



**Equality, Fairer Scotland and Children's Rights Impact Assessment:
NHS Education for Scotland Policy for Controlled Documents**

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1. Introduction

- 1.1. This Equality, Fairer Scotland and Children's Rights Impact Assessment process aims to:
- Take action to advance equality.
 - Eliminate unlawful discrimination, harassment and victimisation.
 - Foster good relations.
 - Develop better technology, education and learning, and workforce planning solutions to contribute to Scotland's health and care.
 - Support us to be a diverse and inclusive employer.
 - Demonstrate how we have considered equality and children's rights in making decisions.
 - Mainstream equality into our work.
 - Consider how our work will meet the three parts of the Public Sector Equality Duty¹.
 - Take effective action on equality.
 - Develop better policy, technology, education, learning, and workforce planning solutions for health, social care and a wide range of our partners, stakeholders and employees.
 - Demonstrate how we have considered equality in making our decisions.
- 1.2. This report is presented as follows:
- The purpose of the Policy for controlled documents.
 - A review of evidence (population demographics).
 - A summary of the assessment and the assessments against the "protected characteristics", the Fairer Scotland Duty and Children's Rights.
 - Making a difference.
 - Monitoring for impact of work.

2. Purpose of the work

- 2.1. The NES Policy for controlled documents (the Policy) governs the development, approval and management of strategies, policies and Standard Operating Procedures (SOPs) in NES. The scope applies to all mandatory NES-wide functions (or for directorate functions that affect all the other directorates). Local SOPs, and other similar documents, are therefore not in scope.
- 2.2. The Policy outlines the governing sequence (meetings and approval groups) for each type of controlled document. For example, by virtue of the intended term “strategy” in a document title, all strategies must have NES Board approval for their development and implementation, and be sequenced through the required approval groups and meetings. The Policy outlines this information in detail, and is accompanied by a short at-a-glance document.
- 2.3. One of the main aims of the Policy is to develop consistent and standardised documents, and therefore a template is available for policies and SOPs. The Policy highlights the required governing and ratification groups/meetings that all controlled documents need to be sequenced through. This process also ensures senior management approval. All controlled documents thereafter will be recorded in a central register and subject to routine review to ensure that they remain fit for purpose.
- 2.4. This work stemmed from an Information Governance audit requirement to develop a policy for policies. The work was thereafter extended to all NES controlled documents; namely, strategies, policies and (NES-wide) SOPs.
- 2.5. The Policy governs all NES strategies, policies and NES-wide SOPs, and so there is potential for it to cover any NES remit (see our Strategy 2023-2026² for further information). Our purpose and vision are:
 - Purpose: *“To be a collaborative, innovative and inclusive learning organisation that provides high quality education, training, workforce development, workforce data and technology for Scotland’s health and social care workforce.”*
 - Vision: *“Supporting better rights-based quality care and outcomes for every person in Scotland through a skilled, capable and resilient health and social care workforce.”*
- 2.6. The Policy is a new initiative (first for NES), and this impact assessment incorporates the ‘Fairer Scotland Duty’ (which focuses on reducing “inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions”⁴), the Public Sector Equality Duty, and Children’s Rights.
- 2.7. Likewise, in support of reducing inequalities or improving outcomes for any group, there is potential for the Policy to link in with any of the NES Equality Outcomes 2021-2025³ (these are currently being updated). An assessment against the protected characteristics¹ (and other population groups) is shown in sections five and six.
- 2.8. In producing this assessment, the following engagement process has taken place:
 - The Policy for controlled documents working group: 18 December 2024.
 - The Audit and Risk Committee (for information): 16 January 2025.

3. Evidence

- 3.1. Our primary remit focuses on developing and supporting the health and social care workforces. Consequently, the Policy will benefit a wide range of cohorts. However, at the outset, it is directed at roles that include controlled document authors, general managers, directors, and other job roles involved in the development, review, governance, or implementation of controlled documents. Given that the scope of each controlled document may vary or extend across all NES functions and onwards reach, the evidence considered in this assessment includes demographic summaries of the following groups:
- The core NES staffing cohort.
 - NES-employed Doctors and Dentists in Training (DDiT).
 - The wider health and social care workforces.
 - The Scottish population (through the workforces we develop, we influence the lives of patients, families and relatives, and carers).
- 3.2. The overall NES workforce consists of 1167 core staff and 1918 NES-employed doctors and dentists in training (data for 01 April 2022 to 31 March 2023)⁵. A brief summary of the NES workforce⁵ is provided in Table 1.

Table 1: Composition of the NES workforce⁵.

Number of staff	There are 1167 core staff members and 1918 NES-employed doctors and dentists in training.
Gender	From the core staffing cohort, 72% are female. For NES-employed doctors and dentists in training, 61% are female. Overall, 66% of the total NES-employed workforce are female.
Pay grades by gender	Females are the majority in all pay grades (54% to 88%), except for the executive cohort (43% are female).
Working patterns by gender and pay grade	<p>The majority of males work full time, apart from those working in medical and dental pay grades (47% work full time)⁵.</p> <p>The majority of females work full time, apart from those working in:</p> <ul style="list-style-type: none"> • Band 8A (48% full time). • Band 8B (48% full time). • Band 8C (50% full time). • Medical and dental pay grades (39% full time).
Ethnicity	<p>For core staff, ethnicity is described as:</p> <ul style="list-style-type: none"> • Not disclosed: 1.77%. • Black, Asian and Minority Ethnic: 5.39%. • White: 92.84%.
Disability	<p>For core staff, disability is described as:</p> <ul style="list-style-type: none"> • Prefer not to answer or data unavailable: 9.6%. • Disabled: 3.7%. • No disability: 86.7%.
Age	<p>Seventy-eight percent of core staff are aged between 35 and 64. The majority of core staff are in the 45-54 age bracket (30.79%).</p> <p>The majority of NES-employed doctors and dentists are in the 25-34 age bracket (68.89%).</p>
Religion or belief	The majority of core staff reported no religious belief (46%). For NES-employed doctors and dentists, 45% did not disclose their religion.
Sexual orientation	The majority of core staff reported their sexual orientation as heterosexual (82.1%). For NES-employed doctors and dentists, 82.1% are heterosexual.

3.3. As of 31 March 2024, the NHS Scotland workforce comprised of 187,157 headcount staff (employed directly by NHS Scotland health boards)⁶.

Table 2: Composition of the NHS Scotland workforce by headcount – brief summary.

Number of staff⁶	As of 31 March 2024, a total of 187,157 (headcount) staff were employed in NHS Scotland.
Gender⁶	As of 31 March 2024, the NHS Scotland workforce (headcount 187,157) comprised of 78.8% female and 21.2% male. Women are the majority in all NHS Scotland boards, apart from the Scottish Ambulance Service.
Pay by gender⁶	As of 31 March 2024: <ul style="list-style-type: none"> From the non-medical NHS Scotland workforce, the majority of females (33,439) are paid at Band 5 (which is 24.2% of the total female non-clinical workforce). The majority of males (5686) are also paid at Band 5 (corresponding to 18% of the total male non-clinical workforce). From the female clinical workforce, the majority are consultants (3052, comprising 32.1% of the female clinical workforce). From the male clinical workforce, the majority are consultants (3582, comprising 44.1% of the male clinical workforce).
Working patterns⁷	As of 31 December 2023, the number of staff employed by NHS Scotland were 186,347 (headcount), with a whole time equivalent of 160,567.7.
Ethnicity⁶	As of 31 March 2024, NHS Scotland staff (headcount 187,157) described themselves as: <ul style="list-style-type: none"> Caribbean or black: 0.2%. Other ethnic group: 0.4%. Mixed or multiple ethnic group: 0.5%. African: 1.4%. Asian: 3.3%. Declined: 8.0%. White: 70.8%. Data were not known for 15.4% of the population.
Disability⁶	As of 31 March 2024, NHS Scotland staff (187,157) described themselves as: <ul style="list-style-type: none"> Disabled: 1.6% No disability: 61.7% Declined: 8.2% Data were not known for 28.4% of the population.
Age of the Scottish Workforce⁶	From the overall NHS Scotland workforce (headcount 187,157 as of 31 March 2024), 24.3% were 55 years old and over. The median age was 44 years old.
Religion or belief⁶	As of 31 March 2024 with headcount of 187,157, the majority of NHS Scotland staff reported no religious belief (33.3%). Data were not known for 19.7% of the population.
Sexual orientation⁶	The majority of NHS Scotland staff identified themselves as heterosexual (65.4%). Data were not known for 20.2% of the population (data as per 31 March 2024 with headcount 187,157).

Table 3: Brief summary of Scotland's population.

Population⁸	As of 20 March 2022, Scotland's population was estimated to be 5,436,600.
Gender⁸	There were 2,794,900 (51.4%) females and 2,641,800 (48.6%) males (as of 20 March 2022).
Ethnicity⁹	As per census data of 20 March 2022, the majority reported their ethnic background as white Scottish (77.7%), or white other British (9.4%). Those reporting a minority ethnic background were 12.9% of the population.
Religion or belief⁹	The majority of people in Scotland (51.1%) reported no religious belief. (This was a voluntary question in the census – 6.16% of the census population did not answer this.)

4. Summary

- 4.1. In section five, an assessment against the Public Sector Equality Duty is included. This covers how the Policy might affect people differently, taking account of the protected characteristics and how these intersect with poverty and low income. As a national board, this is important to address health inequalities. A 'Fairer Scotland Duty' assessment is included, as well as reference to our role as a Corporate Parent¹⁰ (through the care-experienced population).
- 4.2. In section six, an assessment against the Children's Rights agenda is included.
- 4.3. Overall, this impact assessment process suggests that there is currently no potential for unlawful discrimination. Actions to advance equality of opportunity and to foster good relations are included.

5. Impact on equality and socio-economic disadvantage

- 5.1. The Public Sector Equality Duty¹ highlights the need to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2. The protected characteristics are:
- Age.
 - Disability.
 - Gender reassignment.
 - Marriage and civil partnership.
 - Pregnancy and maternity.
 - Race.
 - Religion or belief.
 - Sex.
 - Sexual orientation.
- 5.3. A Fairer Scotland Duty⁴ assessment requires public authorities to actively consider how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions.

Table 4: Assessment against the protected characteristics.

Protected characteristic / population groups	Could your work result in discrimination?	Could your work put people at a disadvantage / make their lives worse?	Can your work advance equality of opportunity? For example, reduce disadvantage, meet needs, and increase participation.	Can your work foster good relations? For example, reduce prejudice and increase tolerance.
Age	No.	No.	Yes.	Yes.
Disability	No.	No.	Yes.	Yes.
Gender reassignment	No.	No.	Yes.	Yes.
Marriage and civil partnership (in relation to employment)	No.	No.	Yes.	Yes.
Pregnancy and maternity	No.	No.	Yes.	Yes.
Race	No.	No.	Yes.	Yes.
Religion or belief	No.	No.	Yes.	Yes.
Sex	No.	No.	Yes.	Yes.
Sexual orientation	No.	No.	Yes.	Yes.

Table 5: Fairer Scotland assessment and other population groups.

Other population groups	Could your work result in discrimination?	Could your work put people at a disadvantage / make their lives worse?	Can your work advance equality of opportunity? For example, reduce disadvantage, meet needs, and increase participation.	Can your work foster good relations? For example, reduce prejudice and increase tolerance.
Care experienced people (including our role as a Corporate Parent).	No.	No.	Yes.	Yes.
People experiencing health inequalities caused by socio-economic disadvantage.	No.	No.	Yes.	Yes.
People experiencing employment inequalities caused by socio-economic disadvantage.	No.	No.	Yes.	Yes.
Carers	No.	No.	Yes.	Yes.
Homelessness	No.	No.	Yes.	Yes.
Remote and rural communities	No.	No.	Yes.	Yes.
Traveller communities	No.	No.	Yes.	Yes.

6. Impact on UNCRC rights

6.1. Given that there is potential for controlled documents to be related to children, families, and carers, etc., a review of children's rights is noted below (Table 6).

Table 6: Assessment against children's rights (using the summarised children's version¹¹).

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
Article 1: Definition of a child.			
Article 2: No discrimination.			
Article 3: Best interests of the child.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 4: Making rights real.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 5: Family guidance as children develop.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 6: Life, survival and development.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 7: Name and nationality.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Article 8: Identity.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 9: Keeping families together.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 10: Contact with parents across countries.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 11: Protection from kidnapping.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 12: Respect for children's views.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 13: Sharing thoughts freely.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 14: Freedom of thought and religion.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Article 15: Setting up or joining groups.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 16: Protection of privacy.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 17: Access to information.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 18: Responsibility of parents.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 19: Protection from violence.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 20: Children without families.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 21: Children who are adopted.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Article 22: Refugee children.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 23: Children with disabilities.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 24: Health, water, food, environment.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 25: Review of child's placement.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 26: Social and economic help.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 27: Food, clothing, a safe home.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 28: Access to education.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Article 29: Aims of education.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 30: Minority culture, language and religion.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 31: Rest, play, culture, arts.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 32: Protection from harmful work.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 33: Protection from harmful drugs.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 34: Protection from sexual abuse.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 35: Prevention of sale and trafficking.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Article 36: Protection from exploitation.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 37: Children in detention.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 38: Protection in war.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 39: Recovery and reintegration.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 40: Children who break the law.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 41: Best law for children applies.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.
Article 42: Everyone must know children's rights.	Not applicable.	As an overarching policy for controlled documents, this may	No.

UNCRC right	How will your work limit or restrict this right?	How will your work progress this right?	Are any groups of children particularly impacted
		apply to other relevant controlled documents.	
Articles 43-54: How the convention works.	Not applicable.	As an overarching policy for controlled documents, this may apply to other relevant controlled documents.	No.

7. Making a difference

7.1. This impact assessment process has informed several actions (Table 7).

Table 7: Issue or risk identified.

Issue or risk identified	Proposed changes / action	Timescale
1. Support for different learning styles, abilities, and levels of understanding.	Consider how to raise awareness of the Policy through various learning modes (e.g. video, animation, or Microsoft Teams presentation, etc.).	April 2025 and ongoing.
2. Ongoing staff support and guidance.	Continue to provide support to colleagues involved in controlled documents.	Ongoing.

8. Monitoring

- 8.1. The impact assessment will be reviewed to understand the actual impacts of the work in an ongoing manner.
- 8.2. The Policy will be reviewed no later than March 2027. At that time, this impact assessment will also be reviewed.

9. Sign-off

Director: Christina Bichan
Date: 08 April 2025

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