Non-protected

**Equality impact assessment**

Contract for Services Policy





Name of Policy: Contract for Services Policy

**EQIA lead(s)**: Rebecca Vint

**Section 1 – Description of Policy**

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| **Background**A working group was created to review **sport**scotland’s approach to contracts for services. The aim of this group is to determine how contracts for services should be administered and if these should be managed in a different way e.g. should these individuals be recruited as casual workers or should certain contracts be going out to tender instead. A Policy has been drafted as a result of these discussions. The Policy is to ensure that **sport**scotland staff members understand their obligations in relation to the engagement of sole traders and businesses on a contract for services basis.  It also informs how a Contract Manager would begin the process of engaging with an individual on a contract for services arrangement. **Target audience**The primary audience for this Policy is **sport**scotland staff. The secondary audience for this Policy is people who are engaged with **sport**scotland through a Contract for Services.  |

**Section 2 – General impacts of the Policy**

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| The Contracts for Services Policy has been created to provide information to the **sport**scotland workforce in relation to contracts for services. It will impact some **sport**scotland employees, particularly those who will become Contract Managers, as they will be required to understand and implement the relevant parts of the Policy. They will be required to ensure that contracts for services are only used where this is a genuine requirement and the correct processes have been followed. If it should be progressed as a different arrangement, then managers will be supported by the relevant team.The Policy will impact **sport**scotland employees who become Contract Administrators, as the advisor group has determined there should be more Contracts Administrators within the organisation to support managers. The Policy may also impact certain individuals who are engaged on a Contract for Service if it is determined they should be on a different arrangement such as becoming a casual worker, and in turn this may impact some departments within the organisation as they may need to review their current Contract for Service workforce in line with the Policy. |

**Section 3 – Evidence[[1]](#footnote-2)**What do we know about each group in the context of this project, programme or service?

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| **Age: older people / children & young people** | 16% of **sport**scotland employees are over 55, compared to around 29.5% in Scotland, including 3% over the age of 65. 1% of **sport**scotland employees are between ages of 16-24, compared to around 13% of those aged 16-24 in Scotland. |
| **Disability** | 11% **sport**scotland employees consider themselves to have a disability compared to around one in three adults in Scotland. We recognise that we employ people with a range of disabilities, some visible, some non-visible. We also recognise that there may be instances where employees are disabled but have chosen not to share this information.Older people, adults from lower income households and women are more likely to be disabled, highlighting intersectionality of issues.Disabled people are more likely to experience issues when accessing online materials as it may not be in the format they require, which can lead to digital exclusion (i.e. inability to read the Policy as a published document on an internal site).  |
| **Gender Reassignment** | 99% of **sport**scotland employeesstated that they have never identified as transgender while 1% selected “prefer not to say”. This is compared to around 0.5% of the population in Scotland (2018 Scottish Public Health Network report). We recognise that there may be instances where employees are currently going through, or have gone through, gender reassignment but have chosen not to share this information. |
| **Marriage and civil partnerships** | 57% of **sport**scotland employees are married or in a civil partnership compared to 45.2% of the population in Scotland.  |
| **Pregnancy and Maternity** | Less than 1% of **sport**scotland employees are currently on maternity leave or shared parental leave (less than 10 staff members). |
| **Race** | 95% of **sportscotland** employees identify as white Scottish, white other British or white Irish, comparable to 93% of the Scottish population. 2.9% of employees identified as "Other Ethnic Group" compared to 0.3% of the Scottish population. 0.4% identified as "Any mixed or multiple ethnic groups", the same as the Scottish population of 0.4%. 0.4% identified as "Asian, Asian Scottish or Asian British" compared to 2.7% of the Scottish population, and 1.7% of employees opted not to answer. We recognise that there may be instances where employees identify as particular ethnic groups but have chosen not to share this information. Cultural issues, language and stigma can be additional barriers to people from minority ethnic groups when it comes to seeking help and support and accessing services such as online policies.  |
| **Religion and Belief** | 53% of employees stated that they held no religious belief, followed by 39% who identified as Church of Scotland, Roman Catholic, or another Christian faith. 3% of employees identified as having another religion and 4% did not wish to disclose their religion. This is compared to 36%, 53%, 2% and 7% in the Scottish population respectively.  |
| **Sex: women and Men**  | 53% of **sport**scotland employees stated that they were male, while 46% stated that they were female. 1% of employees selected “prefer not to say” when asked to describe their gender. No employee chose to describe their gender “in another way”.In the 2011 there were 2,728,000 women in Scotland and 2,567,400 men which is around 52% female and 48% male, similar to the **sport**scotland results. |
| **Sexual Orientation**  | Around 5% of **sport**scotland employees described themselves as bisexual, gay or preferred to use another term. Estimates suggest around 2% in Scotland self-identify as LGB or preferred to use another term (Office for National Statistics: Sexual orientation, UK: 2018). |
| **Socio-economic disadvantage: any people experiencing poverty** | No data available although **sport**scotland are a Living Wage accredited employer. |
| **Care-experienced young people** | No data available although **sport**scotland are named as a Corporate Parent.  |

**Section 4 – Differential impacts and opportunities**

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| **Age: older people / children & young people** | We are aware that there is a clear relationship between age and use of the internet. Older people are less likely to have access to the internet and are more likely to have lower skills and confidence accessing online services. However, the impact of COVID-19 has encouraged reluctant users to use the internet to communicate and collaborate. We are progressing ways to disseminate information, detailed in section 6 below. We are not aware of any published evidence which suggests children or young people would be impacted differently by this Policy, and due to the nature of the Policy, they are unlikely to be required to access it.  |
| **Disability** | We are aware that disabled people are less likely to use the internet. This can make it difficult to access online support and services. In particular those who are experiencing digital exclusion due to visual and aural impairment will require solutions to improve access. We are progressing ways to disseminate information, detailed in section 6 below. |
| **Gender Reassignment** | We are not aware of any published evidence which suggests that gender reassignment would be impacted differently by this Policy.   |
| **Marriage and civil partnerships** | We are not aware of any published evidence which suggests that this Policy would impact people differently due to their marital status.  |
| **Pregnancy and Maternity** | We are not aware of any published evidence which suggests that pregnant women or women on maternity leave would be impacted differently by this Policy.   |
| **Race** | We are aware that cultural issues and language can be additional barriers to people from minority ethnic backgrounds when it comes to seeking help and support and accessing services. We are progressing ways to disseminate information, detailed in section 6 below. |
| **Religion and Belief** | We are not aware of any published evidence which suggests that this Policy would impact people differently due to religion and belief.  |
| **Sex: women and Men**  | We are not aware of any published evidence which suggests that this Policy would impact people differently due to sex.  |
| **Sexual Orientation**  | We are not aware of any published evidence which suggests that this Policy would impact people differently due to their sexual orientation.  |
| **Socio-economic disadvantage: any people experiencing poverty** | We are aware that people experiencing poverty are more likely to be experiencing digital exclusion. They are less likely to use the internet; more likely to access the internet with a handheld device and more likely to have lower skills and confidence accessing online services. We are progressing ways to disseminate information, detailed in section 6 below. |
| **Care-experienced young people** | We are not aware of any published evidence which suggests that care-experienced young people would be impacted differently by this Policy. |

**Section 5 – Stakeholder engagement**

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| The Contracts for Services Working Group has met with a number of parties to ensure that the Policy works as efficiently as possible. By keeping manual processes to a minimum and ensuring that the locations to save data are shared with required individuals rather than within individual’s employee files, this means that the Policy and associated procedures are clear to understand and can be picked up by the people in the organisation who require to read it. Consequently, this should aid understanding of the Policy and reduce potential impact on affected characteristics mentioned above. We met with the Systems Admin & MI Analyst to determine if iTrent could be used to store Contracts for Services data on, as we are aware of the secure storage this can provide in terms of Disclosure/PVG and Right to Work. During this meeting, it was determined that it was not possible due to our iTrent package configuration. Following this, the Legal & Procurement Administrator confirmed that the working practice contract will be recorded on CRM. Contract documents and the Policy will be stored on SharePoint. We spoke with the Procurement Manager to confirm that Contract Managers should adhere to the existing Procurement Strategy.The Senior Legal Officer reviewed the contractual documentation to ensure it is fit for purpose.The HR department advised on Disclosure/PVG and Right to Work requirements, bringing these in-line with current HR and Recruitment practice. This reduces the risk in terms of vulnerable parties who the contracts for services may come into contact with when working with us.We trialled the process with a Contract Manager in real time to ensure the process was straight-forward to understand. This meant that weaknesses in the process were identified and could be clarified before the Policy is live. The Information Governance and Data Protection Officer has reviewed the Policy in terms of storing requisite data securely and informed the group about data handling and records management which were added into the Policy.An employee external to the working group who had no experience with this area reviewed the Policy to ensure it was straight-forward to understand and any feedback given was used to improve the Policy. This ensures that the Policy is as clear and jargon-free as possible, as we are aware that often policies and procedures can easily become too technical to understand for people unfamiliar with the area.The IT Team will be liaised with for us to store confidential information relating to contracts for services that is necessary to store. They will also confirm how the Policy will connect with the new IT users and leavers forms.The Head of ICT and Business Continuity, and the Chief Operating Officer were also shown the Policy before it is progressed to SMT for consideration.  |

**Section 6 – Actions**

How are you seeking to address the negative impacts or promote the positive impacts you have noted in the general and differential impacts in Section 2 and 4 above? It is OK to say that the measure has a negative impact if it is justified. However, you should always have considered mitigating actions.

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| **Protected Characteristic: Age: older people / children & young people**Older people are less likely to have access to the internet and are more likely to have lower skills and confidence accessing online services. The Policy will be made available online to read via SharePoint which most employees of **sport**scotland will be familiar with, and the advisor group can signpost any employee who is unsure. The Policy has an impact on employees who will be Contract Managers as it stipulates certain actions they must undertake to follow the process. This involves completing paperwork, using HMRC assessment tools, and following other existing procedures. There may also be training required for staff which will be required to progress contracts for services arrangements. These, again, may impact older people as they may be less confident when accessing the internet and using online resources. To combat this, the Policy has flowcharts to aid understanding and make employees aware of what the steps are. Contract Administrators will be available to help Contract Managers and further to this, the advisor group will also be available for queries/questions from employees and are listed in the appendices. **Protected Characteristic: Disability**An individual’s disability may have an impact on their ability to read or interpret the Policy. The Policy will be available to read online or download and print in different sizes. Individuals may also contact members of the advisor group to learn more, contact details are listed along with the Policy, we will endeavour to make the Policy available in the required format when requested. The Policy has an impact on employees who will be Contract Managers as it stipulates certain actions they must undertake to follow the process. This involves completing paperwork, using HMRC assessment tools, and following other existing procedures. There may also be training required for staff which will be required to progress contracts for services arrangements. These, again, may impact disabled people as depending on their disability it may be difficult for them to complete these actions. Contract Administrators will be available to help Contract Managers and further to this, the advisor group will also be available for queries/questions from employees and are listed on the Policy.**Protected Characteristic: Race**We are aware that cultural issues and language can be additional barriers to people from minority ethnic backgrounds when it comes to seeking help and support and accessing services. This may have an impact on their ability to read or interpret the Policy. The Policy has been reviewed by multiple parties to try and keep it as clear/jargon-free as possible to aid understanding for people whose first language is not English. However, the Policy does contain some more technical terms which may be more difficult to understand. To combat this, there is a Glossary of Terms in the appendices to fully explain all the concepts involved in the Policy. Individuals may also contact members of the advisor group to learn more, contact details are listed along with the Policy.**Socio-economic disadvantage: any people experiencing poverty**Due to the COVID-19 outbreak, employees are currently working from home where possible, and this has potential impact for people experiencing poverty – they are less likely to have a broadband connection and therefore may experience digital exclusion. The IT Team has worked with, and supported, employees who may have struggled with technological/internet access during the working from home period where possible. As the Policy will be available on SharePoint, work devices provided to employees can be used to access the Policy. People outside of **sport**scotland will not be required to read this Policy so should have no external impact on this characteristic. The Payroll Manager has encouraged employees to claim for HMRC tax relief whilst working from home to support employees who have been affected by additional costs during this period.**Other IT Issues which may affect employees** Employees such as those who work in roles who do not use a computer or laptop for work (such as some employees in National Centres) will be able to access the Policy via SharePoint on devices in the office or on site as all employees have a computer log in. They will also be able to ask their local Contract Administrator for assistance.Due to the COVID-19 outbreak, employees have also been using DocuSign to progress contracts. This has had a positive impact as it has meant that processes have been streamlined and has meant that remote parties who may normally depend on hard copies or posted documents have been able to progress quickly. Although this new system may appear as another online resource which could result in additional digital exclusion, it has provided support where normally there is exclusion or disadvantage due to distance.  |

**Section 7 – Sign off**

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| **Assessment signed off by:**   | Senior management team  |
| **Sign off date**  | September 2021  |

1. Please note employee information correct as of March 2021. Comparisons to Scottish population use the 2011 census data unless otherwise stated.

We do not capture information for individuals who are engaged as Contract for Services. [↑](#footnote-ref-2)