

**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 | Substance Misuse Policy & Procedure | | EIA Team and Lead Member of Staff | Joint Management and Unison Group (no longer exists)  Sue Clyne/Irene Michie | Date | 16/09/21  (updated 25/03/24) |
| Type of Policy/Practice/ (tick box) | New |  |
| Existing |  |
| Revised | X |

**Step 1 – Considering the aims of the policy/proposal and evidence of how it affects different groups**

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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 updating the existing Edinburgh College Alcohol & Drugs Policy & Procedure is to ensure it complies with current employment legislation, uses up to date terminology and provides a transparent, supportive framework which enables managers and employees to work together with the aim of overcoming the employee’s substance problem, whilst ensuring the Health & Safety of others throughout the process. |
| Who will be affected?  See Note 2 | All employees and managers will benefit from a consistent, supportive approach being taken across the College should a substance problem arise for an employee – potential to enable early intervention, appropriate support to be provided, attendance to be managed effectively (if appropriate), reduce health & safety risks and improve performance (if affected). |
| Who will be consulted?  See Note 3 | Both EIS-FELA & Unison were members of the Joint Management and Union Group who put forward, reviewed, provided feedback and reached agreement on proposed changes to the Substance Misuse policy & procedure. This is not a new policy but one which has been embedded and utilised across the College for some time but required updating to be more relevant and current in its approach. |
| 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 | Due to the small numbers of employees who have participated in this policy and procedure before it is not possible to gain specific evidence of the impact on specific groups from previous cases of substance misuse within the College. However, it is an area we can monitor going forward and we now have ability to produce anonymised statistics from iTrent (as basic casework details are now recorded on iTrent) and we compile Quarterly & Annual Casework Dashboards.  Ongoing review and discussion with both EIS-FELA and Unison on the implementation of the updated policy and procedure may provide evidence, where feedback has been received, or support has been given through this process and substance misuse problems overcome etc.  Ensure updated policy is circulated and widely available to all employees so they are aware that they can self-refer or be requested to refer by their manager, should a potential substance misuse problem be identified. |

**Step 2 – 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.

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** |
| Provides a consistent, supportive and transparent framework to support ALL employees when they are misusing/using alcohol and/or substances. |  | P&P will be well publicised to all employees and outlines the process available to support employees who are misusing/using alcohol and/or substances.  Enables ALL employees to come forward and seek help and support when they need it. |

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

1. Does the policy/procedure/practice/decision take account of the needs of people with different protected characteristics? How is this demonstrated?
2. Does it affect some groups differently? Is this proportionate?

See Note 6

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| Protected characteristic | Potential Positive Impact Y/N | Details of Expected Positive Impact | Potential Negative Impact Y/N | Details of Expected Negative Impact |
| Age | Yes | There is a perception perhaps that young people are more likely to use/misuse drugs and alcohol but it is an issue which can impact all age groups. This updated policy provides a consistent and supportive approach regardless of an employee’s age. | Yes | Younger employees may feel that they are unfairly targeted when older employees openly discuss their alcohol consumptions. |
| Disability | Yes | Provision of a consistent and supportive approach in College to issues or behaviours arising from substance misuse may benefit people with mental health conditions, learning impairments, learning difficulties and developmental conditions in particular, as these groups can be more vulnerable to the effects of substance misuse. | Yes | Consideration may be needed of the possible side effects of legitimate medication being taken by an employee (although this could apply to all employees not just those with a registered disability) – Occupational Health advice may be necessary here to eliminate/consider this possibility. |
| Gender reassignment | Yes | Employees who have been through, or are going through, gender reassignment may have had to face additional challenges in their lives, such as harassment or discrimination, with subsequent possible negative effects on their mental wellbeing which may then potentially make them more at risk from substance misuse – provision of a consistent and supportive framework is likely to be a positive support for gender reassigned employees. | Yes | Similar to disability, consideration may be needed for legitimate medication taken by an employee when transitioning or recovering from medical procedures. |
| Marriage/civil partnership (relevant in employment law) | Neutral |  | Neutral |  |
| Pregnancy and Maternity | Yes | Employees will be able to access confidential wellbeing support if they are concerned about the impact of alcohol or substance misuse on pregnancy and maternity. | Yes | Employees may be reluctant to seek support due to the potential stigma of using/misusing alcohol or substances during pregnancy/maternity. Employees may need to be reassured that access to any wellbeing and/or counselling support is confidential. |
| Race | Yes | BME employees may have faced additional challenges in their lives, such as racial harassment or discrimination, with subsequent possible negative effects on their mental wellbeing which may then potentially make them more at risk from substance misuse – provision of a consistent and supportive framework is likely to be a positive support for BME employees. | Yes | It is well researched that due to the stigma of alcohol and substance misuse in many minority ethnic communities, BME employees are likely to be reluctant to seek help or support until they reach a crisis point. Employees may need to be reassured that access to any wellbeing and/or counselling support is confidential.  It is also because of this stigma to alcohol and substance misuse, that some BME employees may judge other employees who seek help and support under this policy. |
| Religion or belief | Yes | The College will ensure that all employees will be able to access support regardless of their religion or belief. | Yes | Raising a potential alcohol or substance misuse problem may cause offence to those with religious objections to drinking alcohol or taking drugs/substances.  Similar to race, some employees may be reluctant to seek help because of their religion or belief. |
| Sex | Yes | The College will ensure that all employees will be able to access support regardless of their sex or gender. | Yes | In general, male employees are less likely to seek wellbeing and counselling support when needed. Therefore, managers / colleagues should encourage male employees to seek support where they have concerns about their welfare.  The need of female employees may go undetected because alcohol and substance misuse is more often seen as a male issue. However, data in Scotland is showing that the female deaths relating to alcohol and substance misuse is rising. |
| Sexual orientation | Yes | LGBT employees may have faced additional challenges in their lives, such as homophobic or transgender discrimination, with subsequent possible negative effects on their mental wellbeing which may then potentially make them more at risk from substance misuse – provision of a consistent and supportive framework is likely to be a positive support for LGBT employees. | Yes | LGBT employees may feel stigmatised because of some of the public portrayal of LGBT people in media or entertainment. |
| Social deprivation\*  See Note 7 | Yes | Employees who have experienced social deprivation may have faced additional challenges in their lives, with subsequent possible negative effects on their mental wellbeing which may then potentially make them more at risk from substance misuse – provision of a consistent and supportive framework is likely to be a positive support for all employees who have experienced social deprivation. | Yes | Some employees may feel pressurised to misuse alcohol or substances from their peers outside of work. Additional support may be required to help these employees to manage those pressures. |
| Care Experienced people\* | Yes | Employees who are care experienced may have faced additional challenges in their lives, with subsequent possible negative effects on their mental wellbeing which may then potentially make them more at risk from substance misuse – provision of a consistent and supportive framework is likely to be a positive support for care experienced employees. | Yes | Similar to social deprivation, some employees may feel pressurised to misuse alcohol or substance from their peers outside of work. Additional support may be required to help these employees to manage those pressures. |
| People with caring responsibilities\* | Yes | Employees who have caring responsibilities may end up feeling over whelmed by them. Support provided through this policy and potential early intervention will be more helpful for employees with caring responsibilities. | Yes | Employees with caring responsibilities may feel they are failing those who they care for if they are misusing alcohol/substances and hence may be reluctant to seek the help they need. |

**Step 3 – 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 | * (Disability) Ensure employees with a disability are given the opportunity to put forward any possible mitigating circumstances which may have given rise to the concern of possible substance misuse and an opportunity to outline any possible side effects of any medication they are currently taking – Occupational Health advice is likely to/may be required. This opportunity should be given to all employees as it may apply to anyone. * (Religion or belief) raise any concerns/suspicions about possible substance misuse in a private environment and in a supportive manner, with evidence given as to what is causing your concern(s). Although, this should be approach taken with all employees. |
| Is there a need to address any gaps in evidence? | * Going forward HR can monitor the protected characteristics of those employees who participate in this policy/procedure and review and identify if particular groups are disproportionately being referred/self-referred to this policy/procedure. * Regular requests for general feedback on the implementation of this policy/procedure from the Unions at local JNC meetings |
| How will equality be advanced/ good relations be fostered? | * This updated policy and procedure enables and supports employees to overcome their substance misuse problem and sees them continue in their role at the College. |
| Who has been involved in carrying out this assessment? | * Input was requested from the joint Management & Union group – feedback was taken and appropriate adjustments made to EIA. |
| 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? | | |
| No | | |

**Step 4: 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:** |
| Run quarterly statistical reports on cases which were active/live during this period by each protected characteristic to identify if those in any particular group(s) are being disproportionately affected. | Systems Team (Irene Michie) | Ongoing - quarterly |
| Regular reviews at JNC meetings to be undertaken with Unions to request any appropriate general feedback on the impact of the implementation of the policy & procedure. | Sue Clyne | Ongoing - quarterly |
| Undertake a 3-yearly review of the policy and procedure, or sooner if legislative changes require it, to ensure it remains in line with current legislation, terminology etc. | Sue Clyne (as part of the management/union group) | 3 yearly (or more frequently if required) |
| Distribute positive messages, on a regular basis, about the confidential support employees can access as and when needed | Sue Clyne | Ongoing – when appropriate |
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| **Signature of Lead:**  **Date: 25 March 2024** | | |
| **Step 5 – Review and Publication**  See Note 11  Please send the completed EIA record to [equality@edinburghcollege.ac.uk](mailto:equality@edinburghcollege.ac.uk) for   * review by Equalities team * publication in whole or in part on the College website. | | |