

# Equality and Human Rights Impact Assessment (EHRIA) Publication Document

This template summarises the key decisions/actions taken by the SPS in the development of the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

<b>Background</b>	
<b>Title of the Policy</b>	Competencies for Success Framework (CSF)
<b>Date EHRIA completed</b>	April 2023
<b>Review date and frequency</b>	April 2026
<b>Is this a new or revised policy/practice?</b>	New <input type="checkbox"/> Revised <input checked="" type="checkbox"/>

<b>Scoping</b>	
<b>What are the aims of this policy/practice?</b>	
<p>The new Behavioural Competency Framework, branded Competencies for Success (CSF) comprises eight competencies. The competencies apply consistently to all roles (regardless of nature or level) but will show up differently in various roles and settings and at various levels. This ensures that there is one defined set of standards, which everyone in SPS will work to, improving transparency and consistency in expected behaviours. As well as defining the eight behavioural competencies, the framework describes what each competency looks like in practice and includes questions to support self-reflection and development activities. Furthermore, the framework includes links to relevant development resources available on MyLO and wellbeing resources.</p> <p>The aim of the Competencies for Success Framework (CSF) is to support positive behaviours across the workforce and engage staff in their personal development. Introducing one consistent and transparent framework supports SPS employees to understand and develop the behaviours that enable great performance in role. This in turn supports the SPS to achieve its Strategic Outcomes as part of the Corporate Plan, by ensuring that we have the right people, with the right skills, in the right place, at the right time. The CSF also supports the SPS with its action to embed the principles of Fair Work through helping employees to develop their skills and take up opportunities for career advancement. The CSF will also support the success of the refreshed SPS Leadership Strategy, as well</p>	

as encouraging employees to develop the necessary behaviours to take us on our HR and digitalisation transformation journey. By describing how the SPS expects employees to interact with one another, the CSF will discourage behaviours prohibited by the Equality Act 2010 and support the SPS to meet its legal obligations under the Public Sector Equality Duty by fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

#### **WHO did you consult with?**

- Trade Union Side (TUS)
- Prison Governors' Association Scotland (PGAS)
- Governors in Charge
- Operational HR Teams
- Head of Equality Diversity and Inclusion
- HR Business Partner - Employee Absence and Health (EACH)
- Conduct Investigation Team
- Partner Organisations, e.g., Police Scotland, Scottish Government and NHS
- Information from people in our care via a User Voice Survey
- Workforce Planning and Management Group (WPMG)

Additionally, staff from across the SPS were engaged in the development of the framework via workshops which facilitated conversations on the types of behaviours that support success within the organisation and sought feedback on early versions of the framework. These workshops were followed up with 1-2-1 discussions to provide all attendees with the opportunity to contribute fully to the engagement and consultation process.

#### **WHAT did you learn?**

**SPS Head of Equality Diversity and Inclusion** - From a neuro-diverse perspective, slight colour changes between fonts and backgrounds can be difficult to read. The document should apply SPS' normal formatting and have a significant degree of difference between the colours for each section.

**SPS EACH HR Business Partner** – The Competency Framework should be aligned to and facilitate the organisation systems and processes that support employee health and wellbeing.

#### **Some key points of feedback from stakeholders –**

- The framework should be written in plain English so that staff at all levels are able to engage with it.
- The images within the framework should be representative of the diverse SPS workforce.
- The framework should underpin the full employee lifecycle and staff should understand how to interact with it at each stage.
- The framework should support multidisciplinary working and working in partnership.
- Including specific competencies that apply to certain roles or a 'job family' or 'job function' may lead some staff to disengage with the framework and cause confusion about expectations. Including exclusively core competencies that apply to all jobs and support the SPS values and mission will encourage comprehension and engagement.
- The inclusion of negative indicators/examples of a competency could lead the framework to be perceived as a punitive tool as opposed to a developmental tool.

## HOW will this shape your policy/practice?

### Design

- As part of the extensive consultation outlined above, workshops with staff sought feedback on earlier versions of the framework which was considered and reflected in later versions where appropriate, to ensure that the CSF meets the diverse needs of staff.

### Content

- The CSF comprises core competencies that apply to all jobs and support the SPS values and mission as opposed to job specific competencies that apply to certain roles or a 'job family' or 'job function' which may cause some staff to feel excluded and disengaged.'
- The framework includes a detailed introduction with guidance as to how the CSF can support them at every stage of the employee lifecycle.
- The framework includes development questions for each competency which encourage staff to consider and apply the competency in the context of the job and their individual development levels and aspirations.
- The framework comprises eight competencies to support accessibility for readers.
- Negative indicators of behaviours are not included in the CSF and the Professional Charter has been maintained as it functions to define the minimum standard of conduct expected of all SPS employees as Civil Servants.
- The indicators of the various behavioural competencies are much broader than the 'soft' skills and include technical elements such as "Identifying problems and risks and breaking them down to understand the root causes" as well elements that are aligned to our organisational values such as collaborating with partners. This gives a more holistic view of the positive behaviours required for success than seen in previous Behavioural Competency Frameworks.
- The framework encourages staff to look after their own and other's wellbeing and includes clear hyperlinks to the various tools and resources available to support staff health and wellbeing.
- The framework went through several reviews to ensure that it is written in plain English to support comprehension and accessibility.
- Earlier versions included images of staff for illustrative purposes which were not necessarily representative of our diverse workforce, these have been replaced in the final version with new, more representative images.

### Formatting

- Earlier versions of the CSF included formatting which was not consistent with the standard SPS formatting and slight colour changes, the final version includes more contrasting colour changes and is formatted consistently with our corporate templates to support accessibility. Individuals can contact the Workforce Planning Team to request the document in an alternative format.
- The document uses a simple and consistent layout and text is visible when the PDF is magnified. The document has large clickable actions and content is broken up with sub-headings and images. The document can be printed in both colour and black and white.

### Launch and Impact

- A number of policies have been reviewed to include guidance on how the CSF can be applied in practise at the relevant stage of the employee lifecycle. The relevant policy pages on SharePoint will include links to the main CSF SharePoint page to provide clarity and support consistency.

- Awareness Sessions(s) will take place with HR teams to enable them to support staff and line managers to benefit from the CSF.
- A supplementary guidance document will be published on SharePoint to help staff to understand the CSF, its purpose and uses.
- MyLO Learning Modules have been grouped by behavioural competency, and staff will be signposted to these to help them to build confidence and capability in any competencies where a development need is required.
- A communications and Engagement Plan has been produced which considers the need to review the CSF periodically to ensure success and that the behaviours identified within continue to support changing business needs.
- Introducing core competencies that apply to all roles, regardless of level, enables senior leaders to lead by example in modelling the behavioural competencies.

**What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?**

This policy has been developed in accordance with guidance from the following:

- Equality Act 2010, which protects workers against discrimination;
- Equality and Human Rights Commission (EHRC) – Code of Practice on Employment;
- Health and Safety at Work Act 1974, which says an employer must, where reasonably practical, ensure everyone's health, safety, and welfare at work;
- Fair Work Agreement (dated 08/11/2018) between the Scottish Ministers and the recognised Civil Service Unions.
- Advisory, Conciliation and Arbitration Service (ACAS) – Managing People Guide - [Managing people \(acas.org.uk\)](https://www.acas.org.uk)
- Chartered Institute of Personnel and Development (CIPD) – Competence and Competency Frameworks Factsheet – [Competence & Competency Frameworks | Factsheets | CIPD](#)
- Case law
  - Finn v The British Bung Manufacturing Company Ltd and another ET/1803764/21 [Sex discrimination: Calling a man "bald" is sex-related harassment | Employment law cases | Tools | XpertHR.co.uk](#)
  - Trench v Performance Bar Ltd ET/2603993/20 [Social media misconduct: Employment tribunal round-up | Employment law cases | Tools | XpertHR.co.uk](#)
  - Chell v Tarmac Cement and Lime Ltd [2022] EWCA Civ 7 CA [Vicarious liability: Employer not liable for injury caused by workplace prank | Employment law cases | Tools | XpertHR.co.uk](#)
- Xpert HR Commentary and Insights
  - [How to develop a competency framework | How to | Tools | XpertHR.co.uk](#)
  - [Understanding and addressing workplace bullying | Health and wellbeing | Leading practice guides | Tools | XpertHR.co.uk](#)
- Benchmarking against other frameworks in the UK Civil Service, public bodies, private and third sector such as the Civil Service Success Profiles and Scottish Government Leadership Strategy.
- Insights and feedback from colleagues across the SPS including advice from the SPS' Head of Equality Diversity and Inclusion and SPS EACH HR Business Partner
- People Survey Results.
- SPS Workforce Data.

<b>Impact</b> Will the impact and outcomes of the new/revised policy/practice:	
<b>Contribute to eliminating discrimination, harassment and victimisation?</b> E.g. <ul style="list-style-type: none"> <li>• Raise awareness of our SPS vision and values for equality and diversity</li> <li>• Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity</li> </ul>	<b>POSITIVE:</b> It will contribute to eliminating discrimination, harassment, victimisation <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/>
	<b>NEGATIVE:</b> It will make discrimination, harassment and victimisation worse <input type="checkbox"/>
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>• Remove or minimise disadvantage</li> <li>• Meet the needs of equality groups that are different from the needs of others participation in public life</li> </ul>	<b>POSITIVE:</b> It will advance equality of opportunity <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on equality of opportunity <input type="checkbox"/>
	<b>NEGATIVE:</b> It will reduce equality of opportunity <input type="checkbox"/>
<b>Foster good relations between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>• Tackle prejudice</li> <li>• Promote understanding</li> </ul>	<b>POSITIVE:</b> It will foster good relations <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on good relations <input type="checkbox"/>
	<b>NEGATIVE:</b> It will cause good relations to deteriorate <input type="checkbox"/>
Will the policy reduce inequalities of outcome as described within the Fairer Scotland Duty 2018?	It will take steps to reduce socio-economic inequalities. <input checked="" type="checkbox"/>
	It will make no impact on reducing socio-economic inequalities. <input type="checkbox"/>
Will it uphold human rights?	It will uphold human rights articles. <input checked="" type="checkbox"/>
	It will breach human rights articles. <input type="checkbox"/>

**Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.**

<b>Positive Impacts</b>
Protected characteristics affected: The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider

## Positive Impacts

interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care. Increased diversity at senior levels also provides an opportunity for the SPS to reduce the average difference between how much men and women are paid.

**Age:** The Competencies for Success Framework will allow hiring managers to assess transferable skills and identify required behaviours regardless of age or career background. This in turn will support the recruitment of younger employees who may have little practical work experience. The use of the CSF during the probation process will also support these less experienced employees to understand the behaviours expected in their work and clarify how they are expected to perform their roles.

The CSF will engage staff in their own personal development and help staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.

The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports staff of all ages to maintain and improve their performance, in turn supporting engagement.

**Race:** The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.

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The images selected for the framework document are intended to be reflective of our diverse population. While many staff have not disclosed their ethnicity, the intention is that the images will support the reader to feel represented, and therefore engaged in the document.

**Gender:** The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care. Increased diversity at senior levels also provides an

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opportunity for the SPS to reduce the average difference between how much men and women are paid.

The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports staff of all genders to maintain and improve their performance, in turn supporting engagement.

**Disability:** The CSF encourages staff to prioritise their own and others’ wellbeing and offer practical and emotional support to help others. This kind of support can be particularly important for employees who identify as disabled and can support their experience in the workplace.

The CSF highlights the importance of understanding and respecting the diverse needs and preferences of others; the hope is that this will support the inclusion of neurodiverse colleagues by encouraging staff to value diverse perspectives.

The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.

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The CSF will be published on SharePoint and therefore will be available to staff in various fonts and text sizes and using assisted technology. Staff will be able to access supporting development modules on MyLO.

**Gender Identity:** The CSF uses gender-inclusive language to ensure that colleagues of all genders feel included within its scope.

The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.

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## Positive Impacts

**Religion or Belief:** The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care. Given that over 50% of employees have not provided any information on their religion or belief, it may be difficult to measure positive impact in relation to this protected characteristic.

The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports staff of all religions and beliefs to maintain and improve their performance, in turn supporting engagement.

**Sexual Orientation:** The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care. Given that over 60% of our employees have not provided any information on sexual orientation, it may be difficult to measure positive impact in relation to this protected characteristic.

The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports staff of all sexual orientations to maintain and improve their performance, in turn supporting engagement.

**Maternity and Pregnancy:** The CSF recognises the importance of work life balance in increased resilience and therefore performance at work. It is hoped that this will positively impact working parents by encouraging individuals to take breaks, annual leave, engage in various forms of parental leave and consider flexible working, and by encouraging management to support this.

The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.

The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports staff who are parents to maintain and improve their performance, in turn supporting engagement.



<p><b>Positive Impacts</b></p> <p><b>Marriage and Civil Partnership:</b> The CSF will engage staff in their own personal development and helps staff prepare for promotion campaigns which will in turn support their progression within the SPS, which, as part of wider interventions, can contribute to improving diversity within middle to senior management. This in turn brings diverse perspectives which influence decision making at the highest levels and in turn can improve outcomes for those in our care.</p> <p>The CSF supports staff to understand the behaviours that support success, and through examples and reflective questions – helps them to reflect on their own behaviours. Managers can use the CSF to provide feedback that is specific and meaningful and to set objectives and deliverables relating to ‘how’ work is performed. The CSF also links to support that is available to help staff to build confidence and capability in the behaviours. In this way, the CSF supports all staff to maintain and improve their performance, in turn supporting engagement.</p>
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<p><b>Negative Impacts</b></p> <p>Protected characteristics affected:</p> <p>It is the intention that the CSF will have a positive impact on all staff. We are conscious though that management practice is essential in ensuring consistency of application and compliance with relevant legislation.</p>	
<b>Impact</b>	<b>Mitigation</b>
<p>It is the intention that the CSF will have a positive impact on all staff. We are conscious though that management practice is essential in ensuring consistency of application and compliance with relevant legislation.</p>	<p>We are conscious that management practice is essential in ensuring consistency of application and compliance with relevant legislation and managers will have access to development modules on MyLO, support from HR teams and a guidance resource to support them to apply the CSF in their interactions with their team members. The framework will be monitored on an ongoing basis using stakeholder feedback, including reviews where quantitative data will be reviewed, to ensure that there is no negative impact in its application.</p>

<b>Recommended course of action</b>	
<b>Outcome 1:</b> Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input checked="" type="checkbox"/>
<b>Outcome 2:</b> Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input type="checkbox"/>

Recommended course of action	
<b>Outcome 3:</b> Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
<b>Outcome 4:</b> Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

Summary of Outcome decision and Recommendations
<p>Outcome - Policy/practice addresses the intended outcome and is positive in its language and terminology. It advances equality and human rights as well as fosters good relations.</p> <p>Recommendations to remove or minimise any actual or potential negative impacts identified, and to build positive impacts:</p> <ul style="list-style-type: none"> <li>• CSF made accessible to all staff on SharePoint with supporting documentation and to external candidates on the SPS site.</li> <li>• CSF launch communicated via Notice to Staff.</li> <li>• Development modules available to all staff on MyLO.</li> <li>• Briefings for HR teams to understand new framework and support its application across the SPS.</li> <li>• Continued access to Occupational Health, Employment Assistance Programme and wider Health and Wellbeing offer.</li> </ul> <p>Outcome is to introduce CSF across SPS. Research and consultation undertaken through the development and associated support indicates the introduction will have a positive impact. Specific positive impacts addressed by the policy include the potential to support diversity at a middle to senior level as part of wider interventions. There have been no negative implications for employees identified, therefore the recommendation is to publish framework.</p>

Next steps
As and when need arises, monitor for unexpected negative consequences, and identify opportunities for improvement. This will provide opportunity to respond to any changing business needs or external factors which may require the development of different behaviours.

If you require this document in an alternative format, please contact [ASKERandR@prisons.gov.scot](mailto:ASKERandR@prisons.gov.scot)