

# **Equality and Diversity Policy - equality impact assessment results summary**

March 2024

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## Version Control

Version	Author	Purpose	Date
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# 1.Introduction

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1.1 The public sector equality duty requires Environmental Standards Scotland (ESS) to pay 'due regard' to the need to meet its obligations under the Equality Act 2010. In support of that duty, ESS carried out an equalities impact assessment (EQIA) to understand the potential impact on groups with protected characteristics (as defined in the Equalities Act) of applying their equality and diversity policy.

1.2 As a result of the EQIA process, no specific negative effects have been identified following the introduction of this policy. Some potential positive impacts have been identified.

## 2. Summary of aims and desired outcomes of the Policy

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2.1 ESS' Equality and Diversity Policy ('the Policy') aims to set out the organisation's approach to supporting equality and diversity considerations. This will be carried out through the people we employ and the services we deliver. In doing so, we will also demonstrate how we will meet the requirements and general duty set out in the Equalities legislation, including:

- eliminating discrimination, harassment and victimisation
- advancing equality of opportunity between people who share protected characteristics and those who don't
- fostering good relations between people who share protected characteristics and those who don't

2.2 The Policy in summary includes:

- ESS' four organisational equality and diversity principles, including: respect, inclusivity, fairness and support – together these will guide how ESS works to bring equality and diversity into its day-to-day business and functions
- roles and responsibilities for employees, line managers, the chief executive and the chair, board and committee members
- commitments to help the organisation embed and advance equality and diversity considerations for all our people, in all policies and in delivering and communicating the services that ESS provides

- related human resources policy, that, combined with the equalities and diversity policy make up ESS' full equalities policy
- recognition of implementation challenges
- how the policy will be monitored and reviewed

## 3. Background

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3.1 ESS took up its full powers in October 2021 and was added as a listed authority under the Equality Act 2010 (“the Act”) via The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (“the regulations”) as amended, in May 2022.

3.2 The Act and the regulations place a range of statutory duties on ESS and other bodies, with the aim of ‘ensuring that those carrying out a public function consider how they can positively contribute to a more equal society through advancing equality and good relations in their day-to-day business<sup>1</sup>.’

3.3 The ESS Strategic Plan recognises that an equal and diverse workforce will support the organisation to become a high-performing one. The plan set out the ambition for ESS to embed an inclusive culture and committed to publishing an equality and diversity policy.

## 4. Assessment

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### Scope of the EQIA

4.1 The Policy will principally affect ESS staff and Board members, it will also have an impact on those who apply to work with ESS, and how staff interact with service users. The policy seeks to support staff to help understand and deliver the public sector equality duty. This includes ongoing learning in equality and diversity, supporting an inclusive work culture, bringing equalities considerations into decision making and in delivering our services and, in our recruitment.

4.2 ESS does not consider that this is a major policy in terms of significance for undertaking our functions. However, it will influence the make-up and culture of the organisation. It will also influence how equalities and diversity considerations are

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<sup>1</sup> Equality and Human Rights Commission (EHRC)

brought into ESS policies and decision making, which are a fundamental part of undertaking its functions.

4.3 ESS is a fairly small organisation with 23 staff (as of March 2024). This means that the protected characteristics of an individual can significantly alter and impact the overall diversity statistics within the organisation, whilst having a very small impact in terms of protected characteristics within the wider community.

4.4 The assessment looked at published evidence available for the protected characteristics listed within the Equality Act 2010: Age, Disability, Sex, Pregnancy and Maternity, Gender Reassignment, Sexual Orientation, Race and Religion or Belief. The evidence includes data and qualitative information arising from ESS' equality and diversity survey, and wider discussions as part of the work on developing its equalities outcomes. Statistics are not included due to the size of the organisation as the information contains categories with disclosive numbers of respondents.

## **Key Statistics**

4.5 The evidence gathered suggests that the makeup of the Scottish population is fairly evenly split between sex, 51% female and 49% male, however beyond that, other characteristics are less balanced and more varied.

4.6 With regard to age, the Scottish population is ageing, and projections are that this will continue. Over a third of the adult population in Scotland in 2021 were living with limiting long-term conditions. Over half of the Scottish population report no religion, closely followed by a majority of mixed Christian faiths at 46%. The ethnic makeup of the population is largely white Scottish/British with only 4% of the population from minority ethnic groups. The majority sexual orientation reported is heterosexual (at 95%).

4.7 The evidence suggests that for some groups there are additional barriers to employment, in particular people in younger age cohorts, people with a disability, or from a minority ethnic group were more likely to be unemployed.

4.8 The evidence also shows that working patterns can act as a barrier for some, for example faith groups, and different sexes. Inflexible working patterns and holidays

can limit the ability to participate in religious practices and discourage applicants, women are also significantly more likely to work part time than men.

4.9 A study by LGBT health and wellbeing found fears of prejudice for trans people and a lack of awareness from interview panels as particular barriers for trans people.

4.10 The evidence shows that some groups in particular are more likely to have experienced discrimination, for example in 2021 adults with a long-term limiting physical/mental health condition were twice as likely to have experienced discrimination in the previous 12 months than adults without any health conditions.

4.11 In 2019 adults who identified themselves as 'gay, lesbian or bisexual' were over three times as likely to have experienced discrimination in the previous 12 months than those who identified as heterosexual.

4.12 Recent research by the EHRC found that around three quarters of pregnant women and new mothers in Scotland experience negative or potentially discriminatory treatment at work each year.

## **5. Recommendation and Conclusion**

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5.1 The evidence shows what the broad makeup of the Scottish population looks like and highlights which protected characteristics are more likely to experience barriers and discrimination.

5.2 In understanding this, the policy can seek to combat some of the barriers when people apply for, work for or come into contact with ESS staff and services. For example;

- there are opportunities through the principles and commitments within the policy, to help set standards of expected behaviours and conduct
- there are opportunities through the commitments we include to advance equality and foster good relations, by training and supporting staff and promoting better understanding, which can in turn help raise awareness of issues and combat discrimination
- there are opportunities to remove or minimise disadvantages by ensuring we are careful, sensitive and informed about how we undertake

recruitment and how we advertise to help us attract a more diverse workforce

- there are opportunities to increase participation, by ensuring that the design of our services is accessible to the widest possible community

5.3 The evidence gathering and analysis in this assessment has helped inform the development of the Policy. Our reflections indicate potential for the Policy to have positive impacts and we have not identified any evidence that suggests it would impact negatively on any groups with protected characteristics. As such the policy should be implemented.

5.4 Reviewing the Policy should be co-ordinated with the ESS statutory reporting duties on mainstreaming the public sector equality duty and progress in delivering our equality outcomes. This will help to ensure the policy is being implemented and is reflective of the wider equalities context and what ESS needs to deliver on its diversity and equality duties.

## CONTACT

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