Equality Impact Assessment (EQIA)

FLS-0078-FW Deer Management Framework

Section 1: Details of the policy/practice/project

| **Information required** | **Enter information below** |
| --- | --- |
| **Department/Team responsible** | Forestry and Land Scotland - Land Management & Regions |
| **Name of Policy, Practice or Project being assessed** | Deer / Wildlife Management |
| **Purpose and anticipated outcomes** | FLS have a continued requirement to undertake deer (and other wildlife) management. These services are required to manage the deer population on Scotland’s National Forests and Land which support and contribute to our biodiversity, climate emergency mitigation, social, cultural, and silvicultural objectives. This means FLS must balance maintaining a healthy deer population, at levels that will also allow Scotland’s National Forests and Land to flourish. |
| **Is this a new or existing Policy, Practice or Project?** | Existing. Deer management has been undertaken on FLS land for many years. This specific project is a procurement to supplement current contractual arrangements. The current Deer Management contract (C0224) is live and due to expire in 2027. FLS have explored all potential options and opportunities for procuring services to deliver deer management operations over the next 5+ years which resulted in the decision to commence a new tender exercise to provide ‘back-up’ provision to run alongside the C0224 contracts. |
| **List of participants in Equality Impact Assessment process** | Ella Hashemi; Equality, Diversity & Inclusion Manager.  Audrey Watson, Area Wildlife Manager. |
| **Date Assessment started** | 12 July 2023 |
| **Completion date** | 28 July 2023 |
| **Who is likely to be affected?**  *E.g. employees, visitors, contractors, women, men, young people, older people, people with disabilities etc.* | Primarily Contractors, sub-contractors and Regional Staff who are contract managing the delivery of these services. |

Section 2: Collecting information

What evidence is available about the needs of relevant groups? Please consider demographic data, including census information, research, consultation and survey reports, feedback and complaints, case law, others knowledge and experience. Please refer to the list of evidence on the EqIA page of the intranet.

| **Details** | **Source of evidence** |
| --- | --- |
| NB: As there is limited evidence from the deer management sector, the comparable sector is the gamekeeping sector.  **Gender**   * 99% of deerstalkers/managers responding to a BASC survey were male * Only 4% of FLS staff involved in Deer Management are female, including apprentices * 97% of FAC holders were male in latest statistics available (England and Wales only) but not all would be involved in deer management * 96.9% of DSC1 holders and 98.7% of DSC2 holders are male   The gamekeeping profession is significantly male dominated (95% of survey respondents were male). There was good geographical representation in the survey responses, with two-thirds coming from the Highlands and Islands and the North East of Scotland. Half the respondents were over 50 years of age (with 25% being 60 and older), a third were aged 30-49 years of age whilst 13% were under 30.  **Education**  A quarter of the respondents held the position of head keeper, with 18% beat keepers, 15% deer stalkers and 14% single-handed keepers. There were also some semi-retired and self-employed keepers. For many, being a gamekeeper, stalker or ghillie was considered a 'vocation' rather than a job per se, particularly where there were familial links to the profession – an occurrence for over half the respondents.  For most, there was considerable 'practical experience' from a 'lifetime' in the job, with 60% of the respondents having more than 20 years' working experience in the profession. Only 11% of the respondents had no formal training pertaining to their job, whilst nearly 50% had a further education qualification and 25% a higher education qualification related to gamekeeping. Gamekeeping apprenticeships had been completed by 14% of the respondents and 63% of respondents receive on-the-job training. On-the-job training and qualifications regularly reflected legal obligations or best practice, such as Deer Management Qualifications, all-terrain vehicles, chainsaws, etc.  **Socio economic**  A higher proportion of active respondents (to BASC survey), across all age categories, from age 31 upwards, reported earning £51,000+; and a higher proportion of the ‘*up to 20’* age category reported to earn less than £10,000; and the ’*21-30*’ age category ‘£41,000 - £50,000   * 12% of respondents stalked professionally * Two thirds (67%) were single handed stalkers * More than half (59%) were self-employed   The majority (87%) of the (gamekeeping survey)- respondents lived with a partner / spouse and 34% lived with dependants at home – with an average of two school age children each. Only 16% of these partners / spouses were not economically active – and 18% also worked in the same business as the gamekeeper respondent. For nearly a quarter of respondents living with a partner / spouse, the gamekeeper respondent provided less than half of the total household income (excluding non pecuniary benefits such as tied housing that is a common feature).  **Age**  43% of FLS staff involved in deer management roles are under 50, so 57% are over 50, reflecting the national picture. These figures include apprentices.  For Rangers only, 34% are under 50 (which rises to 42%, if apprentices are included), suggesting an ageing ranger workforce.  Average age of deer stalkers is 55 (BASC members responses to a survey)  A higher proportion of those ‘S*elf-employed’* stalkers*,* were aged between 51 and 70*,* whereas those who indicated they were employed ‘*Full-time*’ and ‘*Part-time*’, were aged between 41 and 70. | BASC Stalking Survey 2020, pers comm  [NatureScot Research Report 1333 - Deer management skills and capacity - initial scoping report | NatureScot](https://www.nature.scot/doc/naturescot-research-report-1333-deer-management-skills-and-capacity-initial-scoping-report)  [Statistics on firearm and shotgun certificates, England and Wales: April 2021 to March 2022 - GOV.UK (www.gov.uk)](https://www.gov.uk/government/statistics/statistics-on-firearm-and-shotgun-certificates-england-and-wales-april-2021-to-march-2022/statistics-on-firearm-and-shotgun-certificates-england-and-wales-april-2021-to-march-2022)  DMQ pers comm  6. Part 2 - Employment Rights of Gamekeepers - Driven grouse moors - socioeconomic and biodiversity impacts: summary report - gov.scot (www.gov.scot)  6. Part 2 - Employment Rights of Gamekeepers - Driven grouse moors - socioeconomic and biodiversity impacts: summary report - gov.scot (www.gov.scot)  BASC Stalking Survey 2020 pers comm  BASC Stalking Survey 2020, pers comm  6. Part 2 - Employment Rights of Gamekeepers - Driven grouse moors - socioeconomic and biodiversity impacts: summary report - gov.scot (www.gov.scot)  [NatureScot Research Report 1333 - Deer management skills and capacity - initial scoping report | NatureScot](https://www.nature.scot/doc/naturescot-research-report-1333-deer-management-skills-and-capacity-initial-scoping-report)  BASC Stalking Survey 2020, pers comm |
| **Many contract stalking businesses are classed as SMEs**  **SME employers**   * More than 1 in 3 SME employers in Scotland fell in the 45 to 54 age category (34%). The two next largest categories were the 55 to 64 (22%) and 35 to 44 (19%) age categories. * 9% of SMEs employing sole traders in Scotland had a disability. * 2% of SME employers in Scotland were run by a member, or mostly by members, of a minority ethnic group * 17% of SME employers were controlled by a woman, or led by a management team with a majority of women | Small Business Survey reports (Department for Business, Innovation and Skills)  Small Business Survey Scotland: 2020  <https://www.gov.scot/publications/small-business-survey-scotland-2020/> |
| **Labour Market:**   * Employment rates were highest for 35-49 year olds (83%) and lowest for the 16-24 year old age group (57.2%). 11.5% of 16-19 year olds were not in education, employment or training (NEET). * The employment rate for disabled people in Scotland (aged 16-64) was 49.6%, which compares with an employment rate of 80.8% for non-disabled people * The employment rate for the minority ethnic population aged 16-64 was 62.1% which is lower than the white population with an employment rate of 73.9%. * The employment rate for women was 70.7%, lower than the employment rate for men (75.8%). * The highest employment rates were seen for those with no religious beliefs (74.7%) followed by Christians (72.3%), Other religion (64.7%), Buddhists (66.5%), Hindus (68.4%), Jewish (69.8%), Muslims (46.5%), Sikhs (61.5%). The employment rate for Scotland as a whole was 73.2% * People who identified as 'LGB and other' were twice as likely to be unemployed compared to those who identified as 'heterosexual' (4% versus 2%). It is important to note that a higher proportion of those identifying as 'LGB and other' were in the age groups 16-24 and 25-34, which were also the age groups where unemployment was higher. * Disabled workers are least likely to be employed in Agriculture, forestry and fishing, as were non-disabled workers (each less than 1%). | Scotland's Labour Market: People, Places and Regions – Protected Characteristics. Statistics from the Annual Population Survey 2021  <https://www.gov.scot/publications/scotlands-labour-market-people-places-regions-protected-characteristics-statistics-annual-population-survey-2021/>  Sexual orientation in Scotland 2017: summary of evidence base  [Sexual orientation in Scotland 2017: summary of evidence base - gov.scot (www.gov.scot)](https://www.gov.scot/publications/sexual-orientation-scotland-2017-summary-evidence-base/pages/5/)  [The employment of disabled people 2022 - GOV.UK (www.gov.uk)](https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2022) |

| **From your research above, if you have you identified any gaps in evidence, enter the details of the gaps below** |
| --- |
| **Advanced Learning & Skills:** Gaps in evidence for 3 protected characteristics – Religion, Sexual Orientation and Transgender.**SME Employers:** Gaps in evidence for 3 protected characteristics – Religion, Sexual Orientation, and Transgender.  **Labour Market:** Gaps in evidence for 2 protected characteristics in this sector –Transgender, Ethnicity.  Historically, and perhaps due to cultural differences, there is under-representation among ethnic groups.  Overall, there is a lack of currently available research on protected characteristics of employees/trainees specific to deer management contractors. However, this industry shares similarities with the gamekeeping sector in terms of type of work undertaken, therefore statistics for employees in terms of protected characteristics may be similar. |

| **As appropriate, please describe below, the consultation/engagement undertaken, including details of the groups involved and the methods used** |
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| See above. |

| **Detail below if there are any other groups to be consulted** |
| --- |
| None. |

Section 3: Impacts

Has the research and consultation identified any potential for impacts on those with the following protected characteristics:

| **Protected Characteristic** | **Potential Impact (yes or no)** | **Explain** |
| --- | --- | --- |
| **Age**  *E.g. older people, children including looked after children, young people including care leavers* | No | The current workforce is varied in age but more towards the upper age range. The work involved in the contract is largely manual – see disability section for specific considerations that may be age related. This Framework will not create any extra burden on these sectors.  The work involves unsociable hours and so may impact on those with young children or care givers. Within FLS, staff are able to work flexibly but, with external contractors, it is for them to manage themselves or for their principal contractor to do so. Night shooting is a big part in the winter and early starts/late finishes in the summer, so there does need to be flexibility from the main contractor to enable their team to take time off to spend with family etc. |
| **Disability**  *E.g. long term mental health conditions, neurodiversity, physical impairments* | Yes | The work involved in the contract is all manual and on uneven terrain which could present difficulties for those with mobility issues. As it relies on good visual ability, it will impact on those with serious sight impairments.  As it relies on steady hands to take a shot, it may impact on some with neurological impairments (e.g. cerebral palsy) . Within FLS, any Wildlife Ranger in this position would be taken off culling duties and reassigned another role. In an external contractor’s case, the principal contractor would make the decision on whether they would be able to reassign that person to other work.  All cullers have to take a shooting test (whether staff or external contractors) and so they do need to meet the required standards to be able to go out and cull. They also need to be able to spot a deer and be able to sex it in the first place (binoculars help) so, if someone is unable to do the shooting, they could perhaps do another job, such as holding a lamp for night shooting or helping to extract carcasses but, again, that does require a certain degree of sight ability. Within FLS, for our own staff, we do make adjustments for any disability, including being taken off culling duties for the duration while they recover from injury or reduce their culling work if they have medical conditions making them unfit to do the heavy manual work.  As it involves Firearms ownership, there may be enhanced checks on mental health status.  Deer stalking can be a very lonely job with unsociable hours on all weathers which can have an impact on mental health and family relationships. In the past, FAC holders were reluctant to own up to mental health issues, including stress as there was a (perhaps perceived only) risk that the Police would take someone's firearms away from them. However, things have significantly improved with guidance in the Police and via a new Mental health leaflet produced last year for the industry in Scotland [Firearms and Mental Health leaflet 2022 DIGITAL (basc.org.uk)](https://basc.org.uk/wp-content/uploads/dlm_uploads/2022/07/Firearms-and-Mental-Health-leaflet-2022-DIGITAL-8-April-2022.pdf) which outlines how that is a last resort now. Having firearms removed for a time is not the end of ownership.  Mental Health help is offered through the Gamekeepers Welfare Trust. [The Gamekeepers Welfare Trust](http://www.gamekeeperswelfaretrust.co.uk/)  GP records are flagged for everyone who has a Firearms licence so that, if a serious mental health issue came to light or a GP had concerns about someone, that is taken into account. Guidance here: [Guidance for GPs on the firearms licensing process (bma.org.uk)](https://www.bma.org.uk/advice-and-support/gp-practices/gp-service-provision/the-firearms-licensing-process) |
| **Gender reassignment**  *Where a person is living as a different gender to that at birth* | No | The work required can be undertaken by any individual regardless of gender reassignment. |
| **Pregnancy and maternity**  *Including breastfeeding* | No | The work required can be undertaken by any individual. However, health and safety requirements may prevent pregnant individuals from undertaking certain duties due the manual work involved. An individual H&S risk assessment would need to be undertaken to ensure that any pregnant individuals could carry out the work safely in accordance with H&S requirements. This may prevent them from undertaking certain aspects of the work involved. |
| **Race, ethnicity, colour, nationality or national origins**  *Including gypsies or travellers, refugees or asylum seekers* | No | The work required can be undertaken by any individual regardless of Race, ethnicity, colour, nationality or national origins. |
| **Religion or belief**  *Including non-belief* | No | The work required can be undertaken by any individual regardless of Religion or belief. |
| **Sex/Gender** | No | The work required can be undertaken by any individual regardless of gender. Under Scottish Government rules, adjustments are made for female workers by provision of sanitary products in all our buildings, including deer larders and welfare units. |
| **Marriage and civil partnership** | No | The work required can be undertaken by any individual regardless of marital status. |
| **Sexual Orientation** | No | The work required can be undertaken by any individual regardless of sexual orientation. |

Is there any evidence that the policy may result in any less favourable treatment, discrimination, harassment or victimization as detailed below:

| **Potential outcome of the policy** | **Delete as appropriate** | **If yes, give details of the potential outcome and any project modifications to mitigate the risk** |
| --- | --- | --- |
| Result in less favourable treatment for particular groups | No | The work involved will be largely manual and on uneven terrain which could present difficulties for those with mobility issues or some sight impairments. While within FLS, adjustments can be made to reassign those no longer able to do manual heavy lifting, for external contractors, that may be less easy, for whom the job is shoot a deer, gralloch, extract it and prepare it for the food chain. A principal contractor would have to be able to offer such a person role as lampsperson or any other duty not involving lifting or walking over rough terrain, e.g. driving a quad bike to a carcass. |
| Give rise to direct or indirect discrimination | No |  |
| Give rise to unlawful harassment or victimisation | No |  |

Section 4: Meeting our General Equality Duty

| **Enter below which aspects of the Policy, Practice or Project seek to eliminate unlawful discrimination, harassment and victimisation** |
| --- |
| The project is for services that will in no way lead to discrimination, harassment or victimisation. The terms and conditions of Contract contain clauses ensuring that any Contractor meet their duties under the Equality Act 2010. We can ask for evidence that they are aware of and operate in accordance with those requirements at any point. Should a breach be discovered this would be deemed as a material breach of contract resulting in immediate termination. The tender will set out ‘zero tolerance’ expectations for prospective bidders with respect to bullying & harassment: *At FLS we treat everyone with respect and ask the same in return. We ask that you treat all staff respectfully – without violence, abuse, or harassment. Any behaviour verbal or physical which causes staff to feel uncomfortable, embarrassed, or threatened is unacceptable.* |

| **Enter below which aspects of the Policy, Practice or Project seek to advance equality of opportunity between people who share a relevant protected characteristic and those who do not** |
| --- |
| It is a requirement of the contract that Contractors provide details of their equalities policy and their Fair Work practices. These will be reviewed prior to any contract being offered and will be reviewed as an agenda item at six-monthly review meetings. The contract also stipulates that Contractors must also submit innovations in technology that could allow for improvements in use for all. |

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| --- |
| **Enter below which aspects of the Policy, Practice or Project seek to foster good relations between people who share a protected characteristic and those who do not** |
| The service provided by the supplier will be continually monitored to ensure that the needs of individuals who may have a protected characteristic are always considered and acted upon appropriately. This proposal will support FLS to meet our public sector equality duties and seeking to advance equality of opportunity amongst out contractor base and across the wider sector in Scotland. |

Section 5: Outcome of the assessment

| **Outcome of the assessment on the Policy, Practice or Project** | **Enter detail below** |
| --- | --- |
| No major change |  |
| Adjust the Policy, Practice or Project |  |
| Continue to Policy, Practice or Project | The Project proposal will remain largely the same. |
| Stop and remove the Policy, Practice or Project |  |

| **Detail below recommendations, including action required, to address any negative impacts identified** |
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| Under legislative requirements, it is necessary to put in place reasonable adjustment where suitable and appropriate. |

Section 6: Monitoring

| **Describe below how you will monitor the impact of this Policy, Practice or Project**  *E.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure achievement of outcomes etc.* |
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| All aspects of equality will be monitored during appropriate contract reviews undertaken by the FLS Regional Contract Managers. |

| **When and how is the Policy, Practice or Project due to be reviewed?** |
| --- |
| At contract end or prior to that if any negative impacts are identified during contract/contractor review meetings. |

Section 7: Sign off

| **Required information** | **Enter information below** |
| --- | --- |
| Date sent to Equality and Diversity Manager | 20/7/2023 |
| Comments from Equality and Diversity Manager | Integrated throughout the assessment |
| Date signed off by Equality and Diversity Manager | 28/07/23 |

| **Details of Senior Manager who has signed off this Equality Impact Assessment** | **Enter information below** |
| --- | --- |
| Name | Gareth Waters |
| Title | Head of Forest Management Support |
| Date approved | 12/08/23 |