EQUALITY IMPACT ASSESSMENT

Policy title:	**Paternity/Partner Leave**
Policy lead/ owner:	HR Business Partner
Others involved in EqIA assessment group	Assessment group included: HR Advisor HR Business Partner
Policy implementation date:	08/02/2023

1   Framing the policy

1.1   Briefly describe the outcomes, aims and purpose of the policy:

This policy sets out legislative rights and explains the internal process to be followed for employees who wish to take paternity/partner leave.

The aims of this policy are to:
- help employees understand the rules and regulations which apply to them.
- Inform employees of their paternity/partner rights and benefits
- Explain internal process and inform employees of their obligations regarding notification.

The policy also highlights the option of Shared Parental leave for eligible employees.

1.2   Is the policy new or being changed, reviewed or stopped?

Reviewed in line with SRUC Policy review cycle.

1.3   Who is affected by this policy?

This policy applies to the partner of the pregnant parent (non-pregnant parent) or to the partner of the primary adopter (co-adopter) in cases of adoption and surrogacy.

1.4   Are there any other SRUC policies that may be affected by this policy?

Special Leave, Maternity Leave, Shared Parental, Flexible Working Policy, Parental Leave Policy Adoption Leave, Attendance Management Policy

2   Evidence relevant to the policy including consultation
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   Evidence: Set out in the table what you know about the experiences of people in terms of each equality group. Consider the diversity within each group (e.g. experiences of people from different religions or faiths) as well as the differences between groups. There may also be cumulative barriers experienced by people when you look at more than one group together (e.g. experiences of women of different minority ethnic groups, so the intersectional impact of sex and race).

General evidence

The policy is developed in line with legislation explained here Paternity pay and leave: Overview – GOV.UK (www.gov.uk) and has been reviewed against the Advisory, Conciliation and Arbitration Service (ACAS) guide on paternity leave and rights Checking you can get paternity leave: Your paternity leave, pay and other rights – Acas

We ultimately conclude that the policy closely reflects the ACAS guidelines and covers SRUC's statutory obligations. Paternity leave: The hidden barriers keeping men at work – BBC Worklife

Internal SRUC evidence / data: 0.79% (11 of 1380) of employees took paternity/partner leave in the year Jan 2021 – Dec 2021.

Unlike maternity leave, there is limited data available relating to Paternity Leave meaning benchmarking averages is not currently possible.

You can add more rows to present the evidence if required.

Equality characteristics	Evidence source (e.g. 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? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Age	Internal data	SRUC Employees taken Paternity/Partner leave between January 2021 and December 2021. In total, eleven employees took Paternity Leave during this period. The largest age group taking Paternity Leave is 35 – 44 years old. 41% of the current SRUC workforce sits within the age bracket 21–40 years old
Disability	Internal data	7.39% of SRUC employees report having a disability. One employee who took paternity/partner leave in SRUC in 2021 declared having a disability.

Equality characteristics	Evidence source (e.g. 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? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Race	Internal data	SRUC holds data on ethnicity as part of our equality and diversity monitoring. Of the employees taking Paternity Leave between January 2021 and December 2021, the majority (36.36%) describe themselves as British.
Sex	Internal data	59% of SRUC employees identify as female, 38% as male, 0.2% identify as other and just over 2% of employees prefer not to say/unknown. In comparison 51% of Scotland's population are women, 49% men
	https://www.peoplemanagement.co.uk/article/1747262/uptake-of-paternity-leave-drops-to-ten-year-low	A Report by People Management has found that only 27% of eligible new partners have taken Paternity leave in the year 2021, as it was viewed by a luxury by some following and during the pandemic. The report shows the low pay on offer for paternity leave can often be a barrier to the uptake of leave.

The eleven employees who took Paternity/Partner Leave all identify as male.

Out of the eleven employees who took paternity/partner leave in 2021, two employees took Shared Parental Leave which would suggest that employees are interested in taking a longer period of leave off. SRUC offer similar terms to those taking Shared parental Leave as Maternity leave |
| **Gender Reassignment** | Internal data | Out of the eleven employees who took Paternity/Partner leave in 2021, five identify as having the same gender as assigned at birth and six have unknown data. |

Equality characteristics	Evidence source (e.g. 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? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Sexual orientation	Internal data LGBT+ Adoption | Enquire Today | Adopters for Adoption UK	The UK is now one of the world leaders in this respect to LGBTQ+ adopters, with 1 in 6 Adoptions in England in 2020. The number of same-sex couples adopting are continually increasing in the UK. SRUC data shows 74.9% of employee's sexual orientation is heterosexual, 21.7% is unknown/prefer not to say and 3.4% of employees identify within LGBT+ groups. Best practice with other organisations and policies has suggested that Paternity/Partner policies now refer to the "non-pregnant" parent, a term commonly used in LGBT+ groups. Out of the eleven employees who took Paternity/Partner leave in 2021, eight identify as heterosexual and three have unknown data.
Religion or Belief	Internal data	SRUC collects data on religion and belief as part of our Equality and Diversity monitoring. The data shows that over a third of partners (37.5%) who took Paternity Leave have no religion or belief.
Pregnancy or maternity	Internal data	The Paternity/Partner Leave applies to the non-pregnant partner. The policy offers an enhanced rate above the statutory minimum for the 2-week period so that partners receive full pay during leave. Employees are signposted to the Maternity Leave policy and Shared Parental Leave policy. 1.59% (22 of 1380) of SRUC employees confirmed pregnancy and maternity leave in the year Jan 2021 – Dec 2022.

Equality characteristics	Evidence source (e.g. 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? Lack of evidence may suggest a gap in knowledge/ need for consultation (step 3).
Marriage or civil partnership	[Feelings, relationships and pregnancy – NHS (www.nhs.uk)](#)	Research shows that a new child can sometimes put pressure on relationships. The Paternity/Partner Leave Policy applies to all employees who have responsibility to support the pregnant partner/primary adopter and also for the child. The policy applies to partners regardless of marriage or civil partnership status.

2.2 **Consultation and stakeholder involvement**: 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. Describe below what you learned from the consultation/ involvement. Consultation can take time so make sure that you build this into your policy review/ development timeline.

This policy is currently being developed in consultation with all SRUC recognised Trades Unions, Prospect, EIS and Unison, who represent all staff throughout the organisation.

In addition, as this is an internal policy, SRUC will also consult with all employees through the policy review process. These include SRUC Rainbow Network.

2.3 **Record here if you need to undertake a full equality impact assessment based on your evidence above.**

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	No	Proceed to sign off (step 5) to agree with decision makers that no EqIA is required based on current evidence
There is relevance to some or all of the equality groups	Yes	Proceed to Step 3: complete full EqIA
It is unclear if there is relevance to some or all of the equality groups	Yes	Proceed to Step 3: complete full EqIA

3   Impact on equality groups and changes to policy

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?** Yes. This will be mitigated by ensuring confidentiality and promoting a fair and consistent application of the policy. The policy offers legislative minimum requirements and also offers enhanced payments. SRUC offers support through the Grievance Policy and Dignity at Work policy to ensure that any potential discrimination, victimisation or harassment can be investigated and addressed.
The data around Paternity/Partner leave will be reported on under the PSED through the HR MI reporting.

- **Is there potential to advance equality of opportunity between people who share a characteristic and those who do not**? How can this be achieved? The paternity/partner leave policy should advance opportunity for those protected by "sex" and "sexual orientation" as it applies to all partners regardless of sex and also covers co-adopters.

- **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? Through the promotion of the equality section of the Policy scope through the rainbow network. Promotion of all family friendly policies.

    3.1   Does the policy have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics? In the tables below, record the impact of the policy, as it is planned or as it operates, might have on

each equality characteristic and describe what changes in policy or actions will be required to mitigate that impact or to take advantage of a positive impact.

Equality group	Public sector equality duty	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
		Positive impact	Negative impact	No impact	
Age	Potential for discrimination			X	The policy applies to all partners regardless of ages. The promotion of all family friendly policies may increase uptake and help foster good relations through absence of age discrimination.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			
Disability	Potential for discrimination			X	The policy uses inclusive language. The policy also offers the employee to access alternative formats. The policy will be published with the option of immersive format and accessibility mode. Paternity/Partner leave is open to all eligible employees, regardless of disability.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			
Race	Potential for discrimination			X	SRUC includes a statement in the policy to encourage engagement with people of different races and directs employees to alert HR if the policy presents any barriers. We will continue to promote this policy and monitor uptake, disaggregated by race.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			

Equality group	Public sector equality duty	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
		Positive impact	Negative impact	No impact	
Sex	Potential for discrimination			X	SRUC promotes engagement with the policy to people who identify with this protected characteristic and promotes paternity/partner leave to all eligible employees. The policy uses inclusive language. SRUC recognises the access of paternity/partner leave is predominantly employees who identify as male. We will continue to promote this policy and monitor uptake, disaggregated by sex.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			
Gender Reassignment	Potential for discrimination			X	SRUC promotes engagement with the policy to people who identify with this protected characteristic directs employees to alert HR if the policy presents any barriers. The policy uses gender neutral language throughout. We will continue to promote this policy and monitor uptake, disaggregated by gender reassignment.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			

Equality group	Public sector equality duty	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
		Positive impact	Negative impact	No impact	
Sexual orientation	Potential for discrimination			X	SRUC promotes engagement with the policy to people who identify with this protected characteristic directs employees to alert HR if the policy presents any barriers. SRUC recognises those that access the paternity/partner leave are predominantly employees who identify as heterosexual males. The policy uses gender neutral language throughout to ensure same-sex couples are represented in the policy. To foster good relations, there will be further promotion of the paternity/partner leave to the LGBTQI+ employees through links with the staff rainbow network. We will continue to promote this policy and monitor uptake, disaggregated by sexual orientation.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			
Religion or Belief	Potential for discrimination			X	SRUC promotes engagement with the policy to people who identify with this protected characteristic directs
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			

Equality group	Public sector equality duty	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
		Positive impact	Negative impact	No impact	
					employees to alert HR if the policy presents any barriers.
Pregnancy or maternity	Potential for discrimination			X	Employees are advised of the maternity leave and shared parental leave within this policy should they require access to other family friendly policies. Employees taking maternity leave are also advised of the paternity/partner leave available if applicable. SRUC will promote the paternity/partner leave policy through the Rainbow staff network. SRUC promotes engagement with the policy to people who identify with this protected characteristic directs employees to alert HR if the policy presents any barriers.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			
Marriage or civil partnership (in	Potential for discrimination			X	The paternity/partner policy promotes good relations as it promotes the child's upbringing and not the relationship status of the parents/adopters.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			

Equality group	Public sector equality duty	Place 'X' in the relevant box(es)			Describe the changes or actions (if any) you plan to take. E.g. to mitigate any impact, maximise the positive impact, or record your justification to not make changes despite the potential for adverse impact.
		Positive impact	Negative impact	No impact	
employment only)					Evidence has shown a reported increase numbers of relationship issues and breakdowns following a birth/adoption. SRUC have a safe leave policy in place to support employees who experience GBV. SRUC will promote the paternity/partner leave policy through the Rainbow staff network to promote the policy to same sex couples.

3.2 Think about and describe below how your assessment impacts on your policy review/ development timeline including but not limited to:

- Procurement criteria: do you need to include specific equality criteria as part of the technical specification ?
- Communication plan/ products: do you need to communicate with people affected by this policy/ practice/ service/ process in a specific format (e.g. audio, subtitled video, different languages)?
- Cost: do you propose any actions because of this assessment which will incur additional cost?
- Resources: do the actions you propose require additional or specialist resource to deliver them?

There are no further costs or impact on timeline to note.

3.3   Record the outcome of this assessment below having considered the potential or actual impacts of your policy/ practice/ process/ service on equality groups. Choose from one of the following (mark with an X or delete as appropriate):

Note: You must take action to remove barriers or take advantage of positive opportunities BEFORE the policy goes live.

Please select (X)	Implications for the policy/ practice/ process/ service
X	**No major change:** Your assessment demonstrates that the policy 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.
	Adjust the policy: 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 when implemented.
	Continue the policy: The policy 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: The policy will not be implemented due to adverse effects that are not justified and cannot be mitigated.

4   Monitoring policy impact and further actions

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. Your monitoring information will also inform a future review of the policy.

4.1 **Record in the table below 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
- Where the measure will be reported to (e.g. committee, ELT, Board) and how often.

Measure	Lead department/ individual	Reporting (where/ frequency)
Paternity/Partner leave uptake disaggregated by protected characteristic.	HR Business Support Data and Reporting Analyst	Annual
Shard Parental leave uptake disaggregated by protected characteristic	HR Business Support Data and Reporting Analyst	Annual
Flexible working application on the back of paternity/partner leave disaggregated by protected characteristic	HR Business Support Data and Reporting Analyst	Annual

4.2 **Record further actions or changes required after the policy is implemented in the table below. Make it clear if there are no outstanding actions.**

Action	Lead department/ individual	Action target date
Recording flexible working outcomes by using flexible working forms disaggregated by protected characteristic.	HR Adviser initial set up and Hub to manage ongoing	End February 2023

5 **Sign off and future review**

Equality impact assessments must be signed off by the relevant Head of Service/ Department, even where an EqIA is not required. Also note here when you plan to review the policy and accompanying EqIA which should be no later than 5 years from policy implementation.

5.1   Senior Responsible Owner/ Committee sign off.
Job/ Committee title: Chief People Officer
Date: 17/03/2023

5.2   Equality impact assessment review date.
Date: Click here to enter a date.

Important: You must send the final version of this equality impact assessment to:

- **the Equality Diversity & Inclusion Lead.**
- **the Communications team for publication on SRUC's equality page on the external website.**

Document control	
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