

# Equality and Children’s Rights Impact Assessment (Stage 1)

**This is a legal document as set out in the**

- **Equality Act (2010), the Equality Act 2010 (Specific Duties) (Scotland) regulations 2012,**
- **the UNCRC (Incorporation) (Scotland) Act 2024,**

**and may be used as evidence for cases referred for further investigation for compliance issues.**

Completing this form helps you to decide whether or not to complete to a full (Stage 2) EQIA and/or Children’s Rights and Wellbeing impact Assessment (CRWIA). Consideration of the impacts using evidence, and public/patient feedback may also be necessary.

**Question 1: Title of Policy, Strategy, Redesign or Plan**

NHS Fife Agile Working Policy
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**Question 2a: Lead Assessor’s details**

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**Question 2b: Is there a specific group dedicated to this work? If yes, what is the title of this group?**

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**Question 3: Detail the main aim(s) of the Policy, Strategy, Redesign or Plan. Please describe the specific objectives and desired outcomes for this work.**

<b>Aim</b>	<p>The main aim of an Agile Working policy is to enable staff and teams to deliver safe, effective services by focusing on outcomes rather than rigid working patterns, allowing flexibility in how, when and where work is done where this supports service need.</p> <p>In practical terms, agile working is intended to:</p> <ul style="list-style-type: none"> <li>• Support service delivery first, with flexibility applied where it improves effectiveness</li> </ul>
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	<ul style="list-style-type: none"> <li>• Promote productivity, trust and autonomy.</li> <li>• Make better use of digital tools, estate and time</li> <li>• Enable teams to adapt working arrangements as needs change, without making contractual changes</li> </ul>
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**Question 4: Identifying the Impacts in brief**

Consider any potential Impacts whether positive and/or negative including **social and economic impacts** and human rights. Please note, in brief, what these may be, if any. **Please do not leave any sections blank.**

Relevant Protected Characteristics	Impacts negative and positive Social / Economic Human Rights
<p><b>Age -</b> <i>Think: adults, older age etc.</i></p> <p><i>For impacts on 0-18 year old, please refer to the below Question 5 - children's rights assessment (CRWIA).</i></p>	<p><b>Potential Positive Impacts</b></p> <p><b>Increased flexibility across life stages:</b> Agile working can benefit staff of different ages by offering flexibility that supports changing needs, such as caring responsibilities, health considerations, or phased retirement. This may particularly benefit older staff who value reduced travel or greater control over working patterns.</p> <p><b>Reduced physical strain:</b> Remote working or reduced commuting may positively impact older staff by minimising fatigue, musculoskeletal strain, and travel-related stress, supporting wellbeing and retention.</p> <p><b>Inclusive opportunities for experienced staff:</b> Agile approaches can help retain highly skilled, experienced staff who might otherwise reduce hours or leave the workforce, supporting knowledge transfer and continuity of care.</p> <p><b>Potential Negative Impacts / Risks</b></p> <p><b>Digital exclusion risk:</b></p> <p>Some older staff may have lower confidence or familiarity with digital technologies used for remote working, virtual clinics, or hot-desking systems. Without appropriate support, this could create barriers to effective participation or increase stress.</p> <p><b>Ergonomic and health considerations:</b> Working remotely from home may present risks if appropriate ergonomic assessments, equipment, or adjustments are not in place. This may disproportionately affect older staff who are more likely to have existing musculoskeletal conditions.</p> <p><b>Hot-desking challenges:</b> Hot-desking arrangements may negatively impact some older staff who benefit from consistent workstations, specialist equipment, or reasonable adjustments. Frequent changes in</p>

	<p>workspace could increase discomfort or reduce productivity if not well managed.</p> <p><b>Risk of isolation:</b> Prolonged remote working may increase the risk of social or professional isolation for some staff, which may be felt more acutely by older employees who value in-person interaction or informal peer support.</p> <p><b>Mitigating Actions / Controls :</b> 1: Ensure training and support is available for digital systems used in agile working. 2: Offer ergonomic assessments and equipment for home and hot-desk working. 3: Allow flexibility within hot-desking models to accommodate reasonable adjustments. 4: Promote regular team contact and inclusive communication to reduce isolation. 5: Reinforce that agile working arrangements are reviewable and adaptable over time</p>
<p><b>Disability –</b> <i>Think: mental health, physical disability, learning disability, deaf, hard of hearing, sight loss etc.</i></p>	<p><b>Potential Positive Impacts</b> <b>Social / Economic</b> <b>Increased flexibility and autonomy:</b></p> <p>Agile working may positively support some disabled staff by offering flexibility in how and where work is undertaken. For some individuals, remote working can reduce fatigue, pain, sensory overload, or anxiety associated with commuting and busy clinical or office environments.</p> <p><b>Improved work–life balance and retention:</b></p> <p>Where appropriate adjustments are in place, agile working may support sustained employment, reduce sickness absence, and help retain skilled staff with long-term physical or mental health conditions. Opportunity for personalised adjustments: Agile working arrangements may allow roles to be adapted around an individual’s functional needs, supporting inclusion where face-to-face working is not always required.</p> <p><b>Potential Negative Impacts / Risks</b> <b>Social / Economic</b> <b>Risk of social and professional isolation:</b></p> <p>Disabled staff, particularly those with mental health conditions, learning disabilities, or neurodivergence, may experience increased isolation when working remotely, reducing access to informal peer support, supervision, and team connection.</p> <p><b>Digital and accessibility barriers:</b> Agile working relies heavily on digital platforms. Without accessible software, assistive technology, or appropriate training, staff with:</p> <ul style="list-style-type: none"> <li>• Sight loss may face barriers if systems are not</li> </ul>

compatible with screen readers, magnification tools or high-contrast settings

- Deaf or hard of hearing staff may be disadvantaged if virtual meetings lack captioning, transcription, or appropriate audio controls
- Learning disabilities or cognitive impairment may be affected by complex systems, frequent platform changes, or lack of clear structure
- Inconsistent or unsuitable hot-desking arrangements

Hot-desking may negatively impact disabled staff who require consistent workstations, specialist equipment, or environmental controls. Lack of guaranteed access to reasonable adjustments could create discomfort, reduce productivity, or increase risk of injury.

#### **Mental health impacts:**

For some staff, remote working can blur boundaries, reduce visibility of support needs, and delay recognition of deteriorating mental health, potentially increasing stress, anxiety, or disengagement.

Disabled staff have a legal right to reasonable adjustments under the Equality Act.

There is a risk of indirect discrimination if agile working arrangements are implemented without proactively considering accessibility, reasonable adjustments, and individual need.

A “one-size-fits-all” approach to agile working may unintentionally disadvantage disabled staff and undermine the right to fair, dignified and equal participation in work.

#### **Economic Impacts (Organisation and Individual)**

##### **Equipment and adjustment costs:**

Agile working arrangements for disabled staff may require specialist equipment for home and/or office use, including but not limited to ergonomic furniture, assistive technology, adapted IT equipment, or sensory aids. At present, the organisation does not routinely offer home workstation assessments, which may limit the ability to safely and equitably support disabled staff working remotely.

##### **Potential duplication of equipment:**

Where staff are expected to work across multiple locations (e.g. home, office, hot-desking environments), there is a potential requirement for duplicate equipment or portable specialist equipment to ensure reasonable adjustments are consistently available. This could result in additional costs to the organisation if agile working is expanded without a clear framework for equipment provision.

##### **Risk of unequal access due to funding constraints:**

If financial resources are limited or inconsistently applied, there is a risk that disabled staff may experience delays or barriers in accessing reasonable adjustments, which could

undermine equality of access to agile working opportunities.

### **Social and Human Rights Implications**

#### **Right to reasonable adjustments:**

Disabled staff have a legal right to reasonable adjustments. Where agile working is promoted without appropriate investment in assessments, equipment, or accessible technology, there is a risk that this right cannot be fully realised, particularly for staff with sight loss, hearing impairment, physical disabilities, or complex needs.

#### **Risk of indirect discrimination:**

Cost considerations should not result in disabled staff being disproportionately excluded from agile working opportunities or pressured to work in environments that are not safe or accessible. Failure to adequately resource adjustments may lead to indirect discrimination.

#### **Impact on wellbeing and safety:**

Without home assessments or appropriate equipment, disabled staff may be at increased risk of physical discomfort, injury, fatigue, or deterioration in mental health, potentially leading to higher sickness absence and reduced productivity.

### **Human Rights and Equality Considerations**

#### **Fair access to work:**

There is a risk that staff who cannot afford the additional costs associated with home working may be disadvantaged or excluded from agile working opportunities, impacting the right to fair and equal access to work.

#### **Indirect discrimination risk:**

Where agile working is encouraged or expected without consideration of individual financial circumstances, this may result in indirect discrimination, particularly for disabled staff and those from lower socio-economic backgrounds.

#### **Choice and consent:**

Agile working arrangements should remain voluntary and flexible, ensuring staff are not pressured into home working where this would create financial hardship or exacerbate inequality.

#### **Mitigating Actions / Considerations**

- 1: Reinforce that home working under agile arrangements is not mandatory.
- 2: Ensure managers consider financial as well as functional impact when agreeing agile working arrangements.
- 3: Explore options for organisational support, signposting, or flexibility for staff unable to absorb additional home-working

	<p>costs.</p> <p>4: Ensure decisions are individualised, reviewed regularly, and documented.</p> <p>5: Clarify organisational position on home working assessments for disabled staff.</p> <p>6: Develop guidance on equipment provision and portability for agile workers with reasonable adjustments.</p> <p>7: Ensure cost considerations do not override legal duties under the Equality Act.</p> <p>8: Explore use of Occupational Health, Access to Work, or centralised procurement approaches to support consistency and value for money.</p>
<p><b>Race and Ethnicity –</b>  <i>Note: Race = “a category of humankind that shares certain distinctive physical traits” e.g. Black, Asian, White, Arab</i></p> <p><i>Ethnicity = “large groups of people classed according to common racial, national, tribal, religious, linguistic or cultural origin/background”</i></p> <p><i>Think: White Gypsy Travellers, Black African, Asian Pakistani, White Romanian, Black Scottish, mixed or multiple ethnic groups.</i></p>	<p><b>Potential Positive Impacts</b>  <b>Social / Economic</b>  <b>Increased flexibility and inclusion:</b></p> <p>Agile working may positively support staff from a range of racial and ethnic backgrounds by offering greater flexibility in how and where work is undertaken. This may benefit staff with caring responsibilities, those managing long commuting distances, or those balancing work with community, cultural or religious commitments.</p> <p><b>Potential Negative Impacts / Risks</b>  <b>Social / Economic</b>  <b>Risk of isolation and reduced visibility:</b></p> <p>Staff from minority ethnic backgrounds may experience increased professional isolation when working remotely, particularly if they are under-represented within teams. Reduced informal contact may impact access to mentoring, peer support, and career progression opportunities.</p> <p><b>Cultural and communication barriers:</b></p> <p>Agile working relies heavily on digital communication. For staff for whom English is not a first language, or where communication styles differ culturally, reduced face-to-face interaction may increase the risk of misunderstanding, exclusion from informal decision-making, or reduced confidence to raise concerns.</p> <p><b>Dignity and respect:</b></p> <p>Reduced visibility and informal interaction in agile working models may make it harder to identify or address racism, bias, or exclusion, potentially impacting staff dignity and wellbeing if not actively managed.</p> <p><b>Choice and flexibility:</b></p> <p>Agile working should not be applied in a way that pressures staff into arrangements that are culturally, socially, or</p>

	<p>economically unsuitable for them.</p> <p><b>Mitigating Actions / Controls</b></p> <p>Ensure agile working remains voluntary and flexible, not assumed or imposed.  Promote inclusive communication and regular team contact for remote workers.  Consider socio-economic impact when agreeing home-working arrangements.</p> <p>Ensure managers are alert to issues of visibility, progression and inclusion for staff working remotely. Reinforce zero tolerance of discrimination across all working environments, including virtual spaces</p>
<p><b>Sex –</b>  <i>Think: male and/or female, intersex, Gender-Based Violence</i></p>	<p><b>Potential Positive Factors</b></p> <p>Increased flexibility may benefit staff of all sexes by enabling improved work–life balance, particularly for those with caring responsibilities.  Flexible working arrangements can support return to work following illness, pregnancy-related issues, or periods of trauma.  For some individuals experiencing gender-based violence, agile working may offer greater control over working hours, reducing stress and enabling access to support services.  Supports equality by recognising that staff have different personal and domestic circumstances, rather than applying a one-size-fits-all approach.</p> <p><b>Potential Negative Factors</b></p> <p>Gender-based violence, including domestic abuse (emotional, physical, sexual and financial), disproportionately affects women but can impact people of any sex.  Home working may increase isolation for staff experiencing domestic abuse, removing protective factors such as:</p> <ul style="list-style-type: none"> <li>• Time away from the perpetrator</li> <li>• Social contact with colleagues</li> <li>• Informal opportunities to disclose concerns</li> </ul> <p><b>Being required or encouraged to work from home may:</b>  Increase risk of harm where the home is not a safe environment  Negatively impact mental health, emotional wellbeing and physical safety  Economic abuse (e.g. financial control, restricted access to resources or private space) may make home working unsafe or impractical.  Staff may feel unable to request alternative working arrangements without disclosing highly sensitive personal circumstances.  Women may experience disproportionate impacts due to higher likelihood of caring responsibilities and gender-based inequality within the home.</p>

	<p><b>Failure to recognise these risks may impact human rights, including the right to:</b>  Safety and protection from harm  Dignity and wellbeing at work  Equality of opportunity</p> <p>Agile working may have both positive and negative impacts in relation to sex. Without appropriate safeguards and flexibility, there is a risk of disproportionate adverse impact on staff affected by gender-based violence. The policy must recognise that home is not a safe environment for all staff and ensure individual circumstances, safety and wellbeing are prioritised</p>
<p><b>Sexual Orientation -</b>  <i>Think: lesbian, gay, bisexual, pansexual, asexual, etc.</i></p>	<p><b>Potential Negative Factors</b>  Home working may increase isolation for some LGB+ staff, particularly those who:  Rely on the workplace as a safe, affirming environment.  Have limited support networks at home.  Some staff may experience reduced visibility and connection with colleagues and support networks, including the NHS Fife LGBT+ staff network.  Where staff live in non-affirming or unsafe home environments, agile working may negatively impact wellbeing and mental health.</p> <p><b>There is a risk that reduced face-to-face contact may:</b>  Limit opportunities for informal support or disclosure  Reduce visibility of issues related to discrimination or exclusion.</p>
<p><b>Religion and Belief -</b>  <i>Note: Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief including a lack of belief.</i>  <i>Think: Christian, Muslim, Buddhist, Atheist, etc.</i></p>	<p><b>Potential Positive Factors</b></p> <p>Agile working may support religious observance and belief-related practices, for example:</p> <ul style="list-style-type: none"> <li>• Greater flexibility to observe prayer times, religious festivals or periods of fasting.</li> <li>• Reduced need to request leave or adjustments for religious reasons.</li> </ul> <p><b>Home or agile working may reduce stress associated with:</b></p> <ul style="list-style-type: none"> <li>• Managing religious observance alongside rigid working patterns.</li> <li>• Accessing suitable spaces for reflection or prayer.</li> <li>• Agile working supports individual choice and autonomy, which may benefit staff of different religions or beliefs equally.</li> </ul> <p><b>Reduced presence in the workplace may limit:</b>  Access to faith-based peer support or inclusive spaces.  Informal conversations that support understanding and inclusion.</p>

	<p><b>There is a risk that inconsistent application of agile working could:</b> Indirectly disadvantage staff who require specific adjustments linked to religion or belief. If not managed sensitively, agile working arrangements may unintentionally reduce visibility of religious inclusion needs, such as:</p> <ul style="list-style-type: none"> <li>• Adjustments during religious festivals.</li> <li>• Flexible scheduling during periods of fasting.</li> </ul>
<p><b>Gender Reassignment –</b> <i>Note: transitioning pre and post transition regardless of Gender Recognition Certificate</i></p> <p><i>Think: transgender, gender fluid,, etc</i></p>	<p><b>Potential Positive Factors</b></p> <p>Agile working may support privacy, dignity and wellbeing for staff who are transitioning or exploring their gender identity.</p> <p>Agile working can help create a more inclusive and outcomes-focused culture, reducing emphasis on physical presence or appearance. For some staff, home or flexible working may reduce exposure to:</p> <ul style="list-style-type: none"> <li>• Misgendering</li> <li>• Inappropriate questioning</li> <li>• Harassment or discrimination</li> </ul> <p><b>Potential Negative Factors</b></p> <p>Home working may increase isolation for some transgender and non-binary staff, particularly where:</p> <ul style="list-style-type: none"> <li>• The workplace is a key source of affirmation and support.</li> <li>• Home environments are not accepting or supportive.</li> </ul> <p><b>Reduced face-to-face contact may limit:</b></p> <ul style="list-style-type: none"> <li>• Access to informal peer support</li> <li>• Visibility of inclusion issues or discriminatory behaviour</li> <li>• Staff may feel less able to access support from managers, HR or staff networks if working remotely.</li> </ul> <p><b>Inconsistent application of agile working arrangements could lead to:</b></p> <ul style="list-style-type: none"> <li>• Perceived unfairness</li> <li>• Reduced confidence in raising concerns or requesting adjustments If not implemented sensitively, agile working may unintentionally mask ongoing equality or inclusion issues rather than addressing them.</li> </ul>
<p><b>Pregnancy and Maternity –</b> <i>Note: Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after birth.</i></p> <p><i>Think: workforce maternity leave, public breast feeding, etc.</i></p>	<p><b>Potential Positive Factors</b></p> <p>Agile working may positively support pregnant staff and those returning from maternity leave by:</p> <ul style="list-style-type: none"> <li>• Offering greater flexibility around working hours and location.</li> <li>• Supporting fatigue management, medical appointments and pregnancy-related symptoms.</li> </ul>

	<p><b>Reduced commuting may:</b></p> <ul style="list-style-type: none"> <li>• Improve physical comfort and wellbeing during pregnancy.</li> <li>• Reduce stress and exhaustion, particularly in later stages of pregnancy.</li> </ul> <p><b>Agile working may assist breastfeeding parents by:</b></p> <ul style="list-style-type: none"> <li>• Providing greater autonomy to manage feeding or expressing routines.</li> <li>• Reducing the need for immediate access to workplace facilities.</li> <li>• Supports retention of experienced staff by offering family-friendly working arrangements.</li> </ul> <p><b>Potential Negative Factors</b></p> <p>Home working may not always be suitable or safe for pregnant staff, particularly where:</p> <ul style="list-style-type: none"> <li>• Appropriate ergonomic equipment is not available.</li> <li>• Health and safety risk assessments are not completed or reviewed.</li> </ul> <p>Staff who are breastfeeding or expressing milk may:</p> <ul style="list-style-type: none"> <li>• Experience isolation or reduced visibility within teams.</li> <li>• Face challenges accessing appropriate facilities or support when working on site intermittently.</li> </ul> <p>Inconsistent application of agile working could:</p> <ul style="list-style-type: none"> <li>• Create perceptions of unfairness or pressure to work from home when not appropriate.</li> <li>• Disadvantage staff who require specific workplace adjustments.</li> </ul> <p>Without appropriate management support, agile working may:</p> <ul style="list-style-type: none"> <li>• Blur boundaries between work and recovery time during pregnancy or maternity.</li> <li>• Impact mental health and wellbeing.</li> </ul> <p>There is a risk that pregnancy-related needs may be less visible when staff are working remotely.</p>
<p><b>Marriage and Civil Partnership</b></p> <p>–</p> <p><i>Note: Marriage is the union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as a civil partnership.</i></p> <p><i>Think: workforce, inpatients visiting rights, etc.</i></p>	<p><b>Potential Positive Factors</b></p> <p><b>Agile working may support staff who are married or in civil partnerships by:</b></p> <ul style="list-style-type: none"> <li>• Improving work–life balance and time spent with partners.</li> <li>• Supporting shared caring or domestic responsibilities.</li> </ul> <p>Agile working applies equally regardless of marital or partnership status, supporting fairness and consistency.</p> <p><b>Potential Negative Factors</b></p> <p>No direct adverse impacts related to marriage or civil partnership status have been identified.</p> <p>Agile working may not fully meet the needs of staff whose</p>

	<p>partners require significant care or support during working hours.</p> <p><b>Inconsistent application of agile working could lead to:</b></p> <ul style="list-style-type: none"> <li>• Perceived unfairness between staff with different family or relationship circumstances.</li> <li>• Any issues arising are likely to relate to implementation and individual circumstances, rather than marital or partnership status itself.</li> </ul>
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### Question 5: Children’s Rights & Wellbeing Impact Assessment

From July 2024, the UNCRC is enforceable by law. This means public bodies must act compatibly with children’s rights. Please consider here any impacts of your proposal on children’s rights as per the [UNCRC](#) articles. The UNCRC applies to all under 18s, with no exceptions.

Even if your proposal does not directly impact children, there may be indirect impact, so please work through the below regardless.

UNCRC Right	Anticipated Impacts & Relevant Mitigations
<p><b>Article 3 - Best Interests of the Child</b>  <i>Note: Consideration to how any proposal may impact children must be made. Decisions must be made whilst considering what is best for children.</i></p>	<p><b>Anticipated Impacts</b></p> <p>Agile working arrangements may indirectly affect the wellbeing and experience of staff’s own children when work is delivered from the home environment. Children may be present in the household during working hours, and this can influence their routine, access to their parent/carer, and overall home atmosphere.</p> <p><b>Potential impacts include:</b></p> <p>Reduced parental availability or attention during working hours, which may be challenging for younger children who require higher levels of supervision and reassurance.</p> <p>Disruption to children’s routines, particularly in small or shared living spaces where a parent needs a quiet or confidential work area.</p> <p>Possible emotional frustration for the child, if they perceive the parent as physically present but not accessible.</p> <p>Exposure to adult conversations or sensitive content, depending on the staff member’s role, if</p>

confidentiality measures are not adequately managed.

Health and safety considerations, such as trip hazards from equipment or increased screen time for children due to needing to stay occupied.

**positive impacts, include:**

Increased parental presence before/after the working day due to removal of commuting time.

A calmer home environment if the parent experiences improved work-life balance and reduced stress.

Improved flexibility for parents to support family responsibilities.

**Mitigations**

To place the best interests and wellbeing of the child at the centre, while also ensuring service delivery is maintained the following mitigations apply to prevent situations where a child may be placed at risk due to a lack of appropriate supervision.

**1. Clear Requirement for Childcare During Working Hours**

Working from home is not a substitute for childcare. Staff must have appropriate childcare arrangements in place during contracted working hours.

**2. Manager Assessment of Suitability**

Line managers must consider the suitability of home-working arrangements, placing the child's wellbeing at the centre of the decision-making process. If a child is likely to require supervision during working hours, this may mean that agile working is not appropriate.

**3. Clear Boundaries and Expectations**

Staff must establish clear boundaries with household members to ensure uninterrupted working time. Where these cannot be

maintained because of the needs of children, managers may require the employee to work from an NHS base.

#### **4. Flexibility Only Where Appropriate**

Managers may explore formal flexible working options (e.g., adjusted start/finish times or compressed hours) where caring responsibilities cannot be met otherwise. However, these must follow the appropriate Workforce policies and must not result in “working while caring”.

#### **5. Regular Review of Arrangements**

Agile working arrangements must be reviewed regularly, with the child’s wellbeing and best interests remaining central. Where a child’s presence during working hours indicates a need for supervision or support, this must take precedence, and the arrangement may require adjustment or withdrawal to safeguard the child’s welfare, confidentiality, health and safety.

#### **6. Health, Safety and Confidentiality Safeguards**

Where children are present in the home, staff must ensure:

- Work equipment is kept secure and out of reach
- Children cannot overhear confidential conversations
- The home workspace remains safe and compliant with risk assessment requirements

If these conditions cannot be met, managers may deem the home environment unsuitable for agile working.

#### **7. Alternative Workspace Provision**

Where childcare barriers exist, the organisation will ensure staff have access to workplace based spaces (agile hubs, desks, offices) to support safe and effective working.

**Article 6 & 19- Life, Survival and Development & Protection**

*Think: Children have the right to life. Governments should make sure that children develop and grow healthily and should protect them from things or people which could hurt them.*

**Positive Impacts**

Increased parental presence at home may support a child's sense of security and wellbeing, as parents are physically present before and after the working day due to reduced commuting time.

Improved work life balance for staff, which can contribute to a calmer, more stable home environment, benefitting children's emotional development.

Potential reduction in financial pressures (e.g., travel costs), indirectly supporting children's health, stability and access to resources.

**Negative Impacts**

Lack of appropriate supervision if parents attempt to work while also caring for children. Young children in particular require continuous supervision for their safety and wellbeing, which cannot be provided while the parent is engaged in work tasks.

Risk of harm or accidents in the home if work equipment (e.g., cables, laptops, chargers) becomes accessible to children or creates hazards within small/shared spaces.

Potential exposure to adult, sensitive or distressing work content, which may be overheard or seen by children especially where confidential or emotionally difficult conversations occur.

Emotional distress or behavioural frustration for children who may not understand why their parent is present at home but unavailable.

Interrupted working environment, impacting both the parent's ability to concentrate and the child's routine, potentially affecting safety and regular developmental activities (structured play, feeding, naps, etc.).

**Mitigations**

While agile working can bring some benefits to children through increased parental presence and

	<p>improved work life balance, children must not be unsupervised while a parent is working, and appropriate childcare is essential to safeguard their safety, development and protection. NHS Fife’s mitigations ensure that agile working arrangements do not compromise the rights, safety, or wellbeing of children within the household.</p>
<p><b>Article 12 &amp; 13 – Respect for Children’s Views and Access to Information</b>  <i>Note: every child has the right to have a say in decisions that affect them this could include making a complaint and accessing information.</i></p>	<p><b>Positive Impacts</b></p> <p>Greater parental presence may increase opportunities for communication. Children may feel more able to share their views or raise concerns with their parent because they see them more frequently throughout the day (e.g., before/after work or during breaks).</p> <p>Reduced parental stress due to agile working (less commuting, improved flexibility) may create a calmer home environment where children feel more listened to and emotionally supported.</p> <p>Improved family routines, as flexible working patterns may allow staff to be more available to attend children's appointments, school meetings, or support their access to information or services.</p> <p><b>Negative Impacts</b></p> <p>Children may feel ignored or “shut out” if a parent is physically at home but unavailable due to work commitments. This can cause frustration and the sense that their views are not heard or valued.</p> <p>Children may experience confusion about boundaries, especially younger children who do not understand the concept of a parent being home but not accessible, which may inhibit their willingness to voice concerns or needs.</p> <p>Restricted access to parental guidance if the child cannot approach the parent during working hours, even when something important arises.</p> <p>Risk of overhearing adult work conversations which could cause distress or provide inappropriate information if the child's right to safe, age-appropriate information is not</p>

	<p>protected.</p> <p>In small or shared spaces, children may feel they must stay silent or limit movement, which may unintentionally suppress normal expression of views or play.</p> <p><b>Mitigations</b></p> <p>Agile working may enhance children’s ability to communicate with their parent by increasing parental presence; however, if not managed appropriately, it may also limit children’s access to their parent and suppress their ability to express views or receive appropriate information. Mitigations such as ensuring childcare, setting boundaries, ensuring confidentiality, and reviewing suitability ensure that children’s rights to express views freely and access appropriate information are protected.</p>
<p><b>Article 22 &amp; 30 – Refugee &amp;/or Care Experienced Children</b>  <i>Note: If a child comes to live in the UK from another country as a refugee, they should have the same rights as children born in the UK. Some children may need additional considerations to make any proposal equitable for them (e.g. The Promise, Language interpretation or cultural differences).</i></p>	<p><b>Positive Impacts</b></p> <p>Increased parental presence and stability: Agile working may allow parents/carers of refugee or care-experienced children to be more accessible before and after work, providing emotional support and stability important for children who may have experienced trauma, loss, or inconsistent caregiving.</p> <p>Reduced stress for the parent/carer: Agile working may help reduce parental stress through improved work-life balance and reduced travel. This may create a calmer, more predictable home environment, which is particularly beneficial for care-experienced children or refugee children adapting to new surroundings.</p> <p>Greater flexibility to attend key appointments: Parents may have increased ability to manage school meetings, health appointments, social work meetings, language support sessions, or trauma-informed interventions that children in these groups are more likely to require.</p> <p>More culturally responsive and inclusive family time: Increased parental presence may allow more opportunities to maintain cultural identity,</p>

routines, or language reinforcement for refugee children.

### **Negative Impacts**

Children may feel emotionally neglected during working hours if the parent is physically present but unable to engage due to work demands this may be particularly difficult for care experienced children who may be sensitive to perceived rejection or changes in adult availability.

Refugee children with limited English may struggle to understand work-related boundaries, and may not fully comprehend why the parent/carer is unavailable, causing distress or confusion.

Overcrowded or shared living spaces (more common for newly settled or asylum-seeking families) may make it challenging to create a private working area, increasing the risk that children overhear inappropriate conversations or are exposed to confidential or distressing work-related content.

Potential for disrupted routines, which can particularly impact care-experienced children who rely heavily on predictability and structured days to feel safe.

For refugee children recovering from trauma, overhearing work conversations or seeing their parent/carer under stress may unintentionally trigger anxiety or re-traumatisation.

Parents balancing work and caregiving without adequate childcare may unintentionally compromise children's emotional, developmental, and safety needs, especially if the home is busy, not child-proofed, or lacking stable routines.

Refugee and care-experienced children may require additional emotional support, stability and routine. Agile working may benefit them through increased parental presence, but can also create challenges if the home environment does not meet their specific needs.

	<p><b>Mitigations:</b></p> <p>including childcare requirements, trauma-informed communication, confidentiality protections, suitability assessments and regular review ensure that agile working arrangements uphold the rights, safety, and wellbeing of refugee and care-experienced children.</p>
<p><b>Article 23 – Disabled Children</b>  <i>Note: Disabled children should be supported in being an active participant in their communities.</i></p> <p><i>Think: Can disabled children join in with activities without their disability stopping them from taking part?</i></p>	<p><b>Positive Impacts</b></p> <p>Increased parental presence may benefit disabled children who require reassurance, predictable support, or additional emotional regulation. Having a parent at home before/after the workday may help maintain their stability and reduce anxiety.</p> <p>Greater flexibility to attend appointments, therapies, educational meetings, or health reviews, which are often more frequent for disabled children. Agile working can reduce travel and allow parents to accommodate these needs more easily.</p> <p>Improved work life balance for the parent/carer may help create a calmer domestic environment, which is particularly beneficial for children with sensory needs, neurodevelopmental conditions, or disabilities that make them more sensitive to stress.</p> <p>Potential for quicker response to needs outside working hours, because parents are physically present in the home environment.</p> <p><b>Negative Impacts</b></p> <p>Disabled children may require higher levels of supervision, care, or immediate attention that are not compatible with the parent’s work demands. Attempting to work and provide care simultaneously may pose safety, wellbeing, or developmental risks.</p> <p><b>Confusion around boundaries:</b> Children with learning disabilities, ASD, or communication difficulties may find it especially hard to understand why their parent is home but not emotionally or physically available. This can lead</p>

	<p>to distress or behavioural escalation.</p> <p>Heightened risk of accidents if the child has mobility challenges, sensory needs, or impulsivity, especially where work equipment creates hazards.</p> <p>Disrupted routines, which may significantly impact children who depend on strict structure for regulation and development.</p> <p>Overexposure to noise or overstimulation from work-related calls or being asked repeatedly to remain quiet, which may be distressing for some disabled children.</p> <p>Reduced access to parental support during working hours, which may affect the child's developmental opportunities, communication, or participation in activities.</p> <p><b>Mitigations</b></p> <p>Agile working can benefit disabled children by offering increased stability, time with parents, and greater appointment flexibility. However, it also carries risks related to supervision, routine disruption, safety, and sensory or behavioural needs. Clear childcare expectations, suitability assessments, confidentiality protections, safe workspace practices, and ongoing review ensure disabled children's rights to safety, development, and participation are fully protected.</p>
<p><b>Article 24 &amp; 27 – Enjoyment of the Highest Attainable Standard of Health</b>  <i>Note: Children should have access to good quality health care and environments that enable them to stay healthy both physically and mentally.</i>  <i>Think: Clean environments, nutritious foods, safe working environments.</i></p>	<p><b>Positive Impacts</b></p> <p>Improved parental wellbeing through flexible/agile working can contribute to a calmer, more supportive home environment, which benefits children's mental and emotional health.</p> <p>Reduced commuting time may give parents more time to prepare healthy meals, support routines, and spend time on physical activity or outdoor play with their children.</p> <p>Increased availability before and after the workday may support children's access to appointments, therapies, school activities, or</p>

community health services.

Greater parental oversight of the home environment at the start and end of the day may help promote hygiene, safety, and nutritious eating routines.

### **Negative Impacts**

Children may not receive adequate supervision during the parent's working hours if childcare is not in place. This may pose safety risks, particularly for younger children.

Home environments may not always be physically suitable, especially in smaller or shared spaces where work equipment may create hazards (e.g., trailing cables, chargers, laptops).

Mental wellbeing risks if children feel they must remain quiet, confined, or restricted so the parent can work this may reduce opportunities for active play and healthy development.

In homes where space is limited, children may have less access to clean, safe play areas while their parent occupies a shared area for work.

Exposure to adult professional stress (even indirectly) may negatively impact a child's emotional health, particularly if the parent is managing demanding or distressing work content at home.

If parents attempt to "work while caring," children may miss out on essential activities, including physical activity, appropriate nutrition routines, or emotional connection during the day.

### **Mitigations:**

Agile working may support children's health through improved parental wellbeing and increased family time; however, it may also introduce risks related to supervision, safety, routines, and emotional wellbeing. Mitigations including childcare expectations, safe workspace setups, suitability assessments, and ongoing review ensure that children's rights to health, safety, and a supportive environment are

	upheld.
<b>Other relevant UNCRC articles:</b> <i>Note: Please list any other <a href="#">UNCRC</a> articles that are specifically relevant to your proposal.</i>	

**Question 6: Please include in brief any evidence or relevant information, local or national that has influenced the decisions being made. This could include demographic profiles, audits, publications, and health needs assessments.**

**Question 7: Have you consulted with staff, public, service users, children and young people and others to help assess for Impacts?**  
(Please tick)

Yes		No	X
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If yes, **who** was involved and **how** were they involved?

If not, why did you not consult other staff, patients or service users? Do you have feedback, comments/complaints etc that you are using to learn from, what are these and what do they tell you?

**Question 10: Which of the following ‘Conclusion Options’ applies to the results of this Stage 1 EQIA and why? Please detail how and in what way each of the following options applies to your Plan, Strategy, Project, Redesign etc.**

*Note: This question informs your decision whether a Stage 2 EQIA is necessary or not.*

Conclusion Option	Comments
<b>1. No Further Action Required.</b> Impacts may have been identified, but mitigations have been established therefore no requirement for Stage 2 EQIA or a full Children’s Rights and Wellbeing Impact Assessment. (CRWIA)	Impacts have been identified through the screening process; however, these are mitigated through the policy’s requirement for agile working to be applied on an individual, non-mandatory basis, supported by appropriate managerial discretion, individual risk assessment and ongoing review. Where implemented in this way, the policy

	provides sufficient flexibility to accommodate personal circumstances and protected characteristics, and the risk of adverse impact is considered low. While a blanket or mandatory application of agile working to large groups of staff without individual assessment could increase organisational risk, this is mitigated by the policy's emphasis on choice, proportionality and existing governance arrangements. On this basis, no further EQIA or CRWIA is required at this stage.
<p><b>2. Requires Further Adjustments.</b> Potential or actual impacts have been identified; further consideration into mitigations must be made therefore Stage 2 EQIA or full CRWIA required.</p>	
<p><b>3. Continue Without Adjustments</b> Negative impacts identified but no feasible mitigations. Decision to continue with proposal without adjustments can be objectively justified. Stage 2 EQIA /full CRWIA) may be required.</p>	
<p><b>4. Stop the Proposal</b> Significant adverse impacts have been identified. Proposal must stop pending completion of a Stage 2 EQIA or full CRWIA to fully explore necessary adjustments.</p>	


**PLEASE NOTE: ALL LARGE SCALE DEVELOPMENTS, CHANGES, PLANS, POLICIES, BUILDINGS ETC MUST HAVE A STAGE 2 EQIA /full CRWIA)**


If you have identified that a full EQIA/CRWIA is required then you will need to ensure that you have in place, a working group/ steering group/ oversight group and a means to reasonably address the results of the Stage 1 EQIA/CRWIA and any potential adverse outcomes at your meetings.

For example you can conduct stage 2 and then embed actions into task logs, action plans of sub-groups and identify lead people to take these as actions.

It is a requirement for Stage 2 EQIA's to involve public engagement and participation.

You should make contact with the Participation and Engagement team at [fife.participationandengagements@nhs.scot](mailto:fife.participationandengagements@nhs.scot) to request community and public representation, and then contact Health Improvement Scotland to discuss further support for participation and engagement.

To be completed by Lead Assessor	
Name	Nicola Robertson
Email	nicola.robertson12@nhs.scot
Telephone (ext)	N/A
Signature	
Date	27/4/2026

To be completed by Equality and Human Rights Lead officer – for quality control purposes	
Name	Isla Bumba
Email	Isla.bumba@nhs.scot
Telephone (ext)	
Signature	
Date	27/4/26

Return to Equality and Human Rights Team at  
[Fife.EqualityandHumanRights@nhs.scot](mailto:Fife.EqualityandHumanRights@nhs.scot)