

Coronavirus (COVID-19): shielding social care workers support scheme: EQIA Results

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EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	Extension of Social Care Staff Support Fund to include shielding workers
Summary of Aims and Desired outcome of policy	<p>This fund is being set up for eligible social care workers who have been shielding during the coronavirus pandemic and were not placed on the UK Government's Coronavirus Job Retention Scheme (CJRS). Workers who meet the criteria can apply for a backdated payment for the time they were shielding. This payment will provide them with 80% of their income which is in line with what they would have received from the CJRS. The employee will apply via their employer to a third party organisation, with funds then paid into their bank account by their employer using the existing payroll mechanism.</p> <p>The policy aims reflect the following National Outcomes:</p> <ul style="list-style-type: none"> • Economy (retention of staff) • Fair work and Business (Individuals entitled to remuneration for shielding) • Poverty (Stopping workers falling into hardship)
Directorate: Division: Team	Directorate for Mental Health and Social Care: Remobilisation, Recovery and Reform: Workforce Commissioning and Reform Unit

Executive Summary

The policy aims to create a fund whereby social care workers who were eligible for the Coronavirus Job Retention Scheme, but were not placed on this by their employer, can apply for a backdated payment to cover the shortfall. This is to ensure that Scottish social care workers do not experience hardship, through no fault of their own.

Background

When the UK Government Coronavirus Job Retention Scheme initially launched in 2020, there was some confusion amongst some social care employers whether those workers required to shield and who subsequently were off work for a Coronavirus related reason, could be placed on the scheme.

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Some of these employees would have had to survive on nothing but statutory sick pay. As a result of this, the Cabinet Secretary for Health and Sport announced that a fund would be put in place to allow affected individuals to claim for this money, if eligible.

This policy was conceptualised and informed by feedback from both trade unions and individuals relating to individuals who has been disadvantaged and placed into hardship through no fault of their own. The individuals will have been shielding due to being in 'very high' or 'high' risk groups.

The policy intent is one of ensuring equality of workers across the sector, specifically by ensuring that those who were required to shield and were not placed on the Job Retention Scheme are not financially disadvantaged (and so less likely to fall into poverty) compared to their co-workers. This will also assist with retention of staff, who may have been likely to leave the sector, which could have a negative effect on people such as the elderly or disabled, who rely on this care to maintain their quality of life.

The Scope of the EQIA

As the policy was implemented at pace to minimise the risk of hardship to affected individuals, it was decided that the impact assessment should be as wide ranging as possible in the timeframes available, taking in all available data, consulting with policy leads across the SG and a focused stakeholder group familiar with the policy, including representation from all the major unions relevant to the care work sector.

Given the importance of assessing the impact on each of the protected characteristics, the Scottish Government has considered the policy against the needs of the general equality duty as set out in section 149 of the Equality Act 2010 and has considered whether this could constitute direct and/or indirect discrimination.

Specifically, the EQIA considers impacts on equalities groups based on the three tests it is required to address:

- Does this policy eliminate discrimination for each of the 9 Protected Characteristics? If not is the discrimination justifiable? Can it be mitigated?
- Does this policy advance equality of opportunity for Protected Characteristics groups?
- Does this policy foster good community relations between people of Protected Characteristics groups?

These were considered in the analysis of protected characteristics.

Key Findings

The equality assessment demonstrated that eligible individuals, based on sector evidence, may be more likely to be impacted due to protected characteristics. This means that:

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- The policy will provide positives impacts in terms of financial benefits to avoid hardship.
- That care must be taken to ensure that messages around impacts on benefits are clearly understood, to reduce any potential negative impacts.

In respect of the second point above, completing this EQIA has led to an engagement with stakeholders including DWP, HMRC, Citizens Advice and the Child Poverty Action Group to better understand any benefit implications. This has also led us to develop a 'landing page' on the SG website aimed at workers, the text of which has been developed with stakeholders including representatives of all of the major Social Care workers unions to ensure that the text is clearly understandable and accessible. We have also consulted with and invited feedback from these same stakeholders on this EQIA.

This EQIA has also been informed by consultation and discussion with relevant equality policy leads within the SG, which greatly helped gather evidence used in assessing the impacts of the policy and being confident that every aspect had been considered.

In developing this policy the Scottish Government is mindful of the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality.

Recommendations and Conclusions

As every individual will need to make an application through their employers, we will be able to assess the reach of this policy both in terms of numbers applying and funds paid out.

We will also ensure that employers understand their responsibilities in terms of making eligible individuals aware of this, by sharing relevant information through relevant networks.

Officials will work with sector and all relevant stakeholders, including third sector advice organisations and trade unions to promote the fund and will encourage them to report any difficulties or issues in the administration of the fund, so that officials can ensure that these are quickly addressed.



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