

Equality Impact Assessment (EqIA)

The purpose of this document is to ensure that decision makers consider the impact of their policies and procedures on those who share protected characteristics. An EqIA should be undertaken for new practices or changes to current practices that could directly or indirectly affect staff, students and stakeholders.

Title of the Action Considered:	Professional Relationships at Work
Impact Assessed by:	Ralph Burns
Signature(s) of assessor(s):	
Date of Impact Assessment:	Dec 2023

Step 1: (a) Identify the aims of the action.

<ul style="list-style-type: none"> (i) What is the purpose of the action? (ii) Why has this action been come about? (iii) How does the action seek to achieve its purpose?
<p>To support a working environment in which mutually rewarding relationships between employees and between employees and students are developed in order to improve teaching and learning and which contribute to an effective and enjoyable learning environment for all.</p> <p>Some relationships may create risks for staff and students, this guidance provides clarity on what is expected of staff.</p>

Step 1: (b) Identify who is affected by the action.

<ul style="list-style-type: none"> (i) Who benefits from this action? (ii) How does the group of people benefit from the action? (iii) Who does not benefit from the action? Is anyone disadvantaged either directly or indirectly? (iv) If so, how is the group of people disadvantaged by this action?
<p>All staff have clarity and support to ensure they are not exposed to risk and have a guide on what action to take should there be conflict of interest in relationships.</p> <p>Sexual harassment or harassment claims can result from persistent unwanted advances which continue after the relationship between employees and/or student has ended. Failing to address this or manage in line with college procedures could result in the Employment Tribunal holding the employer responsible.</p> <p>Employees may claim that they receive less favourable treatment than the employee in a relationship with a senior manager.</p> <p>Abuse of position, conflicts of interest or a breach of trust and confidence in the employee can put employers at risk from a variety of issues such as data protection, confidentiality or security breaches, as well as misuse of time and resources and (in some cases) fraudulent activity.</p> <p>Inappropriate behaviour in the workplace can occur which can result in an unpleasant working environment,</p>

potential reputational damage and the potential for a real impact on performance.
 Constructive dismissal could be claimed by an employee where the actions of other employees or the employer has resulted in a resignation and the employer has failed to act on this

Step 2: Consultation

Where an action is organisation specific, it can be useful to consult those that will be directly impacted. This may not always be appropriate or proportionate. It may useful to explore other types of information available such as college data, Listening to Learners, cultural surveys etc.

Is a consultation required for any stage of this process?	
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Detail why there is a need or no need for a consultation.	
Where a consultation was identified as being proportionate and appropriate	
(i) Outline the analysis of the data gathered during the consultation (ii) The recommendations identified following this analysis	
Staff, management, unions and the student association	

Step 3: Consider the evidence and assess impact by protected characteristic.

(i) What data or evidence have you used to consider the impact of the action on each protected characteristic? For example student/staff demographic data; consultation responses; national data/reports. If you lack data/evidence, where else could you look for/gather data? Is this reasonable/proportionate to the change proposed? (ii) Referring to the evidence you do have available, would this policy positively or negatively impact on those who share protected characteristics? (iii) If there is an identified impact, where negative, detail the action required to mitigate this impact. Where positive or no impact, are there any other actions that could be identified to further enhance the positive impacts of the action?

Protected Characteristic	Evidence	Impact	Action Required
Disability	Those most vulnerable and susceptible to influence within a relationship may be more at risk to inappropriate conduct	Positive	Clarity over obligations and the law. Recognising this guide provides support and protection for the most vulnerable
Sex (man or woman)	Risk of sexual harassment or discrimination. Evidence such as in the following Government Publication 2020 Indicates this may impact on women more than men Claims may arise from one or both of the employees if the relationship ends.	Positive	Improve awareness of new policy and expectations and offer support for this impacted
Race (refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins)	Cultural differences may result in misunderstandings and differing attitudes to relationships	Positive	Improve awareness of new policy and expectations
Age	Generational differences may impact on communication and understandings of what is acceptable	Positive	From an employee-student relationship perspective this guidance has a positive impact for those under 18 (children) due to the clarity of expectations in section 5.3
Gender Reassignment (the process of transitioning from one gender to another)	The equality act includes a definition of harassment that states <i>A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment</i>	Neutral	

	<i>or sex.</i> The guidance treats all relationships equally while recognising there are some more vulnerable than others at stages in their life		
Sexual Orientation (whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes)	The disclosure requirements may result in members of the LGBTQ+ community having to disclose their sexual orientation, when they may not want the wider workforce/employer to know about this due to fear of being unfairly treated or discriminated against at work.	Neutral	Disclosure of information should be treated confidentially as per the guidance where this has been stressed.
Religion and Belief (including no belief)	Religious beliefs may impact on relationships particular with the opposite sex	Positive	Improve awareness of new policy and expectations
Pregnancy and Maternity		No Impact	
Marriage and Civil Partnership		No Impact	
Other Identified Groups (e.g. carers, care experienced, SIMD10 and 20)	Staff and Students in these groups are more vulnerable and susceptible to influence within a relationship may be more at risk to inappropriate conduct	Positive	This guidance reinforces expected behaviour and thus supports and protects those most vulnerable

(iv) If it has been identified that more evidence is required, detail the action plan to collect that evidence and identify the timescale for this;

There are no existing statistics on this subject matter that would suggest any concern that needs addressed. It is impossible to draw any meaningful conclusions in respect of impact at this time. This EQIA is a starting point to gathering evidence for future reviews

Step 4: Decision Making

Select an option below that identifies the next stage of the implementation stage;	
No amendment to the action is required. It has been concluded that the action is robust with no negative impact.	x
Adjustments the action are required to take steps to meet the general duty and reduce negative impact on those who share protected characteristics.	
Adverse impact has been identified but a decision has been made to implement the action without adjustment.	
Adverse effects have been identified and the impact cannot be justified or be considered reasonable or proportionate. The action will not proceed.	

Step 5: Publication:

It is best practice to publish Equality Impact Assessments. It may not always be appropriate to publish EqlAs at the time of development.

	Does this group need to be aware of this EqlA?	How will information be shared with this group?
Students	No	
Employees	Yes	Published
Partner organisations & stakeholders	No	
Other - please state:	No	
Are there any barriers to communicating with the groups identified?	No	
If yes, how will any barriers to communication be overcome?		

Step 6: Monitoring and Review

Is monitoring required as part of the process of implementation?	Yes
If yes, how will this policy/decision be monitored to assess its impact on protected characteristics groups? E.g. will qualitative/quantitative data be collected? Survey, Student Council, Listening to Learners sessions?	Data will be reviewed as will it be monitored in practice
Staff member/designation responsible for ensuring monitoring/review takes place:	Ralph Burns
Review date:	February 2027

Please send the completed EqlA to equality@forthvalley.ac.uk

If you require any assistance in completing an EqlA, please contact equality@forthvalley.ac.uk