

Equality Impact Assessment

Whistleblowing Policy

October 2025

1. Executive Summary

Environmental Standards Scotland (ESS) has undertaken an Equality Impact Assessment (EQIA) to assess the equality impact of the ESS [Whistleblowing Policy](#). This report provides the background to the policy, a summary of its potential impacts and outlines amendments to the policy to mitigate the negative impacts that have been identified.

It is ESS' legal duty under the public sector equality duty to consider how the organisation promotes equality through its policies. Alongside this legal duty, ESS also seeks to actively advance equality more generally across our work. This EQIA evaluates the positive and negative impacts of the policy on individuals with protected characteristics (equality groups) as defined in the Equality Act 2010.

ESS has also voluntarily chosen to consider the Fairer Scotland Duty in its work. ESS does this by integrating considerations of socio-economic disadvantage into its EQIA process.

The EQIA process is instrumental in ensuring that policies do not result in discrimination or victimisation of individuals with protected characteristics. Additionally, EQIAs can

assist in advancing equality of opportunity and help foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having completed the EQIA process, ESS is satisfied that no unlawful discrimination will arise from the implementation of this policy.

2. Summary of the policy

The Whistleblowing Policy sets out how ESS manages concerns from employees of Scottish public authorities, and others, about how their organisations handle environmental responsibilities.

Under the Public Interest Disclosure Act 1998, ESS is a prescribed person, meaning workers, including employees, contractors, and agency staff, are legally protected when raising concerns in the public interest about malpractice, wrongdoing, or risks that could cause harm. The policy covers how reports can be made directly to ESS and the process for managing these.

3. What is the aim of the policy?

This policy aims to:

- encourage individuals to feel confident in raising concerns at the earliest opportunity
- provide an avenue for individuals to raise concerns and receive feedback on any action taken
- set out how ESS will deal with individuals who raise concerns and provide reassurance of how they will be protected from possible reprisals or victimisation if they made the disclosure in good faith

4. Who is delivering the policy?

The policy is being delivered by the Head of Investigations, Standards and Compliance.

The responsibility of following the policy lies with all ESS staff members who are authorised to process whistleblowing concerns.

5. Who may be impacted by the policy?

The policy has the potential to positively affect individuals who raise whistleblowing concerns. The policy could benefit members of the public by ensuring that they feel comfortable and safe to raise concerns and reassured that they should not be on the receiving end of any harassment or victimisation because of this.

6. Evidence

6.1 Summary of the evidence gathered

To support the framing discussion, we undertook further research to inform our analysis.

We referred to data published by the Scottish Government. This evidence was all from the past five years. Therefore, we consider the data we have used to be robust and reliable.

6.2 Summary of engagement

A framing exercise was undertaken by six ESS staff members from all three Departments.

7. Impacts

7.1 Summary of impacts identified

It was noted in the framing discussion that certain groups, such as those from poorer socioeconomic backgrounds and those of an older age, may face barriers to accessing online services and submitting whistleblowing concerns by email.

This was emphasised as being important, as the ESS Communication and Engagement Plan has a focus on marginalised and disadvantaged groups to ensure they are aware of the organisation and how to raise concerns with ESS.

However, the data on this is weak. While Scottish Household Survey data showed that these groups had less access to the internet, there was inconclusive evidence that these individuals would be less likely to submit a whistleblowing concern.

Additionally, it was noted that those with certain disabilities may find it difficult to access webpages. However, ESS already had several mitigations in place to address this such as an html version of the webpage for screen readers, BSL services on offer and an easy read document describing the webpage in Plain English.

From the initial framing exercise, and the consequent data gathering, no impacts were identified for sex, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief or sexual orientation.

7.2 Summary of actions taken

Actions were taken to mitigate the potential barriers to the submission of whistleblowing concerns.

This includes the creation of an ESS whistleblowing phone number for those who do not have access to email or feel more comfortable submitting their concern by phone call.

Additionally, there will be improved visibility of the BSL services offered by ESS.

7.3 Legal implications

Having completed the EQIA process, ESS is satisfied that no unlawful discrimination will arise from review of this policy.

7.4 Review

The EQIA will be reviewed every three years by the Head of Investigations, Standards and Compliance and a further EQIA will be undertaken at that stage if required. Any associated impacts will also be considered on an ongoing basis.

This EQIA has been reviewed by the Head of Department and approved by the Chief Executive.

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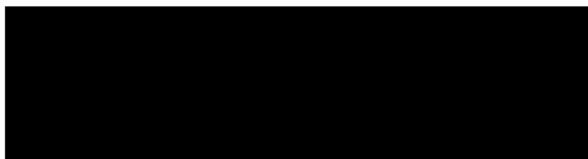


Reviewed by:



Date: 29/10/2025

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Reviewed by: Mark Roberts

Date: 18/11/2025