SRUC

EQUALITY IMPACT ASSESSMENT

Policy title:	**Maternity Leave**
Policy lead/ owner:	HR Business Partner
Others involved in EqIA assessment group	Assessment group included: Recruitment Manager HR Adviser
Policy implementation date:	15/12/2022

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 a pregnant employee taking maternity leave. This policy sets out the entitlements and support available to employees who wish to take maternity leave.

The aims of this policy are to:

- help employees understand the rules and regulations which apply to maternity.
- let employees see what rights and benefits apply to them.
- inform employees of their obligations regarding notification.

The policy signposts the partner (where applicable) of the pregnant employee to the paternity/partner policy. 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?

Review in line with Policy review cycle.

1.3 Who is affected by this policy?

This policy applies to all pregnant employees of SRUC.

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

Special Leave, Paternity/Partner Leave, Shared Parental, Flexible Working Policy. Adoption Leave, Attendance Management Policy

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.

1.5 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 Maternity pay and leave: Overview - GOV.UK (www.gov.uk) and has been reviewed against the Advisory, Conciliation and Arbitration Service (ACAS) guide on maternity leave and rights Taking maternity leave: Your maternity leave, pay and other rights - Acas

We ultimately conclude that the policy closely reflects the ACAS guidelines and covers SRUC's statutory obligations.

Internal SRUC evidence / data: 1.23% of employees confirmed pregnancy and maternity leave in the yar Jan 2022 – Dec 2022. 1.59% (22 of 1380) of employees confirmed pregnancy and maternity leave in the year Jan 2021 – Dec 2021.

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

<table>
<tr><th>Equality characteristics</th><th>Evidence source (e.g. web link, report, survey, complaint)</th><th>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).</th></tr>
<tr><td>Age</td><td>Births Time Series Data | National Records of Scotland (nrscotland.gov.uk)</td><td>National Records Scotland shows the following births in the year 2021.
<table>
<tr><th>2021</th><th>Mother's Age</th></tr>
<tr><td>0.03% (14)</td><td>under 16</td></tr>
<tr><td>2.18% (1043)</td><td>under 20</td></tr>
<tr><td>11.73% (5605)</td><td>20 - 24</td></tr>
<tr><td>26.86% (12835)</td><td>25 - 29</td></tr>
<tr><td>34.66% (16563)</td><td>30 - 34</td></tr>
<tr><td>20.24% (9671)</td><td>35 - 39</td></tr>
<tr><td>4.14% (1976)</td><td>40 - 44</td></tr>
<tr><td>0.18% (84)</td><td>45 - 49</td></tr>
<tr><td>0.01% (5)</td><td>50 +over</td></tr>
<tr><td>0.008% (4)</td><td>Not stated</td></tr>
</table></td></tr>
</table>

<table>
<tr><th>Equality characteristics</th><th>Evidence source (e.g. web link, report, survey, complaint)</th><th>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).</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>47,786</td><td>All</td></tr>
</table>
<table>
<tr><th>SRUC</th><th>Age</th><th>NRS</th></tr>
<tr><td>0%</td><td>16 – 24</td><td></td></tr>
<tr><td>40.9% (9)</td><td>25 – 34</td><td>61.52%</td></tr>
<tr><td>59.09% (13)</td><td>35 – 44</td><td>24.38%</td></tr>
<tr><td>0%</td><td>45 - 54</td><td>0.19%</td></tr>
</table>
</td></tr>
<tr><td>Disability</td><td>Women with disability: the experience of maternity care during pregnancy, labour and birth and the postnatal period | BMC Pregnancy and Childbirth | Full Text (biomedcentral.com)</td><td>It has been estimated that 9.4% of women giving birth in the United Kingdom have one or more limiting longstanding illness which may cause disability, affecting pregnancy, birth and early parenting.

7.39% of SRUC employees report having a disability. 68% of these employees identify as female.
9.67% of employees who took maternity leave in SRUC in 2021 declared a disability

The EQIA group discussed the importance of accessible formatting</td></tr>
<tr><td>Race</td><td></td><td>
<table>
<tr><th>Ethnicity</th><th>%age of SRUC employees who took leave in 2021</th></tr>
<tr><td>British</td><td>22.72%</td></tr>
<tr><td>England</td><td>9.09%</td></tr>
<tr><td>Other white background</td><td>4.54%</td></tr>
<tr><td>Pakistani</td><td>4.54%</td></tr>
<tr><td>Polish</td><td>4.54%</td></tr>
<tr><td>Scottish</td><td>50%</td></tr>
<tr><td>Indian</td><td>4.54%</td></tr>
</table>
</td></tr>
</table>

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).
	Employer-guidance-anti-racist-gender-equality-at-work.pdf (closethegap.org.uk)	Racism in the workplace means that women may not feel safe disclosing that they've experienced racism and/or sexism at work. You can build trust by seeking honest feedback and reflections from staff and demonstrating that you are taking action. Returning to work after having a child can be a difficult time for employees if they are unable to access flexible working. Many employees are unable to return to the same job or level if flexible and part-time options are confined to only certain roles or grades.
Sex	Employer-guidance-anti-racist-gender-equality-at-work.pdf (closethegap.org.uk)	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 The maternity policy applies only to pregnant employees only. Returning to work after having a child can be a difficult time for employees if they are unable to access flexible working. Many employees are unable to return to the same job or level if flexible and part-time options are confined to only certain roles or grades. 1.59% (22 of 1380) of employees confirmed pregnancy and maternity leave in the year Jan 2021 – Dec 2021. Out of the 22 employees who took maternity leave in 2021, 2 employees applied and received flexible working on their return from maternity.

<table>
<tr><th>Equality characteristics</th><th>Evidence source (e.g. web link, report, survey, complaint)</th><th>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).</th></tr>
<tr><td></td><td>Facts_about_Carers_2019.pdf (carersuk.org)</td><td>Evidence shows that 58% of carers are female and 42% are male. 1 in 4 women aged 50-64 have caring responsibilities, compared to 1 in 6 men.

This points towards some evidence that there is a higher likelihood women will apply for flexible working following maternity leave.</td></tr>
<tr><td>Gender Reassignment</td><td></td><td>Equality data is collated by SRUC on Gender Reassignment, there is limited internal data through the maternity leave policy.</td></tr>
<tr><td>Sexual orientation</td><td></td><td>Equality data is collated by SRUC on Sexual orientation, there is limited internal data through the maternity leave policy.</td></tr>
<tr><td>Religion or Belief</td><td></td><td><table><tr><th></th><th>%age of SRUC employees who took leave in 2021</th></tr><tr><td>No religion or belief</td><td>40.9%</td></tr><tr><td>Muslim</td><td>4.54%</td></tr><tr><td>Other religion or belief</td><td>4.54%</td></tr><tr><td>Protestant</td><td>27.27%</td></tr><tr><td>Catholic</td><td>4.54%</td></tr><tr><td>Prefer not to say</td><td>9.09%</td></tr><tr><td>Hindu</td><td>4.54%</td></tr></table></td></tr>
<tr><td>Pregnancy or maternity</td><td></td><td>1.23% of employee within SRUC confirmed maternity leave through SRUC from January 2022 – December 2022.
1.59% (22 of 1380) of employees confirmed pregnancy and maternity leave in the year Jan 2021 – Dec 2021.</td></tr>
</table>

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 pregnancy and maternity can sometimes put pressure on relationships.

1.6 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.

1.7 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

2 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 Maternity 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 maternity leave policy should advance opportunity for those protected by "Pregnancy and maternity" The policy should also promote equality for those covered by sex as this policy will apply to those employees' assigned female at birth.

- **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.
  SRUC do not currently have a group for pregnant employees or those who have experienced maternity/paternity or become new parents. As part of this policy development SRUC have identified the requirement for information for miscarriage and loss for employees.

2.1 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	SRUC employees who have accessed the maternity leave policy are older than the Scottish national average. The policy applies to all pregnant SRUC employees regardless of ages.
	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 is formatted to promote accessibility. The policy also offers the employee to access alternative formats. The policy will be published with the option of immersive format and accessibility mode.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			
Race	Potential for discrimination			X	SRUC does not restrict access to the policy based on this protected characteristic. The research shows that minority ethnic groups may suffer detriment with regards to accessing flexible working option. The policy recognises the correlation between maternity leave and employees applying
	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	
					for flexible working. The policy highlights the option of flexible working to all employees equally. The managers guidance prompts managers to proactively discuss flexible working options with employees during their maternity leave to take into consideration the requires 14 weeks' notice for flexible working.
Sex	Potential for discrimination			X	Research shows that a higher percentage of women will have caring responsibilities and apply for flexible working. Research also shows that women may suffer detriment when applying for flexible working in the workplace. The policy recognises the correlation between maternity leave and employees applying for flexible working. The policy highlights the option of flexible working to all employees equally. The managers guidance prompts managers to proactively discuss flexible working options with employees during their
	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	
					maternity leave to take into consideration the requires 14 weeks' notice for flexible working. Managers guidance updated to include conversations around team vacancies during leave.
Gender Reassignment	Potential for discrimination			X	SRUC does not restrict access to the policy based on this protected characteristic. The policy uses gender neutral language throughout.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			
Sexual orientation	Potential for discrimination			X	SRUC does not restrict access to the policy based on this protected characteristic. The policy uses gender neutral language throughout.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			
Religion or Belief	Potential for discrimination			X	SRUC does not restrict access to the policy based on this protected characteristic.
	Potential to advance equality of opportunity			X	
	Potential to foster good relations	X			
Pregnancy or maternity	Potential for discrimination	X			The maternity leave policy covers all pregnant employees and those wishing to take maternity leave therefore this group is
	Potential to advance equality of opportunity	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	
	Potential to foster good relations	X			protected from discrimination. This is also linked to the Dignity at Work policy and also supports employees through use of the Grievance procedure should they feel the policy has not been applied fairly. The maternity pay is enhanced compared to pay available through statutory guidance. SRUC will promote the maternity leave policy through the Rainbow staff network.
Marriage or civil partnership (in employment only)	Potential for discrimination			X	Evidence has shown a possible increase of GBV during times of pregnancy and maternity and reported increase numbers of relationship breakdowns. SRUC have a safe leave policy in place to support employees who experience GBV. SRUC will promote the maternity leave policy through the Rainbow staff network.
	Potential to advance equality of opportunity	X			
	Potential to foster good relations	X			

2.2 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?

2.3 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.

3 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.

3.1 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)
Maternity leave uptake	HR Business Support Data and Reporting Analyst	Annual
Flexible working application on the back of maternity leave	HR Business Support Data and Reporting Analyst	Annual

3.2 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

EDI committee recommendation for other groups	Business Partner	End December 2022 - February 2023 committee date
Recording flexible working outcomes by using flexible working forms	Hub Team leader	End December 2022
Data and information of employees who have had flexible working rejected at verbal stage	HRBP Data	End December 2022

4 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.

4.1 Senior Responsible Owner/ Committee sign off.

Job/ Committee title: Chief People Officer
Date: 17/03/2023

4.2 Equality impact assessment review date.

Date: 17/03/2028

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

Document control:	**V0.1**	
Date policy live from:	**01/04/2022**	
Review/ Approval Group:	**Human Resources**	
Last reviewed:	**01/04/2025**	
Review cycle:	**No more than five years**	
Document change log		
Version/ Author	**Date**	**Comment**
V0.1 Senior HR BP	**01/04/2025**	