Mental Health and Wellbeing Workforce Action Plan

Equality Impact Assessment Record



Equality Impact Assessment Record

Title of policy: Mental Health and Wellbeing Workforce Action Plan

Minister: Maree Todd, Minister for Social Care, Mental Wellbeing and Sport

Lead official: Gavin Gray

Officials involved in EQIA: Claire Jackson

Team, Directorate: Mental health and wellbeing workforce, Mental Health

New, revisions or existing policy: New policies and revisions to existing policies

1. Policy Aim

As detailed within our recently published Mental Health and Wellbeing Strategy (The Strategy) our vision is that the current and future mental health and wellbeing workforce are valued and supported to provide effective, person-centred, traumainformed, rights-based, compassionate services and support. Through our strategic approach to workforce planning, our aim is to achieve a mental health and wellbeing workforce which is **Diverse**, **Skilled**, **Supported and Sustainable**.

Actions within the Mental Health and Wellbeing Workforce Action Plan (The Action Plan) will seek to address issues around equalities in terms of the workforce themselves and in the provision of services and support that they provide. This will be achieved through a series of actions, some of which will be new while others will involve refinement or continued implementation of existing actions. These actions are designed to improve the diversity of the workforce, encourage and promote inclusive workplace practices to support recruitment, retention and wellbeing. The actions will also help to eliminate causes of pay gaps and address learning and development needs of the workforce to ensure that they have the right skills to deliver their services to meet the needs of the people of Scotland as well as having the skills to support the workforce.

As well as supporting the delivery of the Strategy's strategic goals and outcomes, the Action Plan will seek to support the following national outcomes:

- We grow up loved, safe and respected so that we realise our full potential
- We have thriving and innovative businesses, with quality jobs and fair work for everyone
- We live in communities that are inclusive, empowered, resilient and safe
- We are well educated, skilled and able to contribute to society
- We are healthy and active
- We tackle poverty by sharing opportunities, wealth and power more equally

To:

- create a more successful country
- give opportunities to all people living in Scotland
- increase the wellbeing of people living in Scotland
- create sustainable and inclusive growth
- reduce inequalities and give equal importance to economic, environmental and social progress

It also contributes to other Scottish Government strategic goals outlined in strategies such as the <u>National Workforce Strategy for Health and Social Care</u>, and through policies and programmes such as the Anchors Workforce Strategic Group workplan and the <u>Leading to Change</u> Programme.

It will support delivery of other Scottish Government strategies including <u>Fair Work</u> Action Plan and Anti Racist Employment Strategy.

2. Who will it affect?

Our focus for the Action Plan and this Equality Impact Assessment (EQIA) is the mental health and wellbeing workforce (the workforce). However, we recognise that as the vision for The Strategy is of a Scotland, free from stigma and inequality, where everyone fulfils their right to achieve the best mental health and wellbeing possible then the benefits of reducing inequality has the potential to impact directly and indirectly everyone in Scotland.

The scope of the EQIA is to consider the impact of the actions within the Action Plan on a range of protected characteristics as listed in the Equality Act 2010 and extend beyond including socio-economic, geography, education and more. As people experience different combinations of these factors this has implications for the inequalities that the workforce are likely to experience and we have therefore taken an intersectional approach towards this impact assessment.

What might prevent the desired outcomes being achieved?

Achieving the desired outcomes for the Strategy and Action Plan will be dependent on the successful implementation of the Action Plan's actions. This in turn will be dependent upon and will involve a need for Local Government, other partners including public bodies for example the Care Inspectorate and The Scottish Social Services Council (SSSC), and employers to take action to support the Action Plan's implementation.

There is a need for committed partnership working at all levels across roles and sectors as well as a proactive approach towards sharing and implementing good practice. Whilst the Action Plan is for the whole of the mental health and wellbeing workforce not all five pillars of the framework set out in the Action Plan will be relevant for the entire workforce. Instead, the Action Plan builds upon existing plans, policies and programmes, including employers' own strategies, as well as other Scottish Government labour market, employability, education and skills strategies, and outlines areas for continued and/or enhanced activity, and new actions to be taken by both the Scottish and Local Governments, as well as our delivery and education partners and employers across the statutory, third and independent sector.

This is the first phase of the Action Plan. It will be regularly reviewed and refreshed after 18 months, and annually thereafter to align any programmes of work with annual budget cycles.

3. Summary

The Equality Impact Assessment record has been summarised for the purposes of publication.

3.1 Engagement

In the development of the Action Plan and the EQIA we have taken several steps to consider evidence and feedback available to inform this work. For example, this included:

- A formal consultation process (an independent analysis report can be found here), a series of stakeholder events for the mental health and wellbeing workforce were conducted. These events were supplemented by engagement undertaken by the Mental Health and Wellbeing Workforce Advisory Group with stakeholders they represent.
- A framing workshop with internal Scottish Government colleagues to understand known challenges.
- A request to key stakeholders for evidence and feedback through several groups including; an Advisory Group, Equality and Human Rights Forum, public events and other Scottish Government working groups.
- Library request to undertake a literature review.
- Looking at evidence available through key areas of work such as the Non-Binary Working Group and the Mental Health Law Review and evidence collected for other Scottish Government strategies and programmes such as the new Dementia Strategy.
- Targeted engagement with Royal College of Nursing, Royal College of Psychiatrists, Scottish Care, and Glasgow Disability Alliance to understand challenges in more detail.

3.2 Level of EQIA required

It was determined through engagement that a full EQIA would be required.

This EQIA specifically assesses any impacts of applying a proposed new or revised policy or practice against the needs relevant to a public authority's duty to meet the Public Sector Equality Duty. The needs are to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity; and
- Foster good relations.

Limitations to the EQIA include a lack of available evidence, particularly on intersectionality of certain protected characteristics, in order to comprehensively assess impact. The Action Plan commits to filling some of these evidence gaps through dedicated data gathering over several phases of the Action Plan.

Whilst the implementation of the Action Plan should not directly negatively impact upon anyone with protected characteristics, an EQIA is necessary to ensure that:

- There are no unintended negative consequences from our proposed draft actions.
- We are taking proactive measures/actions to achieve the Strategy and Action Plan's desired outcomes.

Following feedback from key stakeholders and through our engagement process we have also taken into consideration other aspects of inequality that might be pertinent to workforces such as socio-economic status and geography.

3.3 Data, evidence and engagement – key points

Protected characteristic/area of inequality	Summary of evidence/feedback considered
Age	 Data available shows ageing workforce. Need more data for third sector. Need to consider flexible working policies to support workforce, such as older workers Need to consider alternative pathways to careers dependant on where they are in life cycle Need to consider ageing workforce and how it can be best supported to continue work Need to consider how to attract young people into the workforce Need to address barriers in training/education to ensure diversity of age within workforce Need to address stigma and discrimination in relation to age Needs considered in conjunction with other characteristics such as gender and disability
Disability	 Need for improved data to understand complexities around multiple disabilities and its impact on working including feedback from those with lived experience Lack of available data for the workforce within third and voluntary sectors Need to address training gaps on how to provide improved services and support for people with disabilities Need to support addressing disability employment gap, including training for managers and leaders Need to promote reasonable adjustments that can often benefit other characteristics and workplace practices Need to consider mental health, conditions, neurodiversity and learning disabilities within recruitment campaigns, training programmes and workplace practices Need to consider intersectionality with other characteristics such as race and gender
Sex	 Predominately female workforce Females more likely than males to work part-time/reduced hours impact gender pay gap, workforce planning and delivery

	 Workforce data is available across health and care but need to consider third and voluntary sector data Need to support gender pay gap and support actions such as supporting workforce with menopause and menstrual health, flexible working practices, and ensuring equitable access to career opportunities Tackle stereotyping and stigma of roles relating to the sex of care giver. Creating positive role models Need to consider training for mental health providers on trans and non-binary healthcare needs Need to be more inclusive of transgender people Need to ensure that workforce get support for their own wellbeing including specialist support where needed Support actions within the Women's Health Plan
Pregnancy and Maternity	 No routine workforce data collected and published Need to understand how data can be used to inform workforce planning/projections Need to consider the impact of maternity/paternity on small and specialist teams within mental health support and services. Need to consider the cost/availability of childcare, especially on lower income professionals including impact on shift patterns Need to eliminate discrimination Links to other protected characteristics such as sex and age
Gender reassignment	 Lack of workforce data or unreliable data Need to address issues around self-declaration including fear of discrimination and stigma Need for specific workforce training in relation to gender identity and transgender, taking into account multiple identities and inequalities Need for more representative workforce.
Sexual orientation	 Gaps in data across the workforce. Limited data often cannot be broken down into professional groups/sectors Need to address issues around self-declaration for fear of stigma and discrimination Need to work with staff networks Need to engage/train workforces to increase awareness and create cultures of zero tolerance in discrimination Training should provide understanding of multiple identities and inequalities for example dual discrimination LGBT disabled person.
Race	Gaps in workforce data. Need to look at the differences in how data is recorded and reported.

	 Need to look at unaddressed racial abuse and racism in the workplace and prioritise action Need to have better representation in workplaces specifically in leadership roles Need for cultural awareness training for the workforce in terms of support the service users as well as for managers and leaders. Need to understand differences in inequalities that face some racially minoritised groups Need an intersectional approach looking at multiple inequalities across protected characteristics Need to promote existing good practice in networks and use of equalities champions Progress actions in Anti-Racist Employment Strategy Progress recommendations Scottish Mental Health
Religion or Belief	 Law Review agreed by the Scottish Government Gaps in workforce data collected. Need to consider ways in which it is systematically recorded and collected that helps with analysis and addressing inequality Need to consider issues around self-declaration and fear of discrimination Providers/services should be better equipped to understand cultural needs, providing places to pray and access to spiritual support Need to consider intersectionality with other characteristics such as race
Marriage and Civil Partnership	 Limited workforce data available. iMatter data available and some local data published but not widely available or fully representative of workforce Needs consideration due to employment Need to think about intersectionality and its impact
Socio-economic status	 Published workforce data not available Need to consider education/career routes for lower socio-economic groups and consider multiple disadvantage. Consider alternative career pathways Need to address stigma and discrimination Support the delivery of The Promise Consider Fair Work principles Consider cost-of-living impacts on people wishing to take up careers and those within lower paid professions Need to consider impacts on rural and remote workforces Need to consider impact of poverty across the protected characteristics including disability, sex and race

Goography	While local workforce plane are available and take
Geography	While local workforce plans are available and take
	into consideration local demographic needs more
	needs to be done
	 Need to consider specific challenges faced by remote,
	rural and island workforces and that this might require
	different solutions to other parts of Scotland
	•
	 Need to work across sectors to understand and tackle
	common challenges in remote, rural and island
	communities and how it impacts recruitment and
	retention
	 Consider linking to Anchor Workforce Strategic Group
	 Consider multiple inequalities
	Consider digital infrastructure and tools for unskilling
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NB: a full list of evidence sources can be found in annex A

4. Assessing the impacts and identifying opportunities to promote equality

The <u>Action Plan</u> contains a wide range of policies that stretch across the workforce journey - the analysis presented in this EQIA is a summary consideration across these policies and proposals and is not intended to replace policy specific assessments. Some policies are already in implementation and have undergone an EQIA, other commitments within the Action Plan are still in early development. As these policies develop, they will require their own EQIA to ensure that the specific barriers for each protected characteristic are fully considered. This EQIA should be read, understood and used together with the Action Plan. Other impact assessments including Fairer Scotland Duty, Island Communities, Business Regulatory, Children's Rights and Wellbeing have been considered as part of this work. Human Rights are not specified within this assessment but have been considered across the Action Plan. A Human Rights Impact Assessment will be published in connection with the Strategy's Delivery Plan.

4.1 Key findings

The evidence reviewed and assessed suggests that a combined national and local approach to workforce planning for Mental Health and Wellbeing in Scotland should have a positive impact on the mental health and wellbeing workforce. For example, the new Action Plan will:

- Improve data collection which has the potential to enable data gaps to be addressed and inequalities to be measured in the workforce, therefore improve workforce planning.
- Offer a greater range of routes into the profession, that enable individuals with different life circumstances to pursue mental health careers.
- Attract a more representative/diverse group of people into careers in mental health and wellbeing.
- Increase access to training which is culturally sensitive and reduces discrimination and stigma.

- Grow the workforce and empower staff to work at the top of their competences whilst promoting fair work first practices and structured career pathways with opportunities for development.
- Support and protect the wellbeing of the workforce, tackling stigma and discrimination within workplaces and encouraging participation in the <u>Leading</u> to <u>Change</u> programme.

The cross-cutting ambition to eradicate inequalities addresses both specific and systematic aspects of inequality. The Action Plan acknowledges a need for a broad approach as well as targeting specific actions to groups, who face particular challenges within workforces.

The EQIA has identified themes that must be monitored through implementation and considered during future iterations to ensure that progress continues to be made and that any gaps, potential ongoing inequalities or unintended consequences from the actions are addressed and mitigated where necessary. For example, themes identified include:

- Need for improved data on protected characteristics.
- Scotland's geography leads to particular workforce challenges in remote, rural and island communities – this needs a cross-government /sector/services approach with consideration of transport, affordability/availability of housing, digital opportunities and training.
- We recognise that certain groups such as people who are disabled, lower income people and those living in rural communities are more likely to experience digital exclusion.
- Need for public awareness raising campaigns to improve perception of some mental health and wellbeing careers and to tackle wider issues around stigma and discrimination.
- Need for a cross-government approach to tackle structural inequalities this
 includes appropriate and accessible training and development opportunities
 which address discrimination and stigma, creating safe and diverse places for
 people to work that is representative of the population of Scotland.
- Where appropriate monitoring of employer workforce plans to ensure that inequalities in the workforce are being addressed and where necessary national support is offered, for example the continued need to monitor and review local workforce plans as part of Annual Delivery Plans (ADPs) from all NHS Boards.

The actions within the Action Plan are designed to build up and support public sector employers of the Mental Health and Wellbeing (MH&W) workforce who are expected to fulfil their obligations, as employers and anchor institutions, to employees and in relation to the provision of services that they provide to the people of Scotland. This also includes partners such as schools, colleges, universities and NES etc. who are responsible for the delivery of training of the current and future workforce are also public bodies and therefore should be conducting equality impact assessments for their own programmes and services.

There are commitments within the Action Plan to share and disseminate good practice obtained through Annual Development Plans (ADPs), research, and employers own Workforce Action Plans, impact assessments, Workplace Equality

Fund and evaluations from programmes such as the <u>Communities Mental Health</u> <u>and Wellbeing Fund</u> with the employers of the MH&W workforce.

4.2 Age

Assessment of policy impacts on people because of their age

	Positive	Negative	None
Eliminating unlawful discrimination,	Χ		
harassment and victimisation			
Advancing equality of opportunity	Χ		
Promoting good relations among and	Χ		
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a diverse, skilled, supported and sustainable workforce and takes into account different age groups across all roles in mental health and wellbeing. These actions range from aligning with existing work such as Developing the Young Workforce to supporting staff with their menstrual health and those experiencing menopause as well as looking to support career pathways and development opportunities for those working in mental health and wellbeing throughout their working lives including peri-retirement.

There are a number of actions which will support all protected characteristics groups, including age, for example the resource focussing on anti-discriminatory practice in Social Work, inclusive recruitment campaigns, improving equality, diversity and inclusion training for the mental health and wellbeing workforce to incorporate up to date messaging within existing training and relevant information on equality including ageism and identifying/reporting incidences of equality-based harassment.

There are actions which are targeted at specific professions and roles which have an ageing workforce who are also predominately female for example Mental Health Nursing Review, MHO workforce capacity working group and promoting SASW support service which offers peer support for all social workers and social work students across Scotland.

To support with the planning of future services and professions the CAMHS scenario planning action will involve workforce planning which takes into account the age and other protected characterises such as sex, pregnancy and maternity will help support future policy development and support employers with their workforce planning.

In recognition of workforce training needs to support a diverse population the action plan contains a number of training related actions. One specific age related training action is, to develop, pilot and evaluate a 'Skilled in dementia care' training package for practitioners at Dementia Skilled Practice level within the Promoting Excellence Framework.

The cross-cutting ambition of the actions within the Action Plan aim to eradicate inequalities addressing both systematic and specific aspects of inequality. Cross-government actions align with the work of the Plan including the <u>Fair Work Action Plan</u>; the Anchors Workforce Strategic Group and the recommendations from the Children and Young People's Mental Health and Wellbeing Joint Delivery Board (JDB).

With regard to advancing equality of opportunities there are actions that seek to:

- support people's ability to progress within careers and to support people to enter/re-enter employment following training.
- promote career pathways to young people, including through media campaigns.
- scope and promote existing and alternative pathways into careers within the MH&W workforce, beyond traditional university and college routes and develop a targeted campaign to promote careers, including new roles, within MH&W.
- share best practice and learning with employers.

There are no direct specific actions around promoting good relations among and between different age groups within the Action Plan consideration will be given to this during future phases of the Action Plan, and the benefits of an inter-generational workforce will be promoted to stakeholders and employers. We will seek to promote this through sharing of good practice and asking public employers sector to reflect upon this through their EQIAs.

However, there are some actions which could indirectly lead to the promoting of good relations. These include the following:

- Encouraging participation in the <u>Leading to Change</u> programme, promote compassionate leadership practices and ensure appropriate training and skills in leadership to promote a culture of hope and security. It is envisaged that this will help to develop leaders who will support the promoting of good relations within their workplaces.
- Promoting the new introductory <u>Time Space Compassion Guide</u> and a collection of stories illustrating Time Space Compassion in practice throughout the MH&W system. While Time Space Compassion is about securing better outcomes for people experiencing suicidal crisis. It does this by focusing on people's experience, human connection and relationships, offering a shared language, resources, and ways to connect and take action together. This may indirectly help to promote good relationships within the workplace.
- Developing a workplan with key partners that sets out a framework to embed trauma responsive practice into social work services across Scotland, as part of the National Trauma Transformation Programme (NTTP). The NTTP was formed in partnership with the Scottish Government and NES with the ambition of a trauma informed and responsive workforce, that is capable of recognising people who are affected by trauma and adversity, that is able to respond in ways that prevent further harm and support recovery. This can address inequalities and improve life chances. This may indirectly help to promote good relationships within the workplace; and
- Improving Equality, Diversity and Inclusion training for the MH&W workforce
 to incorporate up to date messaging within existing training and relevant
 information on equality including anti-racism, sexual harassment, ageism,
 transgender and non-binary, LGBTI+ equality, and identifying/reporting
 incidences of equality-based harassment. Successful implementation of this
 training will help to promote good relations between age groups.

A separate impact assessment on Children's Rights and Wellbeing will also support the implementation of the Delivery Plan and Action Plan.

4.3 Disability

Policy impact assessment for disabled people

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			
Advancing equality of opportunity	Χ		
Promoting good relations among and	Χ		
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a diverse, skilled, supported and sustainable workforce by eliminating disability discrimination and supporting disabled people in the workplace.

In recognition of the need to improve the availability and robustness of data sets available for the workforce in relation to disability, there are actions to improve data collection which will provide a greater understanding of disabilities in the workforce and what future actions may be needed to ensure equitable and fair treatment and support at work.

Through the Health and Safety at Work etc Act 1974 and the Equality Act 2010, employers have legal duties to take action to protect mental health at work and support people with mental health conditions. We know that supporting and promoting good mental health and wellbeing at work benefits both the individuals and employers. The Scottish Government will have an influencing role to ensure that employers have the support they need to promote and support the conditions that enable good mental health at work and therefore parts of the Nurture Pillar will be relevant to all employers.

In addition to the actions above in relation to age which will also support intersectionality, there are some specific actions within the Action Plan for disabled people, including:

- Improving Equality, Diversity and Inclusion training for the MH&W workforce
 to incorporate up to date messaging within existing training and relevant
 information on equalities including disability and identifying/reporting
 incidences of equality-based harassment.
- Produce targeted communications on mental health and wellbeing to ensure all stakeholders have access to the information they need to support themselves and others ensuring that communications are inclusive and address issues around stigma and mental health.
- Build on inclusive recruitment campaigns which seek to increase workforce diversity, building on work from See Me.
- Promote existing and new training material to the workforce including for example training material to increase awareness of the different types of British Sign Language (BSL) and share good practice in communicating with people who use BSL to improve experience of services.

- Consider how all employers can assist with tackling stigma in relation to attracting people into careers in mental health and wellbeing.
- Establish a Coming Home Implementation Peer Support Network that will bring together professionals from a range of disciplines, as well as people with lived experience to learn and share best practice, and to get support with planning services for people with learning disabilities and complex care needs. We will also scope establishing a Coming Home Implementation National Support Panel that provides professional advice to local areas for people with learning disabilities and complex care needs.
- The provision of education and training to improve equity of access across
 the lifespan to assessment and diagnosis consistent with a
 neurodevelopmental (ND) approach which enables practitioners to identify a
 range of neurodevelopmental conditions and to improve access to
 psychological interventions for people with ND conditions with the goal to
 improve mental health and wellbeing.
- Sharing of good practice identified within Health Boards own Workforce
 Action Plans such as Project Search which is a transition programme for
 young people between 16 and 24 with learning disabilities providing
 preparation for employment.

The Action Plan will seek to support the implementation of the <u>Fair Work Action Plan</u> that focuses on tackling structural barriers and discrimination which prevent disabled people from realising their full potential in the labour market, denying employers a rich source of skills and talent. It will also support the Scottish Government's target to halve the disability employment gap to 18.7% by 2038.

We want to ensure that employers have the support they need to promote and support the conditions that enable good mental health at work. The Action Plan therefore includes actions that will continue to promote the Healthy Working Lives a mental health and wellbeing digital platform to help employers in Scotland actively support and promote mental health at work. The platform signposts employers to a wide range of mental health and wellbeing resources. These include information and advice on understanding mental health, mental health and the law and staff learning and development opportunities, as well as signposting to sources of support.

While there are no specific actions around promoting good relations among and between disabled and non-disabled people within the Action Plan we will seek to promote this through sharing of good practice and asking public sector employers to reflect upon this through their EQIAs. The indirect actions listed in relation to age would also apply here.

4.4 Sex Does the policy impact on men and women in different ways

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			
Advancing equality of opportunity	X		
Promoting good relations among and			Χ
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a Diverse, Skilled, Supported and Sustainable Workforce including people of all sexes.

Public bodies listed in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 are also subject to a duty to publish gender pay gap information under those Regulations. Since 2016, this duty applies to public bodies with 20 or more staff.

In addition to the actions highlighted within age and disability which will have an intersectional aspect to sex, there are some gender specific actions within the Action Plan. For example, to support the implementation of the Women's Health Plan (published 2021) which looks to address inequalities, takes a life course approach, looks at gender equality and intersectionality. As well as ensuring that best practice in relation to Menopause and Menstrual Health is developed and promoted across all employers within the MH&W system. This will be supported by inviting a representative from the MH&W workforce to join the Menopause and Menstrual Health workplace policy Working Group which will consider the implementation of the workplace policy for NHS Scotland as an example of best practice

Taking into consideration that women are more likely than men to have caring roles whilst in employment there are actions to continue to promote the following:

- The Triangle of Care within mental health and wellbeing services;
- the <u>National Carers Strategy</u> which encourages employers to be supportive and flexible towards unpaid carers, through the Carer positive scheme and including carer-aware multi-disciplinary teams;
- GIRFE which is about providing a more personalised way to access help and support when it is needed;
- resources available on the National Wellbeing Hub and
- implementation of the Scottish Government and COSLA's <u>Equally Safe</u> <u>Delivery Plan</u>. Equally Safe is Scotland's strategy for preventing and eradicating violence against women and girls.

The Action Plan will support the implementation of training and continuation of support available to help with the treatment, support and recovery of mental health illness and helps to upskill the existing and future workforce on trauma, suicide prevention and self-harm. This is important given the rise in the number of probable suicides for females and research indicating increased rates of suicide amongst nurses in the UK.

There are actions targeted at specific professions and roles which have an workforce which are predominately made up of women for example Mental Health Nursing Review, Allied Health Professional (AHP) education and workforce review and MHO workforce capacity working group.

One of the primary reasons behind the gender pay gap is the gap in the numbers of women in leadership roles an emphasis will be made to encourage women's participation in the Leading to Change programme.

While there are no specific actions around promoting good relations among and between men and women within the Action Plan we will seek to promote this through

sharing of good practice and asking public sector employers to reflect upon this through their EQIAs. The indirect actions listed within the age section above would also apply.

4.5 Pregnancy and Maternity

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			
Advancing equality of opportunity	X		
Promoting good relations among and	X		
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a diverse, skilled, supported and sustainable workforce and takes into account women's health and policies to support maternity and pregnancy.

In addition to the general equalities related actions and other intersectional actions within the Action Plan there is ongoing work on the consultation on the NHS Scotland Once for Scotland workforce policies that are designed to review and transform existing workforce policies. These policies aim to promote NHS Scotland as a modern, exemplar employer. The consultation on workforce policies has been looking at a variety of policies including, flexible working, maternity, new parental support, shared maternity and shared adoption policies, parental leave, breastfeeding, adoption, fostering and kinship. Once the consultation has been completed we will work to understand the outcomes and work with the health boards to ensure that the policies are implemented.

As noted previously, our actions support the implementation of the Fair Work Action Plan. This includes addressing causes of the gender pay gap which can be caused by discrimination relating to pregnancy and maternity. As well as promoting the principles outlined in the Women's Health Plan which looks to address inequalities, takes a life course approach, looks at gender equality and intersectionality.

Workforce planning actions and the use of data from workforce tools that are already in existence play an important role in supporting flexible working patterns whilst ensuring safe staffing levels. Examples of best practice will be gathered and shared with mental health services.

While there are no specific actions around promoting good relations among and between people who are pregnant or on maternity or those who are not within the Action Plan we will seek to promote this through sharing of good practice and asking public sector employers to reflect upon this through their EQIAs. The indirect actions listed within the age and sex section above would also apply.

4.6 Gender reassignment

Policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex. (NB: the Equality Act 2010 uses the term 'transsexual people', but 'trans people' is more commonly used)

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			
Advancing equality of opportunity	X		
Promoting good relations among and	Х		
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a diverse, skilled, supported and sustainable workforce takes into account the needs of trans and non-binary people. In addition to the equality, diversity and inclusion actions listed in other sections there is an action for NES to develop a Transgender Care Knowledge and Skills Framework and explore resources and opportunities for training for NHS Scotland staff. To embed this resource there is a commitment to promote it across the mental health and wellbeing system. This action will also support the implementation recommendations from the non-binary equality working group. Fostering an inclusive culture in the NHS and supporting individuals from all backgrounds including those who are trans and non binary is the cornerstone to improving everyone's experience within NHS Scotland and to delivering the best care for the people of Scotland. Health Boards and other Public Bodies are expected to have appropriate workplace policies and practices to ensure that people are not discriminated against and this can also involve staff training. To note, medical training is also the responsibility of each medical school in Scotland. The action plan contains training related actions to support staff at all levels to have the training they need to address any issues around equality, diversity and inclusion within the course of their work, and provide high quality care that is tailored to individual needs and circumstances.

The Action Plan sets out actions to improve the robustness of workforce data including equalities information. This will serve to better align current and future population needs and provide greater understanding of steps needed to support people who are trans or non-binary in the workplace.

Improvements to Equality, Diversity and Inclusion training for the MH&W workforce will incorporate up to date messaging within existing training and relevant information on equality including anti-racism, sexual harassment, ageism, transgender and non-binary, LGBTI+ equality, and identifying/reporting incidences of equality-based harassment would help to promote good relations.

4.7 Sexual orientation

Policy impacts on people because of their sexual orientation

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			
Advancing equality of opportunity	X		
Promoting good relations among and	X		
between different age groups			

Reasons for decision

The Action Plan aims to improve equality, diversity and inclusion training for the MH&W workforce to incorporate up to date messaging within existing training and relevant information on equality including sexual orientation and identifying/reporting incidences of equality-based harassment across all roles.

While there are no specific actions within the Plan that only relate to sexual orientation, there are a number of actions which will seek to eliminate discrimination and improve our understanding of issues facing all equalities groups. In addition to those listed within the age, disability and race sections these include:

- For NHS staff, continue to use iMatter, the national NHS staff experience continuous improvement tool, and take the appropriate steps to address concerns expressed by the workforce.
- For wider employers, including council staff, continue to use local employee engagement surveys and consider actions needed to address any issues raised.
- Providing additional funding to sector representative organisations such as the Coalition of Care and Support Providers in Scotland (CCPS) and SSSC as part of our stakeholder engagement strategy. Results from surveys and internal discussion will continue to inform policy development/delivery.
- Improving Equality, Diversity and Inclusion training for the MH&W workforce
 to incorporate up to date messaging within existing training and relevant
 information on equality including anti-racism, sexual harassment, ageism,
 transgender and non-binary, LGBTI+ equality, and identifying/reporting
 incidences of equality-based harassment.

As outlined above the Equality, Diversity and Inclusion training for the MH&W workforce would support the advancing of opportunity and the promotion of good relations.

4.8 Race Policy impacts on people on the ground of their race

	Positive	Negative	None
Eliminating unlawful discrimination,	Χ		
harassment and victimisation			
Advancing equality of opportunity	Χ		
Promoting good relations among and	Χ		
between different age groups			

Reasons for decision

The Action Plan sets out actions to creating and supporting a diverse workforce this includes eliminating discrimination faced by minority ethnic people and because of a persons race. There are also action relating training the workforce to improve quality of services and support that people from ethic minority backgrounds receive.

Public bodies listed in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 are also subject to a duty to publish gender pay gap information under those Regulations. Since 2016, this duty applies to public bodies with 20 or more staff. Our

evidence showed that on average minority ethnic workers in Scotland earn less than white workers. This would therefore support minority ethnic women.

In addition to the actions highlighted within other protected characteristics which will have an intersectional aspect to race, there are some race specific actions within the Action Plan. There are actions which emphasise the continuation and enhancement of work to support workforce from minority backgrounds. This includes:

- NES working with the Coalition for Racial Equality and Rights (CRER) who
 have developed anti-racist resources for health and social care staff. These
 resources will be promoted to the MH&W workforce. Develop (i) a 'How to
 Talk about Race' in the workplace guide and promote it to the MH&W
 workforce and (ii) anti-racism training resources for staff.
- NES will update the essential learning module on equality and human rights and is working with NHS Scotland Academy to develop a resource on cultural competence.
- Improving Equality, Diversity and Inclusion training for the MH&W workforce
 to incorporate up to date messaging within existing training and relevant
 information on equality including anti-racism, sexual harassment, ageism,
 transgender and non-binary, LGBTI+ equality, and identifying/reporting
 incidences of equality-based harassment.
- Encouraging participation in the Leading to Change programme, promote compassionate leadership practices and ensure appropriately trained and skilled in leadership to promote a culture of hope and security. As part of this the Leading to Change Equalities Action Plan includes a series of interventions which includes embedding allyship and learning opportunities while also offering tailored and targeted measures and leadership development opportunities for staff from diverse backgrounds. The programme is following a maturity model with race and ethnicity being the initial focus with expansion to cover other protected characteristics as the programme progresses. Intersectionality will be embedded in the delivery of the programme with evaluation built in from the outset.

Addressing institutional racism is at the heart of the new Anti-Racist Employment strategy which gives employers practical guidance and support in addressing racial inequality in the workplace. This strategy provides resources for employers and it will be promoted as part of the Action Plan to mental and wellbeing workforce employers.

As set out in the Strategy Delivery Plan, a key action is to establish a new Mental Health and Capacity Reform Programme to enhance protection of people's rights. This Action Plan also considers some further recommendations from the <u>Scottish Mental Health Law Review</u> (SMHLR) report. In particular, the recommendation to consider steps to improve the recruitment and retention of ethnic minority staff, across different professions within mental health services as well as recommendations around the training of workforces in relation to unpaid carers.

The actions outlined above would support advancing opportunity and the indirectly the promotion of good relations between people of different race.

4.9 Religion or belief

Policy impacts on people because of their religion or belief

	Positive	Negative	None
Eliminating unlawful discrimination,	Χ		
harassment and victimisation			
Advancing equality of opportunity	Χ		
Promoting good relations among and	Χ		
between different age groups			

Reasons for decision

The Action Plan sets out actions to create a diverse, skilled, supported and sustainable workforce and takes into account people from different faith and beliefs across all roles in mental health and wellbeing.

While there are no specific actions within the Action Plan that only relate to religion or belief, there are a number of actions including wider work which will seek to eliminate discrimination and improve our understanding of issues facing all equalities groupings which help to ensure that policies and programmes do not negatively impact on people because of their religion or belief. These include for example:

- Updating the essential learning module on equality and human rights and working with NHS Scotland Academy to develop a resource on cultural competence
- SSSC is developing resource focusing on anti-discriminatory practice in social work
- The established Anchors Workforce Strategic group will develop and implement an ambitious workplan that will empower NHS Boards to provide fair work opportunities to those at most risk of economic disadvantage to support the reduction of health inequalities. We will ensure there is mental health workforce, equalities, peer support, lived experience and remote and rural communities' representation and consideration through the Strategic group
- Understand the outcomes from the consultation on the revised Once for Scotland policies and work with health boards to ensure that the policies are implemented

Whilst there are no specific actions within the Action Plan that only relate to religion or belief, there are a number of actions which will seek to advance equality of opportunity for all protected characteristics including religion or belief, for example the Leading to Change Programme and improving Equality, Diversity and Inclusion training for the MH&W workforce and listening to and acting on feedback from staff through established feedback methods.

There are no specific actions within the plan in relation to promoting good relations between people with religion or belief and those who don't but in promoting the above actions we would seek to improve relations and understanding, tackle stigma and discrimination in the workforce.

4.10 Marriage and Civil Partnership¹

Policy impacts on people because of their marriage or civil partnership

	Positive	Negative	None
Eliminating unlawful discrimination,	Χ		
harassment and victimisation			

Reasons for decision

Public sector employers of the MH&W workforce are expected to fulfil their obligations as employers and anchor institutions to eliminate discrimination on the grounds of marriage or civil partnership within their workforce and in relation to the provision of services that they provide to the people of Scotland.

There is an action within the plan to share a disseminate good practice obtained through all Health Boards ADPs, research, employers own Workforce Plans and EQIAs.

Through the Action Plan we will promote best practice around how workplace policies can be developed and applied with a view to eliminate unlawful discrimination, harassment, victimisation and less favourable treatment regardless of their protected characteristic such as marriage and civil partnership.

4.11 Socio-economic

Policy impacts on people because of their socio-economic status

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			

Reasons for decision

Our strategic approach towards achieving our aim is rooted in the five pillar framework within the National Workforce Strategy for Health and Social Care and it will involve building upon employers' own workforce strategies, as well as other Scottish Government labour market, employability, education and skills strategies. This includes encouraging workplace practices within the mental health and wellbeing system, to support an employability approach that has dignity and respect at its core, consistent with both No One Left Behind, and the dimensions of Fair Work. This also supports our national mission to tackle Child Poverty through providing good, well-paid jobs to measurably improve income for low-income households, helping people to move out of poverty.

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¹ In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

From an equalities and socio-economic perspective actions within the Plan include:

- Embedding Fair Work First principles within all MH Directorate Grants. This
 includes encouraging the public sector, public bodies and agencies through
 strategic guidance letters, to take action to tackle the gender pay gap,
 disability employment gap and address racial inequality to create more
 diverse and inclusive workplaces
- Continuing to fund the Workplace Equality Fund to encourage fair work practice; promote the Fund to eligible mental health and wellbeing workforce employers and share best practice
- Promoting career pathways to young people, including through media campaigns. Scope and promote existing and alternative pathways into careers within the MH&W workforce, beyond traditional university and college routes and develop a targeted campaign to promote careers, including new roles, within MH&W
- Ensure that HSC Partnerships share the lessons learned from Welfare Advice and Health Partnerships to support applications for welfare benefits and to address debt, housing, and employability issues and thereby reduce pressure on GPs and primary care services
- Supporting and promoting the work of the Anchors Workforce Strategic Group
 which is looking to ask health boards to baseline workforce metrics to
 measure impact at a local level with a primary focus on providing and
 sustaining employment for people most likely to experience poverty and
 health inequalities

The <u>Agenda for Change</u> agreement includes pay deals for healthcare staff including nurses, paramedics, allied health professionals and others. The offer reaffirms commitments to modernise priority areas and supplements including reforms to the working week, protected learning time and a review of band 5 job nursing profiles.

In the <u>Programme for Government</u> there is a commitment to provide necessary funding in the next budget to increase the pay of social care workers in the private, third and independent (PVI) sectors in a direct role, to at least £12 per hour. While this is not reflected within the Action Plan it is something that will be considered for future iterations.

As part of the impact assessment process for the Delivery Plan and Workforce Action Plan we will undertake a Fairer Scotland Duty assessment.

4.12 **Geography**

Policy impacts on workforce because of their location

	Positive	Negative	None
Eliminating unlawful discrimination,	X		
harassment and victimisation			

Reasons for decision

In developing a mental health and wellbeing delivery plan and workforce action plan we are undertaking an Island Communities impact assessment and this will look at particular challenges faced by Island communities in more detail. From an equalities and geographical perspective there are several actions which take into account the need to support local communities and provide flexibility for partners to develop their services and support in a way in which is best suited to their local communities. For example, there are actions in relation to:

- Developing a sustainable health and care workforce, through the Health and Social Care Rural Workforce Recruitment Strategy, which will be published by the end of 2024. This will consider opportunities to increase levels of recruitment and retention of health and social care staff in rural areas and we will ensure that this takes into account the MH&W workforce.
- Rolling out the National Centre for Remote and Rural Health and Social Care.
 This will take into account the education and training needs of staff (including mental health) who work in remote and rural areas, including those across the delivery spectrum, from primary care to community support. This will also involve continuing to work in partnership with HBs and LAs through the Remote and Rural Healthcare Education Alliance and the National Rural Mental Health Forum, to design, deliver and support health, education and training (including mental health).
- Through the newly established Anchors Workforce Strategic group, we will
 develop and implement an ambitious workplan that will support NHS Scotland
 boards in recruiting and retaining a workforce that is representative of their
 local populations, to improve the prospects of local people; and
- Build on existing inclusive recruitment campaigns to ensure they include the MH&W workforce and identify ways in which to share good practice. This will include seeking to increase the diversity of the MH&W workforce, attracting people with lived and living experience of mental illness and building on work in progress between MH Nurse Leads Group and See Me. Considering how all employers can assist with tackling stigma in relation to attracting people to MH&W roles.

5. Decision making and monitoring

The Workforce Action Plan contains a wide range of policies - the analysis presented in this EQIA is a summary consideration across these policies and proposals and is not intended to replace policy specific assessments. This EQIA has informed the Workforce Action Plan from an early stage. Specifically, in looking to include actions that increase the cultural awareness and diversity of the MH&W workforce.

Some actions relate to policies that have already been developed/ are being implemented and have therefore undergone their own EQIA, other commitments within the Workforce Plan Action are still in the early stages of development. As these policies develop, they will require their own EQIA to ensure that the specific barriers for each protected characterises are fully considered. An updated version on this EQIA will reflect upon the findings from these other assessments.

This EQIA should be read, understood and used together with the Evidence Report and other impact assessments which collaboratively have been used to inform the contents of the Action Plan.

Monitoring and Review

We will review this EQIA regularly, in line with the review and phasing of the Action Plan.

We have found no evidence of negative consequences at this time, however, in line with best practice we will keep this under review as part of the monitoring of this EQIA.

Some policies and proposals included in the plan are only partially defined as they are in the early scoping stages. As these policies develop, they may require their own EQIA by the organisation or lead policy area to ensure that the specific barriers for each protected characteristic are fully considered and subject to appropriate governance. Once these policies are implemented, we will gain a better understanding of the difference each policy will make in reducing discrimination and enhancing opportunity.

6. Authorisation of EQIA

Please confirm that:

♦ This Equa	ality Impact A	Assessm	ent has	s informed the de	velopment of th	is
Yes	\boxtimes	No				
reassign		ancy and	d mate	espect of age, dis rnity, race, religio lered, i.e.:		and
 Eliminating unlawful discrimination, harassment, victimisation; Removing or minimising any barriers and/or disadvantages; Taking steps which assist with promoting equality and meeting people's different needs; Encouraging participation (e.g. in public life) Fostering good relations, tackling prejudice and promoting understanding. 						
	Yes 🖂		No			
♦ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:						
Yes	\boxtimes	No		Not applicable		

Declaration

I am satisfied with the equality impact assessment that has been undertaken for Mental Health and Wellbeing Workforce Action Plan and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Gavin Gray

Position: Deputy Director: Improving Mental Health Services

Authorisation date: 25/10/2023

Annex A - List of sources used

Data sources:

NHS data: Data and reports | Turas Data Intelligence (nhs.scot)

- Annual Report | Turas Data Intelligence (nhs.scot) CAHMS annual data
- WDR2022.pdf (sssc.uk.com) Scottish Social Service Sector: Report on 2022 workforce data
- Mental Health Officers Report 2022.pdf (sssc.uk.com)

NB: The reports by the Scottish Social Services Council does not provide any data on transgender status, sexual orientation or religion/belief within the social care workforce. MHO and Social Work/ Social service data use annual reports.

Other sources considered:

- Population | Scotland's Census (scotlandscensus.gov.uk)
- Scotland's Labour Market: People, Places and Regions Protected Characteristics. Statistics from the Annual Population Survey 2021 gov.scot (www.gov.scot)

Evidence sources:

- Mental_Health_Officers_Report_2022.pdf (sssc.uk.com)
- NHS workforce planning part 2 (audit-scotland.gov.uk)
- Scottish Care
- international-joiners-data-report-2021-2022.pdf
- General Practice Workforce Survey 2022 (publichealthscotland.scot)
- Evidence and findings The commission on widening participation in nursing and midwifery education and careers gov.scot (www.gov.scot)
- Nursing-Workforce-in-Scotland-Report-030523.pdf
- NHS Scotland workforce | Turas Data Intelligence
- Employment Survey Report 2021: Workforce diversity and employment experiences | Publications | Royal College of Nursing (rcn.org.uk)
- The Adult Social Care Workforce in Scotland (www.gov.scot)
- WDR2022.pdf (sssc.uk.com)
- <u>iMatter 2022 National Report (www.gov.scot)</u>
- SAMH Rights, Information Use and Planning: cross party group on mental health
- Racial inequality and mental health services in Scotland Mental Welfare Commission
- Disability in the medical profession (bma.org.uk)
- see-me-scottish-mental-illness-stigma-study-final-report-sep-2022.pdf (seemescotland.org)
- Scotland's employment landscape for people with learning disabilities
- Locked out of the labour market The impact of Covid-19 on disabled adults in accessing good work – now and into the future
- Ending Poverty and Removing Barriers to Work for Disabled People in Glasgow beyond Covid-19
- <u>Labour Market Statistics for Scotland by Disability: January to December 2022 gov.scot</u> (www.gov.scot)
- EHRC Is Scotland fairer? Summary Report (equalityhumanrights.com)
- Mainstreaming Equalities and Equality Outcomes Report (nhs.scot)
- Mental_Health_Officers_Report_2022.pdf (sssc.uk.com)

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- Employment Survey Report 2021: Workforce diversity and employment experiences | Publications | Royal College of Nursing (rcn.org.uk)
- National carers strategy gov.scot (www.gov.scot)
- Non-Binary Equality Working Group recommendations
- Suicide, self-harm, and suicide ideation in nurses and midwives: A systematic review of prevalence, contributory factors, and interventions ScienceDirect
- BS 30416 a British standard on menopause and menstruation Lexology
- Public sector gender pay gap reporting | Audit Scotland (audit-scotland.gov.uk)
- Psychology Services Workforce in NHSScotland
- 06 June 2023 CAMHS | Turas Data Intelligence (nhs.scot)
- Fife-HSCP-Workforce-Strategy-and-Plan-2022-25.pdf (fifehealthandsocialcare.org)
- General Practice Workforce Survey 2022 (publichealthscotland.scot)
- Racial-Inequality-Scotland_Report_Sep2021.pdf (mwcscot.org.uk)
- Stonewall Scotland, Work Report final.cdr
- Nursing-Workforce-in-Scotland-Report-290322 (1).pdf
- <u>Scotland's Labour Market: People, Places and Regions Protected Characteristics. Statistics</u> from the Annual Population Survey 2021 gov.scot (www.gov.scot)
- Race in the workplace: The McGregor-Smith Review GOV.UK (www.gov.uk)
- Internationally trained professionals joining the NMC register
- A Fairer Scotland for All: An Anti-Racist Employment Strategy (www.gov.scot)
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- IYS Scotland Speaking our minds The impact of racism and race on young black people and young people of colour in Scotlands mental health needs 2021
- Report finds evidence of inequality in treatment of ethnic minority 'Covid heroes' working in health and social care | Equality and Human Rights Commission (equalityhumanrights.com)
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- Workforce race inequalities and inclusion in NHS providers | The King's Fund (kingsfund.org.uk)
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- Tackling Child Poverty Delivery Plan 2022-26 gov.scot (www.gov.scot)
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- Rural poverty in Scotland Poverty in rural Scotland: evidence review gov.scot (www.gov.scot)
- The Cost of Living Crisis in Scotland: analytical report gov.scot (www.gov.scot)
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- https://www.rcpsych.ac.uk/improving-care/act-against-racism/tackling-racism-in-the-workplace