director/SRO sign off: 07/06/2023

Chief Executive approval: 07/06/2023

All full equality impact assessments must be published on SLAB's website as early as possible after the decision is made to implement the policy, practice, process or service.