

**Equality Impact Assessment (EIA) Recording Form**

Please refer to the notes and examples in the EIA Guidelines to help complete this record.

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| Title of Activity/Proposal/Policy/Practice | Probationary Procedure  | EIA Team and Lead Member of Staff (names of all people involved in this EIA) | Sue Clyne (Director of HR & OD)Fumie Nakamura (Projects and Systems Assistant)HR Partners | Date | November 2024 |
| Type of Policy/Practice/ (tick box) | New  | x |
| Existing |  |
| Revised |  |

**Step 1 – Plan your process**

Considering the aims of the policy/proposal and the people will be involved.

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| What are the aims and purposes of the activity/ decision/ new or revised policy or procedure?See Note 1 | The aim of this Probationary Procedure is to provide a transparent, supportive framework which enables managers to support and review their new employee’s progress through their probationary period. It enables regular meetings between the manager and their employee to give feedback on progress, ensure training arranged and undertaken, acknowledge successes and identify any problems.  |
| Who will be affected? See Note 2 | All new employees and their managers will benefit from a consistent, supportive approach being taken during the probationary period. This Procedure guides new employee’s manager to address and deal with new employee if there are any issues risen relating to their conduct, attendance, capability or competence. It also allows the new employee to decide whether or not the role and the College matches with their expectations and ensures that they have the training and development to undertake their full role. |
| Who will be consulted?See Note 3 | Unison were consulted on the drafting of this Procedure. |

**Step 2 – Consider the Evidence**

What are the evidence we need and how we can gather them?

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| What evidence is available of how the policy/decision, etc. affects, or may affect, protected groups?Evidence could be quantitative, qualitative or anecdotal.Do we have enough evidence to judge what the impact may be?See note 4 | As this is a new Procedure it is not possible to gain specific evidence of the impact on specific groups from previous cases within the College. It is also an area we can monitor going forward is the training records we provide to new employees during their probationary period.Ongoing review and discussion with both EIS-FELA and Unison on the implementation of the updated procedure may provide evidence, where feedback has been received, or support has been given through this process and capability issues have been overcome etc.Ensure this procedure is available on the intranet and shared with all new employees and their managers so they are aware of the framework and support available for probationary processes. |

**Step 3 – Assessing the impact**

This involves:

* Considering relevant evidence relating to people who share a protected characteristic
* Assessing the impact of applying a decision of a new or revised policy or practice against the needs of the Public Sector Equality Duty (PSED) and each protected characteristic.

How will the policy / decision help the College to comply with the Public Sector Equality Duty?

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| **Eliminating discrimination, harassment, and victimisation** | **Advancing equality-*** **Removing disadvantage**
* **Meeting different needs**
* **Encouraging participation**
 | **Fostering good relations*** **Tackling prejudice**
* **Promoting understanding**
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| Provides a consistent, fair, supportive and transparent framework to support all new employees to be assessed and to complete their probation. | This Procedure means that all new employees should be assessed fairy and be provided any required support, such as regular feedback and training.New employees with disabilities should be reviewed and assessed using this probationary procedure, the same as for all other employees. However, in line with the Equality Act 2010, the need for any reasonable adjustments required by disabled employees must be considered at any time during the probationary period. | This Procedure will be well publicised to all new employees and their managers outlines the processes available to support the fair and transparent probationary review processes.This clarifies both employee and their manager’s responsibility and work together through probational period. |

See Note 5

Key Questions to ask:

1. What potential positive/neutral/negative impacts can be identified?
2. What does evidence demonstrate about positive/neutral/negative impacts for different protected characteristic groups? E.g. statistics on participation, progression or outcomes, feedback or complaints
3. Does the policy/procedure/practice/decision take account of the needs of people with different protected characteristics? How is this demonstrated?
4. Does it affect some groups differently? Is this proportionate?

See Note 6

| Protected characteristic | PotentialPositive Impact Y/N | Details of Expected Positive Impact | Potential Negative Impact Y/N | Details of Expected Negative Impact |
| --- | --- | --- | --- | --- |
| Age | Yes | Regular meeting and additional supports are provided to whom needed.  | Yes | Older employees tend to be reluctant to ask a support, such as additional training although those are ready to be offered so additional communication may help. Due to lack of work experience, younger employee may take longer to complete their probation. |
| Disability | Yes | Procedure ensures that any reasonable adjustments required by disabled employees must be considered at any time during the probationary period.  | Yes | Some employees with disabilities may have ‘reasonable adjustments’ in place and may feel they are viewed as being less capable at undertaking their role than others because of their need for reasonable adjustment(s). |
| Gender reassignment | Yes | Additional supports are provided and consider as the exceptional case for extending their probational period.  | Yes | If a new employee is transitioning during their probationary period they may need additional support.  |
| Marriage/civil partnership (relevant in employment law) | Yes  | This Policy and Procedure applies fairly to all employees regardless they are in marriage or in civil partnership.  | No  | No negative impact has been identified.  |
| Pregnancy and Maternity | Yes | Additional supports are provided and consider as the exceptional case for extending their probational period or completing it early, if appropriate. | Yes | The procedure provides the structured approach for reviewing new employee’s capability meeting the standards of expectation, however it may not be reached due to maternity leave. |
| Race | Yes | The Procedure provides a clear framework for managing probationary processes and should ensure BAME new employees are treated in the same way as other new employees. Managers need to take account of cultural differences where it is appropriate to do so. | Yes | BAME new employees may, due to perhaps different cultural or educational backgrounds, undertake some or all of their role in a different way from others in their team(s) but still be performing well.  |
| Religion or belief | Yes | The Procedure provides a clear framework for probationary processes and should ensure that there is equality of treatment for all new employees. Managers need to take account of differences in religion and belief where it is appropriate to do so. | Yes | Similar to race, new employees may due to different religious practices/beliefs undertake some of their role in a different way from others in their team(s) but still be performing well.  |
| Sex | Yes | The Procedure provides a clear framework for managing probationary processes and should ensure new employees, regardless of gender, are treated in the same way.Managers need to take account of gender differences where it is appropriate to do so. | Yes | Traditional male/female stereotypes may be linked to how certain roles should be performed. Therefore, when female / male / non-binary new employees undertake the same roles they may be viewed as being less capable as they undertake the role in a different way, but just as competently.  |
| Sexual orientation | Yes | The Procedure provides a clear framework for managing probationary processes and should ensure all employees, regardless of their sexual orientation, are managed in the same way.Managers need to take account of perspective differences where it is appropriate to do so. | Yes | Non-heterosexual employees may be viewed through societal stereotypes and if they undertake their role in a different way from how it has been undertaken in the past they may be viewed as being less capable (similar to negative outlined above for gender).  |

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| OthercharacteristicSee Note 7 | PotentialPositive Impact Y/N | Details of Expected Positive Impact | Potential Negative Impact Y/N | Details of Expected Negative Impact |
| Social deprivation | Yes | The regular feedback from manager and the flow of the induction, one, three and pre six-months review flamework should enable new employees to discuss any concerns with their managers and give managers an opportunity to explore and implement other means of support, such as flexible working etc. | Yes | These new employees may struggle to meet all their responsibilities which may impact on their probational targets/expectations at work, due to worry/stress etc. |
| Care Experienced people | Yes | The regular feedback from manager and the flow of the induction, one, three and pre six-months review flamework should enable new employees to discuss any concerns due to being their care experience with their managers and give managers an opportunity to explore and implement other means of support, such as flexible working etc. | Yes | Due to their upbringing environment, they may have a difficultly to build a stable and trusted relationship with their manager, which may lead to false judgement for capability. |
| People with caring responsibilities | Yes | In addition to the above, managers need to consider the additional support, especially for the young carers. | Yes | New employees with caring responsibilities may become overwhelmed by all their responsibilities, which may then adversely impact on their own performance/capability. This may then be picked up through performance review processes, when the actual support needed is different, such as flexible working to enable employee to better balance their caring responsibilities. |
| Any other groups that need to be taken in consideration? | No |  | No |  |

**Step 4 – Acting on the results of the assessment.**

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| What actions can be taken or amendments made to policy to reduce the negative impact?See note 8 | Ensure managers are trained in the implementation of this Procedure so they can understand the processes and ensure they treat all new employees fairly and consistent manner, and provide an appropriate support.Regular feedback (more often than standard following up, one, three and six months meetings) are recommended for dealing with protected characteristic new employees. |
| Is there a need to address any gaps in evidence? | Regular requests for general feedback on the implementation of this procedure from unions at local LNC meetings.Closely monitor what training have been provided for new employees with protected characters so that we can prepare and take pro-active actions.  |
| How will equality be advanced/ good relations be fostered? | This Procedure aims to supports new employees to be treated fairly and consistently to complete their probationary period and so enables them to continue in their role at the College. |
| Who has been involved in carrying out this assessment?  | HR team. |
| If you cannot fully review the impact now, what else must be done, by/with whom and why? | See above comments |

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| **Recommended decision:** (place an x against relevant outcome)See note 9 | Outcome 1: Proceed – no potential identified for discrimination or adverse impact, and all opportunities to promote equality have been taken |  |
| Outcome 2: Proceed with adjustments to remove barriers identified or to better promote equality | **X** |
| Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to promote equality |  |
| Outcome 4: Stop and rethink as actual or potential unlawful discrimination has been identified |  |
| Any other recommendations?  |
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**Step 5: The monitoring and review stage**

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| **Plan actions to reduce negative impact, advance equality and monitor the impact of the policy, proposal or decision*** Please indicate if there is any data which needs to be collected as part of action to be taken and how often it will be analysed.
* Indicate how the person responsible will continue to involve relevant groups and communities in the implementation and monitoring of the policy, etc.
* How will the impact of the policy/procedure/decision be monitored?

See Note 10 |
| **Action to be Taken:**  | **Person Responsible:** | **Completion/Review Date:** |
| Arrange training for managers on the Probationary Procedure so they can implement it appropriately and supportively. | Sue Clyne/Nyree Grierson | Ongoing |
| Provide advices and supports to managers for dealing with protected characteristic employees to complete their probationary period without unfairly fail. | HR Partners | Ongoing |
| Undertake a 3-yearly review of the procedure, or sooner if legislative changes require it, to ensure it remains in line with current legislation, terminology etc. | Sue Clyne  | Ongoing – every 3 years |
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| **Signature of Lead:**   **Date: 7 November 2024** |

**Step 6 – Review and Publication**

See Note 11

Please send the completed EIA record to equality@edinburghcollege.ac.uk for

* review by Quality and Improvement;
* publication in whole or in part on the College website.

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| **Date of Review** | **17 December 2024** |
| **Date of Publication** | **11 March 2025** |