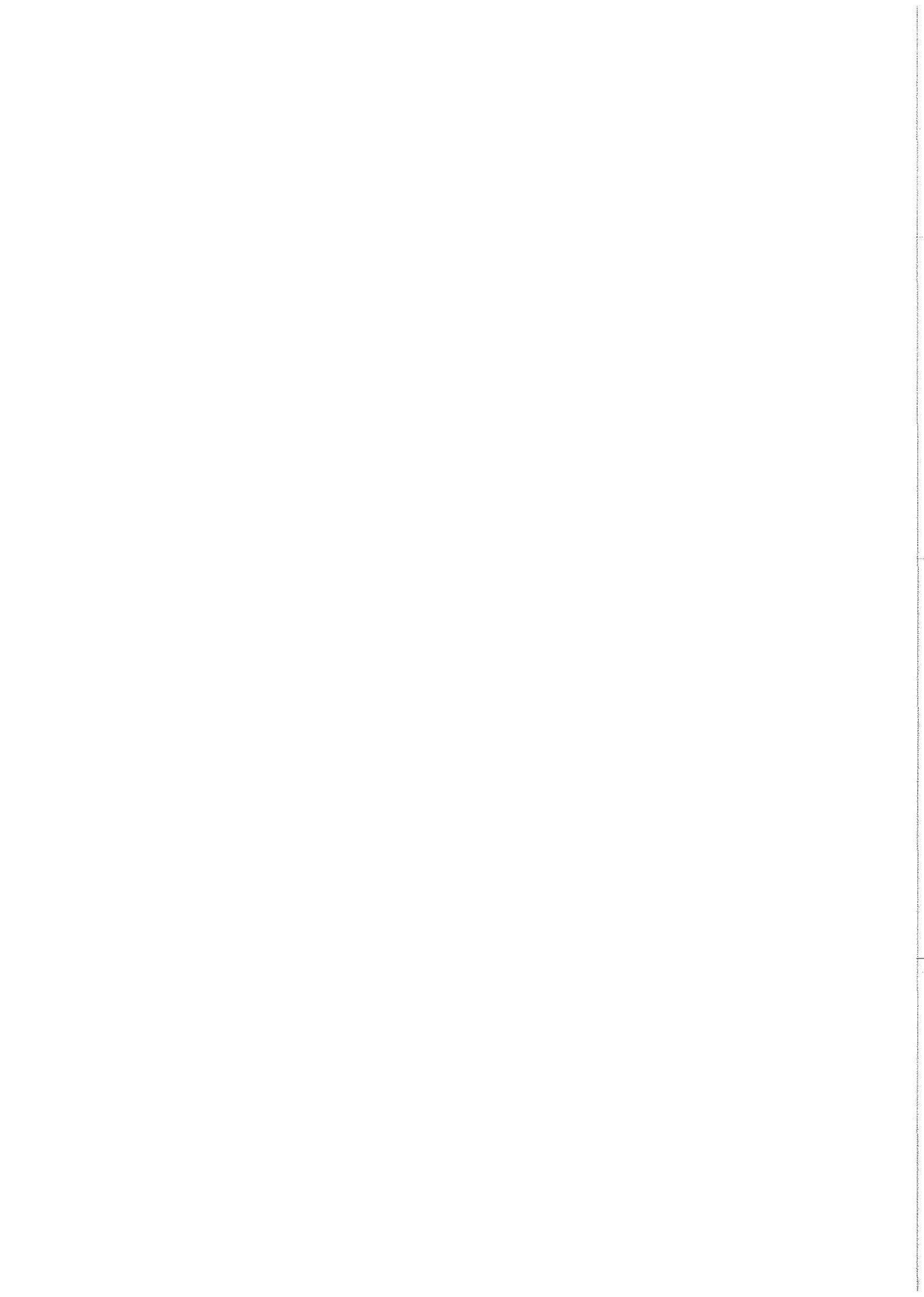


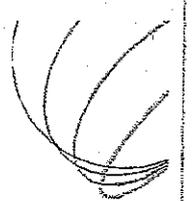
# Equality Impact Assessment in Audit Scotland

## Redeployment and Redundancy policies

This form should be completed by following the guidance including in the supporting document:

**Equality Impact Assessment in Audit Scotland – Guidance Notes**





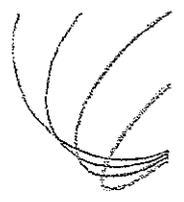
## Audit Scotland Equality Impact Assessment

Policy Titles <sup>1</sup>	Redeployment Policy and Procedure Redundancy Policy and Procedure
Strategic Outcome	To ensure employees subject to redeployment and vulnerable to redundancy are treated fairly and reasonably.
Directorate	Corporate Services Group - Human Resources.
We have completed the equality impact assessment for this policy. (delete as appropriate)	Name: Jennie Slessor Position: Senior OD Consultant Date: 25 May 2012
Approval by Director on behalf of Business Group Management Team	Name: <i>Diane M</i> Position: Chief Operating Officer Date: 20/6/12
Sign off by the Diversity & Equality Steering Group (DESG) Chair on behalf of the DESG members	Name: <i>Angela Connery</i> Date: 20/6/12

Once the EQIA documentation has been completed and signed off arrangements will be made by the Diversity & Equality

<sup>1</sup> Throughout this documentation we use the word POLICY to mean any activity, function, strategy, programme, service or process which is being considered for Impact Assessment.

Steering Group and communications team to publish the summary results from the EqIA on Audit Scotland's website.



**Step 1: Define the aims of the policy**

<p>What is the purpose of the proposed policy (or changes to be made to the policy)?</p>	<p>Audit Scotland has a legal and ethical responsibility as a reasonable employer to ensure that staff are supported and treated fairly and equitably when they are subject to redeployment or vulnerable to redundancy. These policies demonstrate this commitment and explain the support available and procedures to be followed in redeployment and redundancy situations.</p>
<p>Who is affected by the policy or who is intended to benefit from the proposed policy and how?</p>	<p>All Audit Scotland employees (fixed term and permanent), management and the PCS union will be affected and benefit from these policies. The aim of the policies is to ensure a fair and reasonable approach to redeployment and redundancy.</p> <p>Around 15 employees are members of the Civil Service Compensation Scheme (CSCS) which outlines terms set by the Cabinet Office in redundancy and voluntary early release situations. Where this is the case, the rules outlined in the CSCS will apply and Audit Scotland has no discretion to change these rules.</p>
<p>How have you, or will you, put the policy into practice, and who is or will be responsible for delivering it?</p>	<p>There are a number of key stakeholders who are important in ensuring that the policies are implemented fairly and transparently. For example, Audit Scotland's Management Team, business group managers, employees and the PCS union. Each policy contains an appendix outlining the key stakeholders and their main responsibilities.</p> <p>In order to deliver the requirements of</p>



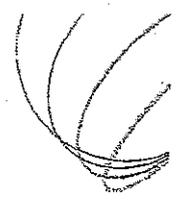
	<p>the policies, it is critical that line managers follow the procedures outlined in the policies. This will ensure that issues prior to, during and subsequent to organisational change are managed fairly and consistently. Support will be available to line managers from Human Resources.</p> <p>The policies will be communicated to staff and published on our ishare system.</p>
How does the policy fit into our wider or related policy initiatives?	These policies link to our commitment within a range of other policies to ensure employees are treated fairly, reasonably and with respect.
Do you have a set budget for this work?	No.

**Step 2: What do you already know about the diverse needs and/or experiences of your target audience?**

Do you have information on:	
Age	Yes
Disability	Yes
Gender	Yes
Lesbian, Gay, Bisexual & Transgender	Yes
Race	Yes
Religion and Belief	Yes

**Evidence:** Staff profile information outlined below is as at March 2012 (as per our 2011-2012 Single Equality Scheme progress report). The Redeployment and Redundancy policies and procedures are new. Therefore, we do not have any direct evidence of those who have been subject to them to assess the likely impact on various equality strands. Human Resources will keep a record of those affected and observe this over time to ascertain if any trends are forming.

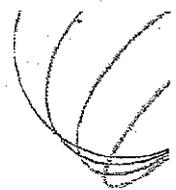
**Consultation:** We have consulted and negotiated with the PCS union in developing these policies. In addition, we have consulted



with Audit Scotland's Management Team and Remuneration Committee/Board in formulating the policies. Our employment lawyers have also been consulted to ensure the policies are legally compliant, non discriminatory and in line with good practice guidance.

**Benchmarking:** Alongside consultation and negotiation processes, a number of other comparable organisations were approached for advice on their approach to redeployment and redundancy. In addition, information was sought from both the Lothian Pension Scheme (LPS) and the Civil Service Compensation Scheme (CSCS). Good practice guidance was also obtained through the Chartered Institute of Personnel and Development (CIPD) and the Government. Information was shared with the PCS union and this has informed the development of our policies to ensure our approaches are fair and reasonable.

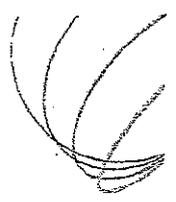
Age	The age range split for staff is: 16-24 (2.3%) 25-34 (24.2%) 35-49 (45.7%) 50+ (27.9%)
Disability	The percentage of staff with a declared disability is 3%.
Gender	The representation of males and females is the same as in 2009-2010 at 49.8% and 50.2% respectively.
Lesbian, Gay, Bisexual & Transgender	60.8% of staff are heterosexual/straight; 1.9% did not want to disclose this information; 35.5% have not responded to confirm and the remainder are either a gay man, gay woman or bisexual (1.9%).
Race	The representation of ethnic minority staff at Audit Scotland (AS) is 2.6%.
Religion and Belief	39.6% of staff have not disclosed any religion. 26% of staff have no religion or stated not applicable. 15.1% are Church of Scotland; 9.8% Roman Catholic; 4.2% prefer not to say; 3.4% other Christian and 1.9% are either Sikh, Jewish or another religion.



**Step 3: Do you have enough information to help you understand the diverse needs and/or experiences of your target audience?**

**If not, what else do you need to know?**

Age	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those affected and whether any trends are forming over time.		
Disability	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those affected and whether any trends are forming over time.		
Gender	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those affected and whether any trends are forming over time.		
Lesbian, gay, bisexual and transgender	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those affected and whether any trends are forming over time.		
Race	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those affected and whether any trends are forming over time.		
Religion and Belief	Do you have enough information to proceed?	Yes	<input type="checkbox"/>
	Once the policies are implemented we will be able to assess the impact on those		



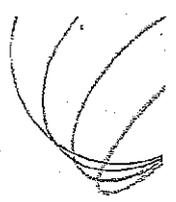
	affected and whether any trends are forming over time.
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**Step 4: What does the information you have tell you about how this policy might impact positively or negatively on the different groups within the target audience?**

**General:** Audit Scotland advocates redeployment as a means of avoiding or reducing the number of redundancies. This benefits all employees in that it offers redeployment opportunities (where these are available) to enable continuous employment. Whilst the redeployment process does inhibit external recruitment and may reduce the likelihood of Audit Scotland recruiting a more diverse workforce, we have a statutory obligation to assist employees to secure redeployment. Therefore, it is a necessary and positive step to have a framework and policies in place to assist with this process.

If a redundancy situation was to arise, and selection criteria were required, we would aim to agree with the PCS union what criteria should be applied. At this selection stage, we would consider the impact of any particular criteria on diversity and equality.

Age	<p>Audit Scotland does not currently have policies covering redeployment or redundancy. The policies will apply to all employees and they aim to ensure staff are treated fairly, transparently and reasonably.</p> <p>Consultation with the PCS union and other key stakeholders carried out to date should ensure that these new policies do not negatively impact on different age groups within the organisation.</p> <p>There is some evidence that people of different ages are treated differently in respect of redundancy as follows:</p> <p>Employees with under 2 years service are not eligible for a redundancy payment. This may be considered disadvantageous by younger employees. However, this represents a statutory requirement to receive a redundancy payment.</p> <p>Redundancy payments are based on the statutory</p>
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model where individuals receive a redundancy payment based on age and length of service<sup>2</sup>. This may be perceived as disadvantageous by younger employees and advantageous by older employees. However, it was considered that payments based on age and length of service was objectively justified and provided a means of providing appropriate levels of compensation to employees.

The UK government also applies a cap to redundancy payments for those over age 61. Audit Scotland's redundancy payments are based on this statutory model (enhanced by a factor of 2.2). Therefore, we are compliant with legislation in this area. However, Human Resources note that this may change in future. Human Resources will keep an eye on this to ensure our policies are in line with legislation if it changes in future.

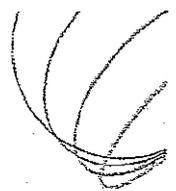
Individuals who are over 55<sup>3</sup> and are members of the Local Government Pension Scheme are eligible for immediate pension benefits if made redundant. This could be considered disadvantageous to younger employees who would not have access to pension benefits. However, this is a condition of the pension scheme over which Audit Scotland has no discretion.

Length of service will not generally be used to select employees for redundancy. This is in line with good practice guidance. Any selection criteria relating to experience will need to be carefully applied, taking account of any potential indirect discrimination on the basis of age.

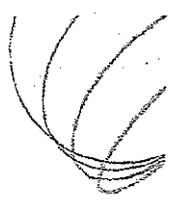
Colleagues who are members of the Civil Service Compensation Scheme (CSCS) are bound by Cabinet Office rules and regulations in relation to

<sup>2</sup> See appendix 1 for details of the statutory model.

<sup>3</sup> In the Local Government Pension Scheme, access to pension at age 50 is protected for an employee who was a member of the 1998 scheme on 5 April 2006. For all others access to pension is from age 55 onwards.



	<p>redundancy (voluntary and compulsory) - Audit Scotland will adhere to these rules for this group of staff.</p> <p>With regards redeployment, there is no evidence that employees of different ages would be treated differently.</p>
Disability	<p>Other policies exist to specifically deal with reasonable adjustments.</p> <p>Policies have been created with the purpose of ensuring that all staff are treated fairly, transparently and reasonably, irrespective of whether they have a disability or not. Reasonable adjustments will be made as required during the process.</p> <p>Consultation carried out to date should ensure that these new policies do not negatively impact on those with a disability.</p> <p>With regards the use of selection criteria in compulsory redundancy situations, we acknowledge that absence directly related to a disability may need to be removed to ensure the criteria is non-discriminatory.</p>
Gender	<p>Policies have been created with the purpose of ensuring that all staff are treated fairly, transparently and reasonably, irrespective of gender.</p> <p>Consultation carried out to date should ensure that these new policies do not negatively impact on male, female or transgender employees.</p> <p>With regards the use of selection criteria in compulsory redundancy situations, we acknowledge that pregnancy related absences should not be taken into account.</p> <p>With regards priority for redeployment, our policy reinforces the legal position that employees on maternity or additional paternity leave would be entitled to first refusal on any suitable alternative employment.</p>



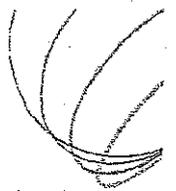
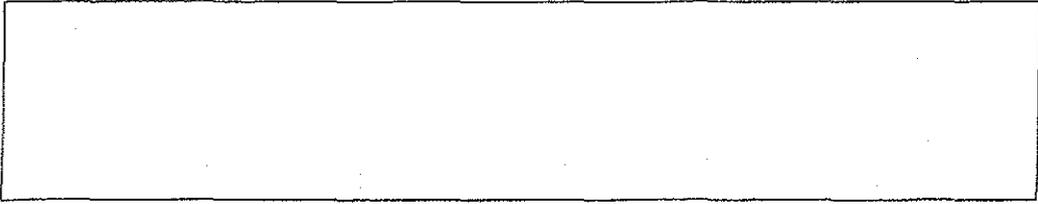
Lesbian, Gay, Bisexual & Transgender	<p>Policies have been created with the purpose of ensuring that all staff are treated fairly, transparently and reasonably, irrespective of sexual orientation.</p> <p>Consultation carried out to date should ensure that these new policies do not negatively impact on employees of a given sexual orientation.</p>
Race	<p>Policies have been created with the purpose of ensuring that all staff are treated fairly, transparently and reasonably, irrespective of race.</p> <p>Consultation carried out to date should ensure that these new policies do not negatively impact on employees of a particular race.</p>
Religion and Belief	<p>Policies have been created with the purpose of ensuring that all staff are treated fairly, transparently and reasonably, irrespective of religion and/or belief.</p> <p>Consultation carried out to date should ensure that these new policies do not negatively impact on employees with a particular religion or belief.</p>

**Step 5: Will you be making any changes to your policy?**

Are there any changes?				
Age	Yes		No	x
Disability	Yes		No	x
Gender	Yes		No	x
Lesbian, Gay, Bisexual & Transgender	Yes		No	x
Race	Yes		No	x
Religion and Belief	Yes		No	x

Please identify:

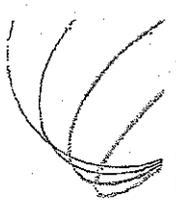
- what action you will take
- who will take that action
- when that action will be taken.



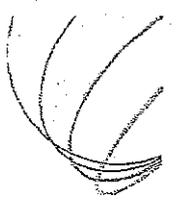
**Step 6: Does your policy provide the opportunity to promote equality of opportunity or good relations by altering the policy or working with others?**

Age	Yes
Disability	Yes
Gender	Yes
Lesbian, Gay, Bisexual & Transgender	Yes
Race	Yes
Religion and Belief	Yes

Age	The policies aim to keep all employees, regardless of age, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.
Disability	The policy does not cover redeployment specifically with regards alterations that might represent reasonable adjustments.  However, the policies aim to keep all employees, regardless of whether they have a disability or not, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.
Gender	The policies aim to keep all employees,



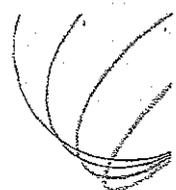
		regardless of gender, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.
Lesbian, Bisexual Transgender	Gay, &	The policies aim to keep all employees, regardless of sexual orientation, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.
Race		The policies aim to keep all employees, regardless of race, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.
Religion and Belief		The policies aim to keep all employees, regardless of religion or belief, in employment wherever this is possible. Where this is not possible and employees are subject to redundancy, the redundancy policy emphasises the support Audit Scotland will provide, the procedures to be followed and the tariff that would apply to all staff.



**Step 7: Based on the work you have done - rate the level of relevance of your policy**

	Age	Disability	Gender	LGBT	Religion and belief	Race
<b>High:</b> <ul style="list-style-type: none"> <li>There is substantial evidence that people from different groups or communities are (or could be) differently affected by the policy (positively or negatively)</li> <li>There is substantial public concern about the policy, or concerns have been raised about the policy's potential impact by relevant bodies</li> <li>The policy is relevant to all or part of the respective general duty, in the case of race, disability and gender.</li> </ul>	✓ <sup>4</sup>					
<b>Medium:</b> <ul style="list-style-type: none"> <li>There is some evidence that people from different groups or communities are (or could be) differently affected (positively or negatively).</li> <li>There is some public concern about the policy.</li> <li>The policy is relevant to parts of the respective general duty, in the case of race, disability and gender.</li> </ul>						
<b>Low:</b> <ul style="list-style-type: none"> <li>There is little or no evidence that some people from different groups or communities are (or could be) differently affected (positively or negatively).</li> <li>There is little or no evidence of public concern about the policy.</li> <li>The policy has little or no relevance to the respective general duty, in the case of race, disability and gender.</li> </ul>		✓	✓	✓	✓	✓
<b>Unknown:</b> <ul style="list-style-type: none"> <li>No evidence or data has been collected therefore an assessment cannot be made.</li> </ul>						

<sup>4</sup> Age is the most relevant diversity strand to these policies, particularly the redundancy policy and procedure. The differences (described in step 4 of this Equality Impact Assessment) result from either statutory provisions or pension scheme rules which cannot be altered. For example the statutory ready reckoner for redundancy payments based on age and length of service or access to immediate pension benefits on turning age 55 (or 50 for protected members of the local government pension scheme).



**Step 8: Is a further impact assessment required?**

Age	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Disability	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Gender	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Lesbian, Gay, Bisexual & Transgender	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Race	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Religion and Belief	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

If you have answered yes please explain why

The policies should be reviewed once they are in place and being used. A review will be undertaken during May 2013.

If you have answered no please explain why

**Step 9: Explain how you will monitor and evaluate this policy/function or strategy to measure progress?**

**Please explain how monitoring will be undertaken, when it will take place and who is responsible for undertaking it:**

Human Resources will monitor those affected by the redeployment and redundancy policies to ascertain if any trends develop over time. A review of the past year will take part annually as part of our equality scheme review. We will report on this as part of monitoring where confidentiality is not breached.

Human Resources and the PCS union will monitor the effectiveness of the implementation of policies following each organisational change situation. This will help address any specific concerns or issues regarding a specific exercise.

The Human Resources staff handbook is reviewed each year – these policies will be reviewed next in May 2013 and the PCS union will also be invited to comment at this time.

## Step 10: Summary of improvements, outcomes and impact

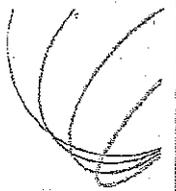
Please summarise in no more than 200 words the nature of the policy and main improvements, outcomes and impact as a result of this review

Audit Scotland has a legal and ethical responsibility as a reasonable employer to ensure that staff are supported and treated fairly and equitably when they are subject to redeployment or vulnerable to redundancy. Therefore, we have developed redeployment and redundancy policies in liaison with our PCS union. These new policies demonstrate this commitment and explain the support available and procedures to be followed in redeployment and redundancy situations.

This EIA process identified that the most relevant protected characteristic when considering redundancy is age. However, differences are due to statutory based models or pension scheme arrangements.

Across the other protected characteristics (redundancy and redeployment) there is little or no evidence that people are differently affected as the policies are new. However, Audit Scotland will monitor the protected characteristics of those subject to the policies and will review the EIA in future to identify any diversity or equality issues.

Both policies have now been communicated to staff as part of a general communication by Management Team and are available from our Staff Handbook.



## Appendix 1

### STATUTORY REDUNDANCY PAYMENTS READY RECKONER

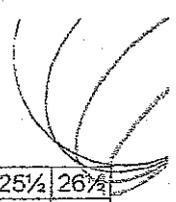
Calculate the number of weeks' redundancy pay by cross-referencing the employee's age and completed years of continuous service<sup>[5]</sup>. Multiply that number by the lower of the employee's actual week's pay and the statutory cap<sup>[6]</sup>. For details of how Audit Scotland will improve the statutory redundancy payment see section 3 of appendix D and the worked example at the end of this appendix.

		Completed Years of Service																		
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age																				
17 <sup>[7]</sup>		1																		
18		1	1½																	
19		1	1½	2																
20		1	1½	2	2½															
21		1	1½	2	2½	3														
22		1	1½	2	2½	3	3½													
23		1½	2	2½	3	3½	4	4½												
24		2	2½	3	3½	4	4½	5	5½											
25		2	3	3½	4	4½	5	5½	6	6½										
26		2	3	4	4½	5	5½	6	6½	7	7½									
27		2	3	4	5	5½	6	6½	7	7½	8	8½								
28		2	3	4	5	6	6½	7	7½	8	8½	9	9½							
29		2	3	4	5	6	7	7½	8	8½	9	9½	10	10½						
30		2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½					
31		2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½				
32		2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½			
33		2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½		
34		2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	
35		2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
36		2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37		2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42		2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44		3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45		3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46		3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47		3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48		3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49		3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50		3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51		3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52		3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53		3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26

<sup>[5]</sup> Continuous service is service with Audit Scotland or a predecessor organisation i.e. Accounts Commission or National Audit Office, up to a maximum of 20 years' service counts.

<sup>[6]</sup> For the purposes of calculating statutory redundancy entitlement, a week's pay is calculated by reference to the employee's actual basic pay plus any contractual allowances at the date of termination subject to the statutory cap on a week's pay. From 1 February 2012, the statutory cap on a week's pay was £430.

<sup>[7]</sup> The table starts at age 17, as it is possible for a 17 year old to have 2 years' service based on the compulsory school leaving age.



54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61 <sup>[8]</sup>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

<sup>[8]</sup> The same figures should be used when calculating the redundancy payment for a person aged 61 and above.