

Equality Impact Assessment (EIA) re Draft Circular CC 01/25 – Respiratory Infections including Coronavirus (Covid 19) Guidance for Lecturing and Support Staff

1. Has the policy been subject to an EIA previously?

No.

2. What is the purpose of the policy (Circular CC 01/25 (“the Circular”))?

This Circular provides guidance to college employer on reducing the risk and transmission of respiratory infections, including COVID-19, for lecturing and support staff, including those on temporary/fixed term contracts or hourly paid contracts’. In particular the circular highlights that the Covid 19 outbreak is no longer classed as a pandemic and there is now a lack of reliable testing infrastructure in place. Due to this, it is difficult to differentiate between Covid 19 and that of another respiratory infection. College employers are encouraged to promote “stay home, till better” absence policies to reduce instances of respiratory infections spreading in the workplace.

The Circular supersedes a previous circular from 2020 which classified Covid 19 absences as “special leave” which did not impact any other sickness entitlement. It is understood the effect of the Circular is that any Covid 19 absence shall be treated in the same way as other sickness absences and this Equality Impact Assessment has been drafted on the basis of that understanding.

3. Are there any other policies, procedures, guidance documents, working groups etc that will interact with the Circular?

Guidance provided by ACAS on the issue of Long Covid and Scottish Government advice and guidance on risk assessment, ventilation, hybrid working and fair work.

4. What evidence has been considered in the development of the Circular?

We understand that the following evidence has been considered in the development of the Circular:

[Sickness and absence from work - Long covid - Acas](#)

[Overview - Respiratory infections including Coronavirus \(COVID-19\): safer workplaces and public settings - gov.scot](#)

Unknown at this stage whether other evidence has been taken into account.

5. Who has been consulted in the development of the Circular?

Trade union representatives from the sector recognised as part of the National Joint Negotiating Committee and College Employers Scotland members.

6. Who does the Circular affect?

- (a) Employees of the relevant college who have symptoms of Covid 19 or other respiratory infections. This may include employees suffering the effects of Long Covid.
- (b) Those indirectly affected by those suffering from Covid 19 or other respiratory infections e.g. line managers and colleagues within the relevant college.

7. Who implements the Circular and what steps will be taken to ensure its effectiveness and consistent implementation?

The Circular states that until a National Absence Management Policy is implemented, each college employer should implement their own policy in this regard. However, each college employer should take note of the guidance within the Circular.

Unknown at this stage whether any further steps have been identified.

To ensure consistent implementation, it should be recommended to each college employer to identify a department with overall responsibility for the policy related to the Circular, e.g. human resources, and who should monitor any support and adjustments identified and ensure appropriate training is in place.

8. What impact, either potential or actualⁱ, is the Circular likely to have on the following protected characteristics?

Protected Characteristicⁱⁱ	Positive Impactⁱⁱⁱ	Negative Impact^{iv}	Neutral Impact^v	Unclear Impact^{vi}	Please explain the Impact, Potential or Actual, for each Characteristic
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Potential negative impact. Long Covid symptoms could amount to a disability under the Equality Act 2010. Further, it is possible that those with particular disabilities may be impacted more by Covid symptoms than those without particular disabilities. That could result in a greater likelihood of sickness absence. However, it is noted that the Circular seeks to address this by stating reasonable adjustments may be required and should be considered.
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Ethnicity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Potential negative impact. There is some evidence that Covid can have a more significant impact on BAME communities than other groups. There is evidence that Black African and Asian communities have been particularly impacted by the effects of Covid, and this could lead to a greater likelihood of sickness absence in these particular groups. The Circular does make reference to the potential need for reasonable adjustments to be considered and/or implemented.
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Carers*	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please see response above re disability.

*protected from discrimination by "association" with looked after person's older age and/or disability.

9. More generally, is there anything that could be done in terms of the content and/or implementation of the Circular?

Individual Colleges will require to communicate the change in position i.e. that a Covid 19 absence is no longer to be viewed as special leave but instead will be treated as any other sickness absence.

- (a) Individual college may wish to consider whether line managers and Human Resources, require any training on Covid 19 and other respiratory infections, their symptoms and how to support those suffering symptoms to ensure that they are able to offer useful and appropriate support and guidance to those accessing support under the policy.
- (b) As set out above, to ensure consistent implementation, individual colleges may find it useful to identify a department with overall responsibility for the policy, e.g. human resources, and who should monitor any support and adjustments identified and ensure appropriate training is in place.

ⁱ A **potential impact** is an effect which could happen as a consequence, indirectly or as an unintended outcome, of the policy; an **actual impact** is an effect which is highly likely to occur as a result of the policy, or an effect which the policy specifically aims to create.

ⁱⁱ Protected characteristics are as identified by the Equality Act 2010.

ⁱⁱⁱ A **positive impact** is one in which a person or people will experience an advantage or benefit, this includes positive action to overcome a disadvantage, meet needs or encourage participation (e.g. a service sets up a disability service user forum to help design and plan service provision so that disabled people's needs are taken into account).

^{iv} A **negative impact** is one in which a person or people will experience a disadvantage (e.g. a wheelchair user can't get into the building to access the service).

^v A **neutral impact** is one where there is no disadvantage; experience will be the same for everyone (e.g. everyone can access the service including disabled people).

^{vi} An **unclear impact** can be selected if you are unsure what the impact may be, or if there could be a mixture of impacts (e.g. a policy might have a positive impact for a protected characteristic in one way, but also could possibly have a negative impact for that protected characteristic in another way).