

Integrated Impact Assessment

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People’s Rights](#)

The term ‘policy’ is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

1. About the Policy

1.1 Title
Remove sponsorship license to sponsor employees from outwith the UK
1.2 What does this policy seek to achieve?
<p>This IIA relates to a budget option, which is being put forward to address financial challenges facing Aberdeen City Council. It builds upon the IIA for the Workforce as a Whole - Redesigns and Restructures, with additional detail specific to removal of the Council’s skilled worker sponsorship licence.</p> <p>This proposal relates to the removal of the Council’s facility via the Home Office Sponsorship Licence to sponsor an individual without the Right to Work in UK, which has a cost of £1000 per year for up to 5 years, for each employee and a £239 processing fee. Saving figures are based on organisational costs of c.10 employees per year. For example, to sponsor one employee without the Right to Work in the UK, will cost approximately £6,000 over the course of a 5-year period.</p> <p>The Council’s current Sponsorship Licence expires in November 2024. If the decision is made to remove the skilled worker sponsorship licence, it is proposed to renew the licence from November 2024 to 30 September 2026. This will allow the Council to honour any existing sponsorship end dates for current sponsored employees so that there would not be a requirement to serve notice and terminate their employment, which carries with it risks of potential discrimination claims. In the period between the budget decision and 30 September 2026, the Council will not offer or process any new sponsorships.</p>
1.3 Is this a new or existing policy?
New
1.4 Is this report going to a committee?
Yes – as part of the 2024 Budget Report
1.5 Committee name and date:
Budget Meeting, Council, 6 March 2024

1.6 Report no and / or Budget proposal number and / or Business Case reference number:

POD4

1.7 Function and cluster:

Corporate Services, People & Citizen Services

Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?				
	Negative			Neutral	Positive
	High	Medium	Low		
Age				X	
Disability				X	
Gender Reassignment				X	
Marriage and Civil Partnership				X	
Pregnancy and Maternity				X	
Race	X				
Religion or Belief				X	
Sex				X	
Sexual Orientation				X	

2.2 In what way will the policy impact people with these protected characteristics?

- Potential disadvantage for candidates from different ethnic minority backgrounds, who cannot apply to work at the Council if they do not have the Right to Work in the UK.
- Risk to existing employees who may no longer be able to live and work in the UK at the end of their current sponsorship period. This could impact not only on them but also on their families who may be dependents.
- Potential loss of diversity and inclusion in the workforce.
- Reduced quality of service delivery and customer satisfaction, due to potential reduction in number of employees who are from different ethnic minority backgrounds. This may limit the extent that the workforce mirrors that of the citizens of Aberdeen and may mean that public services may not be delivered in the most effective way.
- Potential breach of the Equality Act 2010 and the Public Sector Equality Duty, which require the organisation to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.
- Potential risk of not filling very hard to fill roles in areas which have increased numbers of sponsorships. For example, Teachers and Social Workers.

2.3 What considerations have been made in reaching the above assessment?

What internal or external data has been considered? What does this data tell us?

Our position to date on visa sponsorship has been to limit this to very hard to fill posts including Teachers and Social Workers. As mentioned in above in Section 1.2, there are only 14 employees currently sponsored with the Council, this allowed them to apply for Skilled Worker Visas. As a result, removal of our sponsorship licence will not have a significant impact on our current workforce.

Removal of our sponsorship licence going forward may have an impact on potential applicants as unless they have the Right to Work in the UK, they will not be able to apply for vacancies with the Council. This may impact our Employer of Choice Status and our workforce diversity.

The Council's workforce diversity data is available [here](#).

In addition, the Council's workforce equality, diversity and inclusion [action plan](#) considered data when developing actions.

According to the Home Office, in 2019, there were 28,800 skilled work visas granted to non-EU nationals, of which 22% were for health and social work, 18% were for information and communication, and 16% were for professional, scientific and technical activities. The top five nationalities for skilled work visas were India (52%), USA (9%), China (5%), Australia (3%) and Philippines (3%). The majority of skilled work visa holders were aged between 25 and 44 (83%).

These people may have different cultural, religious, linguistic, and educational backgrounds than the local population, and may face challenges such as discrimination, integration, or visa restrictions.

The nationalities of our current employees sponsored with a skilled worker visa is as follows:

- 2x South African
- 3x Canadian
- 2x Australian
- 1x Ghanaian
- 5x Nigerian
- 1x Gambian

What consultation and engagement and has been undertaken with officers and partner organisations?

The Legal Services team have provided advice on the implications if the decision is made to remove the skilled worker sponsorship licence and what are the implications for existing employees who are sponsored by the Council. This is to ensure that we are compliant with the Home Office guidance as well as ensuring that these employees are supported and engaged with.

There will need to be engagement with our current employees with sponsorship with the Council and all managers to advise that sponsorship is no longer an option for applicants who do not have the Right to Work in the UK.

What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?

None.

2.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Vacancies are open to all applicants with the Right to Work in the UK. Other routes to employment may be available through alternative government visas such as graduate visa, spousal visa etc. In addition, after a certain period of time in the UK, those who have been sponsored may be eligible to apply for indefinite leave to remain in the UK.

As a result of the removal of the sponsorship licence, the Council will need to explore alternatives and options for recruiting to very hard to fill roles. Alternative options may include social media presence, attending career fairs, trainee and apprenticeships etc.

Aberdeen City Council launched a landmark two-part public consultation to inform Elected Members to set the 2024/25 Budget and future spending plans. Included in this was a specific question regarding an option to reduce employee support.

There were 2,564 respondents to the consultation exercise. The average position taken from all respondents was to reduce spending in this area.

The feedback will be shared with all Elected Members to help them decide how to allocate funds for running Council services in the coming financial year.

With mitigations in place, what is the new overall rating of the negative impact(s)?	High	x
	Medium	
	Low	
	Negative Impact Removed	

3: Socio-Economic Impacts

This section is used to consider the impact of the policy on people who might be **unemployed, single parents**, people with lower **education** or **literacy, looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](http://www.gov.scot)

3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.		x			
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future		x			
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies				x	
Area deprivation – consider where people live and where they work (accessibility and cost of transport)				x	
Socio-economic background – social class, parents' education, employment, income.		x			

3.2 In what way will the policy impact people in these groups?

Low income / income poverty – those who cannot afford regular bills, food, clothing payments – If the individual is not financially able, they are likely to be unable to afford the costs associated with applying for a skilled worker visa - applicants pay an application fee, a health surcharge and have to have funds to support themselves.

Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future – If the individual is not financially able, they are unlikely to be able to afford the costs associated with applying for a skilled worker visa - applicants pay an application fee, a health surcharge and have to have funds to support themselves.

Socio-economic background – social class, parents' education, employment, income – If the individual has experienced limited education and/or employment opportunities, they may be on a lower income which could result in them being unable to afford the costs associated with applying for a skilled worker visa - applicants pay an application fee, a health surcharge and have to have funds to support themselves.

Visa sponsorship can have positive impacts on people from low socio-economic backgrounds, as it can enable them to access opportunities for education, employment, or family reunion in the UK. Visa sponsorship can also facilitate social integration, cultural exchange, and mutual understanding between different groups of people. Furthermore, visa sponsorship can contribute to the economic development and diversity of the UK, as sponsored migrants can bring skills, knowledge, and innovation to various sectors and industries. Therefore, removing sponsorship may prevent these positive benefits.

3.3 What considerations have been made in reaching the above assessment?

<p>What internal or external data has been considered? What does this data tell us?</p>
<p>One of the costs associated with receiving a visa is the fee for being sponsored by an employer, a family member, or an educational institution in the UK. The sponsorship fee varies depending on the type and duration of the visa, as well as the sponsor's status. These fees are in addition to the visa application fee and other costs such as the immigration health surcharge, the biometric enrolment fee, and the English language test fee. Therefore, people from low socio-economic backgrounds may face financial barriers to obtaining a visa, especially if they do not have access to savings, loans, or grants.</p>
<p>What consultation and engagement and has been undertaken with officers and partner organisations?</p>
<p>The Legal Services team have provided advice on the implications if the decision is made to remove the skilled worker sponsorship licence and what are the implications for existing employees who are sponsored by the Council. This is to ensure that we are compliant with the Home Office guidance as well as ensuring that these employees are supported and engaged with.</p> <p>There will need to be engagement with our current employees with sponsorship with the Council and all managers to advise that sponsorship is no longer an option for applicants who do not have the Right to Work in the UK.</p>
<p>What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?</p>
<p>None.</p>

3.4 What mitigations can be put in place?

<p>What mitigations are there against any negative impacts (if applicable)?</p>	
<p>Vacancies are open to all applicants with the Right to Work in the UK. Other routes to employment may be available through alternative government visas such as graduate visa, spousal visa etc. In addition, after a certain period of time in the UK, those who have been sponsored may be eligible to apply for indefinite leave to remain in the UK.</p> <p>As a result of the removal of the sponsorship licence, the Council will need to explore alternatives and options for recruiting to very hard to fill roles. Alternative options may include social media presence, attending career fairs, trainee and apprenticeships etc.</p> <p>Aberdeen City Council launched a landmark two-part public consultation to inform Elected Members to set the 2024/25 Budget and future spending plans. Included in this was a specific question regarding an option to reduce employee support.</p> <p>There were 2,564 respondents to the consultation exercise. The average position taken from all respondents was to reduce spending in this area.</p> <p>The feedback will be shared with all Elected Members to help them decide how to allocate funds for running Council services in the coming financial year.</p>	
<p>With mitigations in place, what is the new overall rating of the negative impact(s)?</p>	<p>High</p>
	<p>Medium</p>
	<p>Low</p>
	<p>Negative Impact Removed</p>

4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of 'Articles'. Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
Article 6: Right to a fair trial		X	
Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life, home and correspondence		X	
Article 9: Freedom of thought, belief and religion		X	
Article 10: Freedom of expression		X	
Article 11: Freedom of assembly and association		X	
Article 12: Right to marry and start a family		X	
Article 14: Protection from discrimination in respect of these rights and freedoms		X	
Article 1 of Protocol 1: Right to peaceful enjoyment of your property		X	
Article 2 of Protocol 1: Right to education		X	
Article 3 of Protocol 1: Right to participate in free elections		X	

4.2 In what way will the policy impact Human Rights?

N/A

4.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

N/A

If mitigations are in place, does this remove the negative impact?

No – negative impact remains

Yes – negative impact reduced

Yes - negative impact removed

5: Children and Young People’s Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children’s rights apply to every child/young person under the age of 18 and to adults still eligible to receive a “children’s service” (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the “General Principles” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
Article 1: definition of the child		X	
Article 2: non-discrimination		X	
Article 3: best interests of the child		X	
Article 4: implementation of the convention		X	
Article 5: parental guidance and a child's evolving capacities		X	
Article 6: life, survival and development		X	
Article 7: birth registration, name, nationality, care		X	
Article 8: protection and preservation of identity		X	
Article 9: separation from parents		X	
Article 10: family reunification	X		
Article 11: abduction and non-return of children		X	
Article 12: respect for the views of the child		X	
Article 13: freedom of expression		X	
Article 14: freedom of thought, belief and religion		X	
Article 15: freedom of association		X	
Article 16: right to privacy		X	
Article 17: access to information from the media		X	
Article 18: parental responsibilities and state assistance	X		
Article 19: protection from violence, abuse and neglect		X	
Article 20: children unable to live with their family	X		
Article 21: adoption		X	
Article 22: refugee children		X	
Article 23: children with a disability		X	
Article 24: health and health services		X	
Article 25: review of treatment in care		X	
Article 26: social security		X	
Article 27: adequate standard of living		X	
Article 28: right to education		X	

Article 29: goals of education		X	
Article 30: children from minority or indigenous groups	X		
Article 31: leisure, play and culture		X	
Article 32: child labour		X	
Article 33: drug abuse		X	
Article 34: sexual exploitation		X	
Article 35: abduction, sale and trafficking		X	
Article 36: other forms of exploitation		X	
Article 37: inhumane treatment and detention		X	
Article 38: war and armed conflicts		X	
Article 39: recovery from trauma and reintegration		X	
Article 40: juvenile justice		X	
Article 41: respect for higher national standards		X	
Article 42: knowledge of rights		X	
Optional Protocol on a Communications Procedure		X	

5.2 In what way will the policy impact the rights of Children and Young People?

Article 10, 18, 20 & 30 There are potential impacts to the above Articles. If an employee were to lose their right to live and work in the UK, this could have implications for their family. Individuals who require sponsorship by their nature are covered by the Equality Act 2010 and have a protected characteristic may be particularly vulnerable in society. If an individual cannot undertake work within the UK, they may face financial hardship. The potential impacts of this could lead to challenges with family unification and difficulties with making ends meet, which may need require Council support in order areas (e.g. Social Work, Housing Services).

5.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

N/A

If mitigations are in place, does this remove the negative impact?

No – negative impact remains

Yes – negative impact reduced

Yes - negative impact removed

6: Sign Off

Any further positive or negative impacts on individuals or groups that have been considered?

Our position to date on the eligible roles for sponsorship are Teachers and Social Workers, which to date have been extremely hard to fill, on both a local and national level. Removal of the facility to sponsor individuals may therefore have a negative impact on service delivery and citizens in these areas of the organisation.

Overall summary of changes made as a result of impact assessment.

No changes.

Outline of how impact of policy will be monitored.

If the decision is made to remove the skilled working sponsorship licence, the licence will be extended until September 2026. There will need to be engagement with our current employees with sponsorship with the Council and all managers to advise that sponsorship is no longer an option for applicants who do not have the Right to Work in the UK. All relevant policies, procedures and guidance which references sponsorship will be updated accordingly.

If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.

Essential cost in staffing and maintenance budgets.

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Date	27/2/24
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Date	29/2/2024