



Equality Impact Assessment Template

Before carrying out EqIA, you should familiarise yourself with the University's EqIA Policy Statement and Guidance and Checklist Notes, and undertake our online training on Equality and Diversity and EqIA. These, along with further information and resources, are available at www.ed.ac.uk/schools-departments/equality-diversity/impact-assessment

EqIA covers policies, provisions, criteria, functions, practices and activities, including decisions and the delivery of services, but will be referred to as 'policy/practice' hereinafter.

A. Policy/Practice (name or brief description): Furlough of staff under the government's coronavirus job retention scheme (CJRS) from January 2021

B. Reason for Equality Impact Assessment (Mark **yes against the applicable reason):**

- Proposed new policy/practice
- Proposed change to an existing policy/practice
- Undertaking a review of an existing policy/practice **Yes**
- Other (please state):

C. Person responsible for the policy area or practice:

Name: **Sarah Smith**

Job title: **Vice-Principal for Strategic Change and Governance, and University Secretary**

School/service/unit: **University Secretary's Group**

D. An Impact Assessment should be carried out if any of the following apply to the policy/practice, if it:

- affects primary or high level functions of the University **Yes**
- is relevant to the promotion of equality (in terms of the Public Sector Equality Duty 'needs' as set out in the Policy and Guidance)? **Yes**
- It is one which interested parties could reasonably expect the University to have carried out an EqIA? **Yes**

All of the above

E. Equality Groups

To which equality groups is the policy/practice relevant and why? (add notes against the following applicable equality group/s)

- Age
- Disability
- race (including ethnicity and nationality)
- religion or belief
- sex
- sexual orientation

- gender reassignment
- pregnancy and maternity
- marriage or civil partnership¹

The overall decision to use the CJRS has been taken by the Senior Leadership Team and Executive of the University and guidance has been developed in line with government policy and principles for the scheme. Staff have been identified on the basis of two key points:

- 1. There is no work or less work for the staff member to do and this is entirely due to the pandemic**
- 2. They do not hold a post which is publicly funded, in part or in full.**

Flexible furlough has been introduced for all staff who meet the criteria above, where they have reduced work, or part time caring responsibilities, if this is wholly due to the pandemic.

All staff in the University, regardless of contract type, are eligible for consideration for furlough provided they meet both of the above qualifying points.

As a result, all equality groups have been considered, however gender, disability and ethnicity have been assessed as a priority.

When considering staff for furlough, the Directors and senior leadership teams within departments and schools have been asked to identify any staff who meet the above qualifying points. This could be for four reasons:

- 1. Professional Services roles which cannot be carried out remotely and staff cannot be redeployed. Examples might include roles in library services, sports & exercise and hospitality-related functions, including events & student accommodation, which can no longer be delivered.**
- 2. School/college roles directly or indirectly funded by external (non-public) income. Examples include roles necessary for the full operation of the vet hospital, other than essential public service delivery.**
- 3. Research roles which are externally funded by industry or charities and where it is not possible to conduct any funded work during the furlough period and no alternative work or redeployment has been put in place.**
- 4. Staff with caring responsibilities or who are shielding due to medical conditions or childcare responsibilities caused by school and nursery closures during lockdown.**

Staff names have been collated and assessed against the public funding criterion and approved by the Director for the relevant school or department. A total of 1105 staff members have been fully or flexibly furloughed since the start of January 2021.

An analysis of the staff being furloughed has been undertaken for gender, ethnicity, disability, contract type and grade. Based on this analysis, there is no disproportionate placement of staff on furlough based on any protected characteristic. Overall there are marginally more women than men on furlough in College based roles, but according to the captured reason for furlough, this is predominantly due to caring responsibilities, particularly for school and nursery closures during lockdown. As a result, this is likely to be a changing position as schools return.

¹ Note: only the duty to eliminate discrimination applies to marriage and civil partnership. There is no need to have regard to advancing equality or opportunity or fostering good relations in this respect.

The university population of 16,628 staff as a whole has a 46:54 male to female ratio. The furlough population of 1105 staff represents 6.6% of the university population. This is made up of 534 male staff and 571 female staff, which represents 48:52 male to female ratio.

This is markedly different to the ratio seen during the 2020 furlough period when only 42% of furloughed staff were male. This is largely due to the nature of roles being furloughed but also with higher volumes of staff placed on shielding by the Scottish Government, due to the more highly transmittable strain of the virus in circulation.

Operational roles in ACE, Estates and Sport and Exercise continue to make up the greater percentage of the furlough population, with 81% of all furloughed roles coming from these areas. The majority of roles in these departments are part time and this corresponds with the majority of furloughed roles being part time. There is an even gender split in these departments.

Add notes against the following applicable statements:

- On any available information about the needs of relevant equality groups:

Under the current lockdown where both parents are likely to be working at home, caring for children could be considered as equally impacting on gender. However in reality, research shows that the burden of caring is significantly falling to women and we see this in our data as more women are furloughed for caring reasons than men. On the one hand, this shows the use of furlough is not adversely impacting women as it is providing the flexibility they are requesting for childcare whilst schools and nurseries are closed. However, it is widely known that men are at heightened risk from Covid-19.

It is widely known that Covid-19 presents a heightened risk for individuals from Black, Asian and Minority Ethnic backgrounds due to pre-existing societal and health inequalities. The University has 8% of staff from these backgrounds, with the majority being employed in College based roles. Currently, 6% of staff on furlough are from these backgrounds. The disparity is caused by the furlough taking place largely within CSG, which has a smaller percentage of staff (4%) from Black, Asian and Minority Ethnic backgrounds.

It is also widely known that Covid-19 carries a much higher significant risk according to age, although serious illness can occur at any age, particularly linked to underlying health conditions and disability. Shielding instructions have been issued to a greater number of individuals by the Government based on both age and underlying health conditions or disability, and the University has proactively furloughed all staff who meet the criteria to do so and placed the remaining shielding staff on paid temporary leave.

As previously noted, the ability of all staff to access paid temporary leave for childcare during school closures for lockdown, and for shielding or reduction of workload due to the pandemic means being placed on furlough does not adversely or positively impact on staff. It purely provides a means for the University to access government funds centrally to recover some of the costs.

- Any gaps in evidence/insufficient information to properly assess the policy, and how this will be addressed:

There is one notable gap where there could be a positive financial benefit to staff on furlough and that is with the government inclusion of significant overtime in the

furlough payment/claim with effect from November. The University was made aware of this change in January (as it was not publicised or announced within the usual change communication) and will apply it for all staff furloughed in this latest scheme. Staff who are working are not entitled to overtime payments unless they worked overtime, which is creating a potential disparity between pay for furloughed and non-furloughed staff.

The University recognises this disparity but can only apply this payment where we are recovering the monies through the furlough scheme. The furlough scheme is intended to enable the retention of jobs which would otherwise not be retained and we are only able to furlough staff for whom there is no or less work, or who cannot work for shielding or caring reasons. The University is following these rules to ensure we can minimise the impact of coronavirus on jobs and staff.

If the Government recognises this disparity, and the University will be able to take a different approach, we will review our position.

Given the low rate of voluntary disclosure, the University does not hold sufficient data on sexual orientation, religion or belief, or gender reassignment. Therefore these characteristics have not been included in the data analysis of those staff potentially furloughed. However, the practice of placing staff on paid leave (furlough) is not considered to create any specific disadvantage to these groups.

- If application of this policy/practice leads to discrimination (direct or indirect), harassment, victimisation, less favourable treatment for particular equality groups:

We have not identified any groups who are less favourably treated as a result of the approach taken to identify staff for furlough, aside from the payment of overtime under the Government rules of the scheme. However, should there be any such claims of unfairness, we will immediately review and respond accordingly.

- If the policy/practice contributes to advancing equality of opportunity²

There is no equality of opportunity impact by the application of furlough on staff other than that they are not required to work and will receive full pay including significant overtime for the duration of their time on furlough. However, the CJRS does require that the placement of any staff on furlough is done so to avoid the impact of redundancy and consequently staff may have a concern that they are at greater risk of redundancy by being on furlough. Experience of being on furlough in 2020 has shown this is not the case, and we will continue to communicate on this basis.

- If there is an opportunity in applying this policy/practice to foster good relations:

By participating in the furlough scheme, the University is accessing government funds to offset a small percentage of the losses which will be incurred due to the desire to retain staff during this period. Union consultations have resulted in a joint agreement on furlough which supports our desire for ongoing strong relations.

- If the policy/practice create any barriers for any other groups?

Furlough and flexible furlough will provide an opportunity to support the mental health and wellbeing of staff who are currently trying to balance caring/shielding responsibilities with a desire to still contribute to their team/work. This scheme gives

² This question does not apply to the protected characteristic of marriage or civil partnership

them the opportunity to step back from work responsibility and reduce any feelings of lack of contribution. However, the ability of all staff to take paid temporary leave for the same reasons means staff on furlough are no more favourably treated.

- How the communication of the policy/practice is made accessible to all groups, if relevant?

Furlough has been communicated to all staff via emails to Managers and FAQs on the Covid pages on the University website. Managers will hold conversations with staff who are being furloughed on an individual basis using phone or online meeting, with materials provided by HR. These include manager's guidance, FAQs and a briefing email. Members of staff will have a dedicated email address to use for any queries, which is supported by HR.

- How equality groups or communities are involved in the development, review and/or monitoring of the policy or practice?

Extensive consultation with the unions has been taken with twice-weekly meetings with reps and Covid decision makers, and these will continue as long as required.

- Any potential or actual impact of applying the policy or practice, with regard to the need to eliminate discrimination, advance equality and promote good relations:

Nothing further beyond than that which is identified above.

F. Equality Impact Assessment Outcome

Select one of the four options below to indicate how the development/review of the policy/practice will be progressed and state the rationale for the decision

Option 1: No change required – the assessment is that the policy/practice is/will be robust.

Option 2: Adjust the policy or practice – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.

Option 3: Continue the policy or practice despite the potential for adverse impact, and which can be mitigated/or justified

Option 4: Stop the policy or practice as there are adverse effects cannot be prevented/mitigated/or justified.

G. Action and Monitoring

1. Specify the actions required for implementing findings of this EqIA and how the policy or practice will be monitored in relation to its equality impact (or note where this is specified above).

Regular reviews by the Covid 19 pan-university group are built into the furlough decision making process, with SLT approval required prior to proceeding with any changes. University Finance department will be authorise and manage any claims submitted and should this change the status of a member of staff (i.e. they are no longer eligible under the scheme) then they will be advised they are no longer furloughed and will remain at home until they can return to work in line with government guidance. We will continue to monitor should the EqIA be impacted as a result of any changes.

One example is following the extension of the scheme to September 2021, the University reviewed the position regarding staff who hold a professional services role within Schools or Colleges and are unable to work remotely or onsite due to caring or shielding. These staff were previously excluded from furlough due to the risk of potentially being partially publicly funded. However, due to the very low volumes involved and the negligible impact this would have on our ratio of publicly funded roles which are not furloughed, we have decided to include this group of staff going forward.

2. When will the policy/practice next be reviewed?

As above, it will continue to be reviewed until the close of the furlough period.

H. Publication of EqIA

Can this EqIA be published in full, now? ~~Yes~~/No

If No – please specify when it may be published or indicate restrictions that apply:

Once furlough has been confirmed, communicated and has taken place for staff.

I. Sign-off

EqIA undertaken by **Jo Roger, HR, Interim Head of HR (Corporate Services), HR - Directors Office**

Accepted by (name):

Sarah Smith, Vice-Principal for Strategic Change and Governance, and University Secretary

Date: **March 2021**

Retain a copy of this form for your own records and send a copy to equalitydiversity@ed.ac.uk