

# ***Equality Policy***

<b>Responsible Section/Team</b>		<b>Version/Status</b>	
<b>Responsible Author</b>		<b>Date Agreed / Agreed At</b>	
<b>Date last Amended</b>		<b>Due for Review</b>	

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# **1. Introduction and Background**

## **1.1 Purpose and aim of policy**

This Equality Policy is a statement of how Rossendale Borough Council intends to promote equality, and tackle discrimination and harassment. It is necessary for the Council to have an Equality Policy for the following reasons:

- We recognise that everyone we deal with has a right to expect and receive high quality services that are appropriate and relevant to their needs.
- We will be proactive in removing any barriers that might exist for users of our services.
- Oppression, disadvantage and discrimination exists in society;
- Some people are unfairly denied equal access to services or employment (or both);

This Equality Policy demonstrates our commitment to make sure that everyone has equal access to services and employment and to raise the quality of life of everyone who lives and works in Rossendale.

Rossendale Borough Council will ensure that it meets its legal duties and will assess how its policies, procedures and services can meet the needs of disadvantaged groups in the community.

Councillors, managers and employees will help to change the way we work so that equality is at the heart of all our activities. We will improve equality practice at a corporate and service level and will meet our legal obligations and statutory duties to promote Equality.

## **1.2 Scope**

This Equality Policy is a statement of how we intend to promote equality and tackle discrimination and harassment. The Council aims to ensure that no one receives less favourable treatment for reasons relating to all recognised protected characteristics covered by the Equality Act 2010:

- Age
- Disability
- Gender Reassignment
- Marital or Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

This policy applies to all employees and Councillors of Rossendale Borough Council and adheres to the Code of Conduct. We will also work with our stakeholders, contractors and partners, to influence their policies and ensure their practices reflect the objectives set out in this policy.

## 2. Legal Duties

### 2.1 Equality Act 2010

The Equality Act 2010 states that everyone has the right to be treated fairly and equally. The Act has two main purposes. It brings together and simplifies all of the existing discrimination law, and strengthens the law to further support progress on equality.

### 2.2 Public Sector Equality Duty (PSED)

In the exercise of its functions (including any functions carried out by an external supplier/organisation), the Council must have due regard to the need to:

- **Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

These are often called the three main aims of the 'general duty' and are detailed in the Equality Act 2010 Section 149 .

### 2.3 Specific Duties

The Equality Duty is supported by two specific duties which require public bodies to:

- **Publish equality information** (relevant, proportionate information demonstrating their compliance with the Equality Duty) at least annually.
- **Set and publish equality objectives** (specific and measurable) at least every four years.

While formal 'equality impact assessments' are not a legal requirement; the Council has embedded an Equality Impact Assessment process within its policy development and decision making processes. This will continue, and enables the Council to ensure that equality is considered transparently as part of its decision making process (see Section 3.5 and 3.6).

We will also give due regard to the impact of our policies and decisions on:

- people with caring responsibilities<sup>1</sup>
- human rights<sup>2</sup>

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<sup>1</sup> Caring responsibilities are where an adult or child relies upon you for care and attention, and that you assist with their daily routine. The Council is committed to achieving equality for people with caring responsibilities in service provision and employment.

<sup>2</sup> Rossendale Borough Council is committed to protecting and preserving the rights and freedoms that belong to all individuals regardless of their nationality and citizenship. This includes protection against domestic violence and violence against women.

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## **2.4 Equality Framework for Local Government (EFLG)**

The Equality Framework for Local Government is a key performance improvement and benchmarking tool. The Framework has three levels:

- Level 1: Developing - Understanding the importance of Equality
- Level 2: Achieving - Developing better outcomes
- Level 3: Excellent - Making a difference

There are five areas of performance which are assessed as part of the framework:

- Knowing your communities and equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce.

As part of the Council's ongoing commitment to meeting the needs of our different customers and delivering quality services we have been designated as **'an achieving authority'** under the Equality Framework for Local Government through an independent assessment.

This means that we are seen by the community and partners as making a real difference and providing positive outcomes for local people. This is based on our understanding and knowledge of our communities by working with them and engaging – which has helped the council to provide responsive services that meet the needs of all of our communities.

## **3. Policy Statement**

Rossendale Borough Council is committed to promoting equality and diversity and tackling social exclusion in all operations of the organisation and the services it provides.

Rossendale Borough Council recognises its statutory equality duties under legislation in terms of service provision and employment and is committed to meet them by complying with this policy.

### **3.1. Equality in the delivery of services**

Rossendale Borough Council is committed to equality of opportunity in the provision of services and aims to create the best possible quality of life for people who live or work in Rossendale.

We will achieve this by:

- recognising and accepting that particular individuals or groups are denied equality through intentional and unintentional discrimination;
- providing regular mandatory training for all employees and training for Councillors on customer care and equalities, so that they have a good

- understanding of the diverse needs of different people;
- ensuring that people have the opportunity to engage with and participate in the planning and delivery of services by co-ordinating a Citizen Panel;
- delivering services which are relevant, of the highest possible quality and accessible;
- providing clear information about our services and where necessary, in a variety of formats;
- ensuring that our complaints and feedback procedures are accessible and effective;
- assessing the impact of and monitoring our services to ensure that they do not discriminate and identify where improvements can be made;
- ensuring that all employees understand what their roles and responsibilities are in relation to equality in service provision and in the workplace;
- encouraging our partnership agencies and commissioned service providers to contribute to the implementation of this policy.

### **3.2. Equality in Employment**

Rossendale Borough Council is committed to ensuring that we provide equality of opportunity to all in employment. We understand the importance of a workforce which reflects the community we serve to make sure that we provide appropriate services to all our diverse communities. We will work to ensure that we do not unfairly discriminate against any job applicant or employee for any reason. All managers who will be recruiting employees must have completed the Council's recruitment and selection training.

We will achieve this by:

- ensuring that our recruitment and selection policies and procedures are equitable and fair so that the best people are appointed to deliver our services
- only considering applicants for jobs on the basis of their relevant experience, skills and abilities unless a 'Genuine Occupational Requirement ' (GOR) exists for specific posts
- considering disabled applicants for employment within the Disability Confident initiative commitment
- offering an interview to a disabled applicant who has met all the essential criteria at the application form stage
- ensuring that disabled people are provided with all reasonable support, equipment and facilities at the interview process and in their employment
- making reasonable adjustments to working arrangements and/or physical features of premises where they cause a disadvantage to an employee with a disability
- ensuring that disability or any other protected characteristic is not used as a criterion for redundancy
- annually reviewing the duties and working conditions of disabled

employees under the Performance Appraisal Review.

- using appropriate lawful methods, such as positive action, to address the under-representation of any group which the council identifies as being under-represented in particular types of jobs; sending job adverts to various community groups within the Borough;
- supporting the development and running of employee forums and networks for protected characteristic groups (e.g. disability, race, carers, lesbian/gay/bisexual and transgender)
- ensuring that all employees receive fair and equal treatment in relation to their employment, regardless of whether they are part-time, full-time or employed on a temporary basis;
- ensuring that employment policies and opportunities are of the highest possible quality, therefore equality, equity and consistency are embedded in practices, pay and conditions;
- making sure that we give equal consideration to people's needs and develop flexible and responsive employment opportunities to tackle those needs;
- encouraging and supporting employees to reach their full potential within the resources we have available to us;
- taking appropriate action against incidents of harassment, bullying or discrimination, and offering support and advice to victims or witnesses to incidents; in line with the Council's Dignity at Work Policy.
- taking disciplinary action against employees who discriminate against people who work for the Council or who seek employment with the Council – we will take action (including legal action if appropriate) against employees who are found guilty of harassment.

### **3.3. Employee Monitoring**

The Council recognises that equality monitoring is an important way of assessing our services. Monitoring is an essential part of tackling inequality and discrimination and, if done effectively, will help us check whether our policies, services and organisational culture are meeting the needs of our employees and community.

Any data collected will be analysed and reported on and can be used within the Council for:

- setting targets
- reviewing our service delivery by comparing our performance over time
- developing services and assisting with making changes

The Council will monitor employees on the basis of the protected characteristics in the following areas:

- training and development

- disciplinary procedures and grievances
- those leaving the council's employment
- workforce and job applicant profiles
- employee pay profiles

Equality monitoring data is subject to the Data Protection Act 1998 and will also be affected by the forthcoming General Data Protection Regulations (GDPR) 2018 which comes into force on 25<sup>th</sup> May 2018.

### **3.4. Procurement and Contractors**

The Procurement Strategy commits us to making sure that contractors, suppliers and funded service providers promote Equality and Diversity. We will ensure that our commissioners and contractors specify that our services must be delivered so as to provide an effective and appropriate service to all communities. We will ensure that:

- contractors and providers have an Equality Policy, procedures and practices that do not discriminate;
- we or those acting on our behalf will develop and deliver services, goods and facilities that are appropriate and accessible;
- we will monitor whether contracts and commissioning arrangements do meet these Equality and Diversity commitments.

### **3.5. Equality Impact Assessment: What is it?**

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of a Council's policies, services and functions on its residents and staff.

EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics (Section 1.2) as defined by the Equality Act 2010.

The Act brings together for the first time all the legal requirements that the public, private and voluntary sectors need to follow. It replaces all the existing equality law including:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995

The law protects an employee at work and an individual using a service. The purpose of the Act is that everyone has the right to be treated fairly at work or when using services. It protects people from discrimination on the basis of certain protected characteristics (see section 1.2).

There is an example Equality Impact Assessment at Appendix 1 and two case studies at Appendix 2.

### **3.6. Why undertake an Equality Impact Assessment?**

Since the Equality Act 2010 came into force, there have been a number of cases which have gone to court and subsequently the Court of Appeals as well as judicial reviews. This has led to more detailed guidance being produced



regarding the need to analyse sufficiently the impact of Council activities and, more specifically, every local authority must have due regard to the public sector equality duty (PSED) whenever it makes any decision that may impact on individuals with protected characteristics. The important provisions of the Equality Act 2010, section 149 are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

This means that a body subject to the duty needs to give advance consideration to issues of discrimination before making any policy decision that may be affected by them.

This means that it should actively examine its current and proposed policies and practices to ensure that they are not discriminatory or otherwise unlawful under the Act.

The duty also requires relevant bodies to tackle the consequences of past decisions which failed to give due regard to the equality aims. This would include existing policies or practices which have never been subject to 'due regard' consideration.

## **4. Policy Details**

### **4.1. Relationships with other corporate strategies and policies.**

The Equality Policy is one of the Council's most important policies. It underpins all other corporate policies, procedures and strategies therefore providing a strong foundation for Equality of Opportunity in the Council and the services it provides.

### **4.2. Management and Supervision of this Policy**

Strong leadership is essential to ensure that this policy is embedded at strategic and service levels of the Council. The Leader of Council has cabinet responsibility for Equality and there is a dedicated Member Equality Champion.

#### **Corporate Leadership Team**

The Chief Executive with the Directors are responsible for providing leadership in the implementation of this policy and for ensuring that service planning and performance management systems incorporate the specific equality objectives in terms of employment and service provision

#### **Councillors**

All Councillors have overall responsibility for the direction and scrutiny of this policy and will ensure that the principles of fairness and equality guide the decision making process. Each year, the Leader of the Council will identify which Portfolio Holder has responsibility for Equality.

### **4.3. Implementation**

All employees have a responsibility to implement this policy in service provision and employment. Heads of Service will determine what resources will be

required to co-ordinate and support departmental activities which contribute to promoting this policy and delivering on equality priorities and objectives.

All employees will be required to read this Equality Policy when they start working for the Council. Managers have a duty to pass on information on Equality of Opportunity, equality training and complaints procedures to employees and to include equality in all employee induction and appraisal processes.

The Council will ensure that employees and Councillors have appropriate training and awareness of equality and diversity, ensuring that individual behaviours and performance are appropriate and don't adversely impact on individuals or groups.

To comply with this policy, all employees and Councillors must:

- co-operate with any measures introduced to ensure equal opportunity;
- report any suspected discriminatory incidents or behaviours to the HR Manager
- not influence or attempt to persuade others to practice unlawful discrimination or harassment;
- not victimise or harass anyone as a result of them having reported or provided evidence of discrimination, harassment or bullying;
- not harass, abuse or intimidate others on account of any of the protected characteristics (detailed in section 1.2).
- not lobby job applicants in an attempt to discourage them from applying or taking up a post; and
- when developing new or changing existing plans, policies or procedures, must carry out Equality Impact Assessments (EIA). The outcomes of these EIA's must be published.

## **5. Consultation and Engagement**

Consultation and engagement enables an assessment to be made of the views of those who are affected by this policy. Consultation and engagement with communities and staff provides an important means of enabling those who may be adversely affected by the policy to participate in the process. Methods of consultation will include a Citizen Panel, for external stakeholders, such as residents and community groups, and the Middle Managers Forum for employees.

The Equality Act (2010) requires:

- Consultation on the impact of policies. The public authority must engage in consultation about the likely impact (on the promotion of equality of opportunity) of its existing and proposed policies, and in making decisions about such policies, it must take the consultation into account.

## **6. Responsibilities**

All employees are responsible for the Equality Policy. All Councillors are individually and personally bound by the Policy. This means that employees and Councillors must not discriminate, harass or intimidate people because of any of the protected characteristics (set out in section 1.2).

Every employee is required to assist the Council to meet its commitment to provide Equality of Opportunity in employment and avoid unlawful

discrimination. Employees can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Council's disciplinary procedures. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to summarily dismissal without notice.

## **7. Monitoring arrangements**

The Council will establish appropriate information and monitoring systems to assist the effective implementation of our Equality Policy.

The effectiveness of our Equality Policy will be reviewed regularly in consultation with stakeholders including employees (via employee forums for example) and the recognised trade union(s) if appropriate.

## **8. Breaches of Policy**

Breaches of this Policy will be handled through the Council's Complaints, Compliments and Feedback Policy and Employee Disciplinary Procedures depending on the nature of breach. Legal action may be taken forward where appropriate.

## **9. Information and training**

Employees will be provided with appropriate training regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The council will:

- Seek to ensure that all employees are developed by the provision of appropriate and accessible learning opportunities in line with organisational needs.
- Provide training that complies with the Council's Equality Policy.
- Include equalities training as part of its induction programme.
- Include equalities training as part of its management development programme.
- Provide equalities awareness training as part of its corporate learning and organisational development programme.
- Include equalities as part of its Member development programme.

## **10. Legal requirements**

Over and above the provisions set out in its own policy and procedures, the Council is also bound by the legal responsibilities as detailed within the Equality Act (2010)

## **11. Authorisation, Approval and Review dates**

This Policy will be subject to review every three years.

This Policy will also be reviewed in the instance of significant changes to equality legislation, local circumstances or national equality policy to ensure that it is current and compliant.

## **12. Alternative Formats**

We want to ensure that your needs are met.

If you need this information in any other format or translated into a language other than English, please contact:

Rossendale Borough Council  
The Business Centre  
Futures Park  
Bacup  
Lancashire  
OL13 0BB

**FULL EQUALITY IMPACT ASSESSMENT**

<b>Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)</b>	Disciplinary Procedure	
<b>Lead Officer Name(s):</b>	Clare Law	
<b>Job Title &amp; Location:</b>	HR Manager	
<b>Department/Service Area:</b>	People and Policy	
<b>Telephone &amp; E-mail Contact:</b>	01706 252457	
<b>Date Assessment:</b>	<b>Commenced:</b> 2 <sup>nd</sup> August 2016	<b>Completed:</b> 7 <sup>th</sup> September 2016

**We carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.**

**1. OVERVIEW**

<b>The main aims/objectives of this policy<sup>3</sup> are:</b>
The main objectives of this procedure are to deal with disciplinary matters in a fair and consistent approach across the Council.

(Refer to "**EIA Guidance**" for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

<b>The main intended people or groups that will be most affected by this policy are:</b>
All staff employed by the Council, except for Agency workers.

(Refer to "**EIA Guidance**" for details)

<sup>3</sup> Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

## 2. FINDINGS / EVIDENCE

<b>FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):</b>	
<b>Information/data obtained and/or Consultation/engagement carried out (please state who with)</b>	<b>What does this tell us? / What does it say?</b>
The existing Disciplinary Procedure.	Minor amendments were made to the policy which did not impact on individuals with protected characteristics.
ACAS Guidance	The ACAS Code of Practice on disciplinary and grievance procedures was referred to, to ensure that best practice was being applied throughout the policy.
Consultation with North West Employers Organisation (NWEO)	The draft policies have been reviewed by NWEO and advice provided.
Consultation with other Local Authorities	Research and consultation has been undertaken with other Local Authorities to support best practice.
Consultation with Management Team and Portfolio Holder	Consultation has been undertaken with the Management Team and Portfolio Holder. No issues have been identified that suggest any adverse impact/possibility for discrimination.
Consultation with Trade Union The updated policy and guidance documents will be taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union.	The Policy was taken to JCC on 22 <sup>nd</sup> September 2016 for consultation with the Trade Union. No comments were received.

*Add more/delete rows as required - See EIA Guidance*

### 3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact **from an equalities perspective** on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See EIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts <u>or</u> reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	gay men, gay women / lesbians, and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Human Rights <a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251</a>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

#### 4. OUTCOME OF EIA – COURSE OF ACTION TO BE TAKEN

What course of action does this EIA suggest you take? More than one of the following may apply	Please indicate
<p><b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.</p>	<input checked="" type="checkbox"/>
<p><b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.</p>	<input type="checkbox"/>
<p><b>Outcome 3: Continue the policy despite potential for negative impact</b> or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.</p>	<input type="checkbox"/>
<p><b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to Clare Law (2457)</u></p>	<input type="checkbox"/>

**If a negative impact as been identified and there are no sufficient mitigating actions in place or planned. Please see the guidance and you must speak to/ see advice from your Head of Service or Head of People and Policy.**



## 5 . EQUALITY IMPACT ASSESSMENT ACTION PLAN & REVIEW

Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the EIA.

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

Further Actions Required: Yes  No

### EIA Action Plan

Issue	Action required	Lead officer	Timescale

Please add more rows if required.

***Actions arising from the Impact assessment should form part of the business planning process for service areas.***

#### Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

No impact of the policy will continue to be monitored

## Appendix 2

### EQUALITY IMPACT ASSESSMENTS

#### **CASE STUDY A**

Following poor employee attendance figures, due to sickness absence, Senior Managers would like to introduce stricter triggers for initiating the Absence Management Policy. The existing policy allows employees four occasions of absence in a rolling twelve month period before being placed on Stage One of the procedure. Senior Managers would like to reduce this to three occasions in a rolling twelve month period.

Management conduct an Equality Impact Assessment using workforce data and statistics and identify a disabled employee with a chronic illness that is exacerbated by cold weather. The employee is a refuse operator and is prone to cold and flu symptoms during the winter months.

Management include a section in the policy which advises managers how to manage and record sickness absence data for disabled employees to ensure that adjustments to the policy can be put in place to ensure the Equality Act 2010 is not breached and ensure there is no adverse impact on employees with protected characteristics.

#### **CASE STUDY B**

Due to budget cuts managers in the Operations Service are proposing a restructure to help reduce duplication and create efficiencies. It is proposed that following the restructure two posts will be deleted from the establishment resulting in two employees being made redundant. The posts affected are situated in the administrative office.

Operations Managers conduct an Equality Impact Assessment using workforce data and identify that the administrative office is made up of 100% female employees.

Therefore the proposal will affect a disproportionate number of females compared to the rest of the Operations Service workforce.

Management consider other proposals to try to achieve the efficiencies but are unable to identify alternatives.

Considering the insignificant impact the proposal has on females in proportion to the whole workforce, management determine the proposal remains in line with the Council's Public Sector Equality Duty and continue to implement the restructure.

