



CROWN OFFICE & PROCURATOR FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

COPFS EQUALITY IMPACT ASSESSMENT RECORD

COPFS response to COVID-19

Name of new/revised policy:	COPFS response to COVID-19
Purpose of policy:	The aim of this equality impact assessment is to understand the possible impact of our decisions on employees and service users with protected characteristics. We are updating the assessment at regular intervals to reflect emerging issues and developments.
Lead Equality Impact Assessment Officer:	xxxx
Team / Federation:	HR
Email address:	DiversityTeam@copfs.gov.uk
Others involved:	xxxx
Date assessment completed:	18/09/2020
Assessment record authorised by:	xxxx

This new / revised policy was fully assessed for any equality impact based on the General Equality Duty of the Equality Act (2010).

Background details about new policy / process
COVID-19 has affected everyone who works in COPFS and those who may come into contact with our service, but particularly people with protected characteristics. This is an ever changing situation and there is new evidence every day about the extent of this impact. As a result of the COVID-19 pandemic COPFS have put in place safety guidance to ensure COPFS staff and visitors can continue to work within a safe environment.
Summary of research and consultation carried out
Research has been carried out from the following sources; NHS Inform, the Scottish Government Coronavirus website, Public Health Scotland, ACAS website and also research into Local Government/Council websites for parking/schools information. Consultations have been carried out with FDA and PCS, Office Safety & Recovery Sub-group, operational Sub-group Corporate Resilience Group, Operational Response & Stakeholder Engagement group, Corporate Comms liaison with ISD (to get specialised equipment to staff with reasonable adjustments etc.), liaison with Scottish Government, Scottish Courts &



Tribunal Service for court working, Police Scotland, and the Scottish Prison Service.

We have provided information on our recovery from Coronavirus, including guidance on how we work now. The following information resources have been developed and regularly revised in recognition that during this difficult time, employees may feel more isolated, specifically those with protected characteristics, and could need further relevant COVID-19 related support.

Equality Ambassadors contacted

(if none, please give reasons why)

Equality Ambassadors and Trade Unions were contacted for feedback.

Key issues identified

(Note here if you conclude there are no equality issues relating to the new / revised policy)

Key Issues

The following protected characteristics were taken into consideration when identifying the key issues facing COPFS employees during COVID-19:

• **Age**

Key Issue: Older people are more vulnerable to infection with COVID-19 and at greater risk of admission to critical care and mortality following COVID-19 infection. Early evidence shows the majority of deaths involving COVID-19 have been among people aged 65 years and over. We are keenly aware that over 7% of our workforce is aged over 60.

• **Disability**

Key Issue: Some disabilities and health conditions are exacerbated by COVID-19:

- Working from Home (WFH) will be difficult for those who have workplace adjustments until these adjustments can be replicated in the home;
- WFH can lead to isolation for those with mental health conditions;
- Lack of “normal” routine for those on the autistic spectrum can be very disconcerting and difficult to deal with, leading to possible mental health issues;
- Managers will need to consider safety planning and regular check-ins for staff living alone with some health conditions and disabilities.
- Stress from COVID-19-related concern or from all the changes due to COVID-19 could exacerbate existing disabilities and health conditions.

• **Gender Reassignment**

Key Issue: There may be underlying issues with those transitioning:

- Firstly, being affected by mental health issues and struggling with identity whilst being alone at home with no interaction.
- Also, Trans employees potentially could run out of hormones in lockdown or have their appointments cancelled as non-essential, which can have serious mental health impact.



- **Marriage and Civil Partnership**

Key Issue: Due to the lockdown restrictions during COVID-19, many couples planning to get married or form a civil partnership have had to cancel, which can have mental health impacts.

- **Pregnancy and Maternity**

Key Issue: Early evidence reveals pregnant women from Black, Asian and minority ethnic (BAME) backgrounds are more likely than other women to be admitted to hospital for COVID-19.

- **Race**

Key Issue: National statistics shows that people from Black and Bangladeshi/Pakistani backgrounds are more likely to die from COVID-19 than people of White ethnicity.

- **Religion or Belief**

Key Issue: Employees may find the use of prayer rooms/spaces difficult whilst maintaining physical distancing.

- **Sex**

Key Issue: In the 45 - 82 years age groups, deaths were significantly higher in males than females.

- **Sexual Orientation**

Key Issue: There is no impact identified to sexual orientation during COVID-19.

Key Actions

The above protected characteristics were taken into consideration when identifying the key actions for COPFS employees during COVID-19:

Working from Home:

- As non-essential travel has been suspended, home/alternative working arrangements have been made available for the majority of COPFS employees during COVID-19 - outlined HR guidance.
- Arrangements have been put in place to have specialist equipment delivered to colleagues working from home.
- Requests for additional equipment to enable employees to work from home can be made.
- New laptops were issued with MS Teams installed to continue face-to-face meetings/training.
- Guidance was prepared to support staff with physical and sensory impairments. Where a need for specialist software is identified, we will address that need within specific and



reasonable timescales.

Employee Support:

- Guidance on individual risk assessment for the workplace is available to assist COPFS staff when returning to the workplace.
- Contact points were set up for each business area to get advice quickly for any concern from managers and employees and for managers to report cases of COVID-19/isolating employees.
- Before testing was readily available, COPFS organised for key workers involved in office-based or court-based essential business to be tested if they had symptoms.
- Both COPFS Occupational Health and Employee Assistance Programme providers are replacing all face-to-face appointments with telephone consultations, where practical, until further notice.

Manager Support:

- Guidance on sickness reporting was created to help manage employees and their teams during the outbreak.
- Updated guidance will continue to be published on our intranet to enable managers to discuss issues with members of their team.
- Managers have determined which work is essential, how it will be carried out, by whom and whether this is a change to the employee's normal duties.
- Ensuring business areas have their business continuity plans up to date should staffing situations escalate.

Communications:

- COPFS has developed a [Wellbeing Communications Plan](#) to continue providing a healthy working environment that promotes and protects the physical and mental wellbeing of employees during the coronavirus pandemic. Communications focus on issues exacerbated by coronavirus, including isolation and mental health issues.
- New HR guidance was created to provide additional advice and to answer some of the common questions we are getting from employees and managers about COVID-19 and the steps that COPFS is taking to help protect employees

Working from the Office and Courts (Key/Essential Workers):

- COPFS have put a number of actions in place to protect those who are working in our offices.
- COPFS has put in place a Health and Safety Risk assessment , looking at our buildings and control measure in place to cover personal behaviours within buildings, signage, and PPE provision, cleaning regimes and commuting to and from work.
- COPFS has agreed with SCTS a set of guidelines to ensure that court users comply with measures we are taking to keep our staff safe.



- COPFS has considered employees with religious beliefs and the use of prayer rooms/spaces.

Changes made to new / revised policy

During COVID-19 there were interim changes to the following internal HR policies:

- **Flexible Working**
- **Sick Absence and Attendance**
- **Special Leave**
- **Annual Leave**

Review process for policy

The current arrangements will be amended / updated in accordance with guidance issued by the Scottish Government or alternatively after 6 months if the guidance has not changed.

Send the completed form to: DiversityTeam@copfs.gov.uk

Further information

For further information about this impact assessment, please contact:

Equality Team
Policy Division
Crown Office
25 Chambers Street
Edinburgh
EH1 1LA

Alternatively send an email to DiversityTeam@copfs.gov.uk.

Assessment records can be made available in alternative formats or languages on request.