

JTP Equality and Fairness Analysis



Officer responsible for equality and fairness analysis	Karen Joyce
Officer responsible for proposal/work stream	Helen Knight
Proposal/work stream	Attendance Policy for Lewes District Council, Eastbourne Borough Council and EHL
Key people involved in the proposal/work stream and its implementation	Helen Knight HR Manager Shared Service Becky Cooke Assistant Director of HR and Organisational Development
Decision making bodies the analysis will be referred to	CMT
Snr/Head of Service	Becky Cooke, Assistant Director of HR and Organisational Development
Date of JTP Consultative Forum to consider analysis	

PREPARATION

Title	Attendance Policy
What is the purpose of the proposal and why is it needed?	

The purpose of the analysis is to consider the equality and fairness implications associated with the implementation of a standardised Attendance Policy across Lewes District and Eastbourne Borough Councils and Eastbourne Homes Ltd.

The Absence Policy will provide clarity for managers across all organisations and ensure a consistent approach to the procedure they should follow when dealing with employees who are absent from the workplace, it will also provide them with knowledge and understanding of the support that is available to employees who may require it.

The Absence Policy also summaries the procedures employees should follow when they are absent from the workplace which will ensure equality and consistency across all the organisations.

What are the intended deliverables of the proposal/work stream?

The Attendance Policy will work across Lewes District and Eastbourne Borough Council and Eastbourne Homes Ltd., creating a new standardised policy across all of the organisations following a process of consultation with Unison, EBC Joint Consultative Committee and LDC Employment Committee. The Attendance Policy will ensure consistency in the management of attendance by managers across all of the organisations.

What are the expected outcomes / longer term benefits of the proposal?

That there will be a consistent approach in managing absences across all organisations which will ensure that all employees regardless which organisation they work for will be treated equally and fairly with the same procedures, triggers, support and assistance.

The long term benefits are a reduction in absence across all organisations leading to greater productivity, improved customer service, greater resilience in the service provision and cost saving in days lost. It also leads to improved support for employees who have a long term absence and those that may fall under the Equalities Act 2010 protected characteristics.

Employees will benefit from being supported by their managers, HR, occupational health and the Employee Wellbeing Programme at an early stage of their absence and a consist approach to how managers deal with absences.

What information do you have to analyse the equality impact of this proposal/work stream? *N.B. See appendix 1 for some of the data required for specific proposals which include staff restructuring. See appendix 2 for guidance on where to find data on demographics etc.*

Equality and absences data is held by the individual organisations on HR/Payroll data bases and includes details of any protected characteristics.

Currently this data is in the process of beginning updated and every employee will be asked to review their personal details and make amendments where necessary. Until this process has been completed the data may not be a true reflection of current employees so analysis has not been undertaken at this time.

Are there are any gaps in this information and if so, what are these?

Currently there are gaps and further analysis will be required in some of the organisations that do not have up to date details on their employees some of who may have protected characteristics that could affect their attendance such as a disability.

Electronic absence reporting in some organisations has not been able to be completed due to technical reasons.

What steps did you take, or are you intending to take, to fill these gaps?

Requesting up to date personal information from all employees including asking if they have a disability, ensuring this information is regularly requested and captured for new employees at the time of appointment and that HR are notified if an employee become disabled during their employment. This data is securely stored on the individual HR data bases of each organisation's and will be used for analysis when required.

There is a fault with Firm step absence reporting system at EBC which has been reported to IT and is scheduled for review in the next few months, a new sickness reporting system will be introduced across all the organisations in October 2016 in conjunction with the new Absence Policy, training will be given to all managers.

ANALYSIS

Under the Public Sector Equality duty, we have an obligation to:

1. eliminate discrimination, harassment and victimisation
2. advance equality of opportunity
3. foster good relations between people who share protected characteristics and those who do not

With regard to the JTP, particular issues to consider include (but are not limited to):

- Design principles for new way of working / workstream / proposal
- Employment Model (employer, mobile working, working pattern, structure, location, recruitment process)
- ICT (Information Technology and Communications software and hardware) / Equipment / Premises
- Impact of changes to methods of service delivery on customers

In all cases, the impact on both **staff** and **customers** should be considered. In most cases, this should involve consultation with the affected groups in undertaking this analysis.

Use the data collected in the Appendices to inform this analysis. That data should be kept confidential where small sample sizes would mean that individuals may be identifiable.

1. Elimination of discrimination, harassment and victimisation

What does all the information gathered tell you about the potential impact of the proposal/work stream on staff who shares each of the protected characteristics?				
Protected Characteristic	Design Principles	Employment Model	ITC/Equipment / Premises etc.	Other
Age	Absences will be managed across all organisations consistently and fairly	All employees regardless of their place of work or working patterns will be	Limited use of IT used in recording absences, HR and payroll input	

	regardless of the employee's age.	treated equally and fairly under the Absence Policy. *Please see below for information concerning casual workers.	data and keep records of employees personal details and absences, employees required to inform them if not up to date or incorrect.	
Disability	Any employee who has a disability or who is believed to have one will have reasonable adjustments made to assist them in their employment and additional support put in place where required.			
Gender reassignment	Any employees who have or are undergoing gender reassignment will be protected under the Equalities Act 2010 and the individual organisations policies.			
Marriage and civil partnership	Due regard will be given to eliminate discrimination in relation to employees status.			
Maternity and pregnancy	Current maternity policies in all organisations will still apply and will be reviewed			

	to ensure a consistent approach across all the organisations.			
Ethnicity	The policy will apply to all employees regard less of their ethnicity and due regard will be given to eliminate discriminate in relation to an employees ethnicity.			
Religion or beliefs	The Absence policy applies to all employees regardless of their religion or beliefs and due regard will be given to eliminate discriminate in relation to an employees religion or beliefs.			
Sex / gender	The Absence policy applies to all employees regardless of their gender and due regard will be given to eliminate discriminate in relation to an employees sex or gender.			
Sexual orientation	The Absence policy applies to all employees regardless of their sexual orientation and due regard will be			

	given to eliminate discriminate in relation to an employees sexual orientation.			
Part time/flexible workers	The Absence policy applies to all employees regardless of their employment status and due regard will be given to eliminate discriminate in relation to an employees employment status.			
Temporary staff	The Absence policy will apply to employees who are on fixed term contracts or secondment but not too *casual staff who are paid for the hours they work and don't receive OSP.			
Based on your evidence and engagement is there potential for a differential impact on <u>staff</u> who share protected characteristics? If so, what is the justification for this or what do you propose to do to mitigate it?				
<p>There is a legal responsibility for employers to make reasonable adjustments for employees that fall under the Equalities Act 2010 who have or we believe may have a disability.</p> <p>It is not considered that there is a disproportionate impact on any particular equality group. There will be equalities monitoring of all absences, including those employees who fall under the disability characteristic, HR and line managers will review what we are doing to support these members of staff and what reasonable adjustments are we making to get them back and to stay in work.</p>				

Analysis is carried out every quarter in LDC and EBC and monthly for EHL on all absences and any significant variance will be investigated to ensure appropriate action is taken regarding the Councils' commitment to equalities.

What does all the information gathered tell you about the potential impact of the proposal/work stream on customers who share each of the protected characteristics?

Protected Characteristic	Design Principles	Service Delivery Method	Other
Age			
Disability			
Gender reassignment			
Marriage and civil partnership			
Maternity and pregnancy			
Ethnicity			
Religion or beliefs			
Sex / gender			
Sexual orientation			

Socio Economic Group			
Rural/Urban populace			
Based on your evidence and engagement is there potential for a differential impact on <u>customers</u> who share protected characteristics? If so, what is the justification for this or what do you propose to do to mitigate it?			
<p>There may be an assumption that there could be a disproportionate impact on employees who have disability and because of this may have more absences. HR and managers will use the tools they have available to them such as employees informing us they have a disability, RTW interviews, Fit for Work notes, occupational health to make reasonable adjustments for these employees to ensure they are not treated less favourably.</p> <p>HR will undertake an Equalities Impact Assessment every 3 years to ensure that the Absence Policy does not have a negative impact on any particular equality group. If there are any significant variances as a result they will be investigated to ensure appropriate action is taken regarding the Councils' commitment to equalities.</p>			

2. Advancement of Equality of Opportunity

What opportunities are there to advance equality of opportunity for staff through this proposal/work stream?

By having up to date information and knowledge of employees who may have a disability we can better assist them in returning to work after any absences they may have and/ or helping them to remain in work by making reasonable adjustments to their working life.

With up to date information other protected characteristics may become known that could have an impact on the employee's attendance and by being aware of this managers and HR are better able to assist and support these employees in work and if they are ever absent from work.

What opportunities are there to advance equality of opportunity for customers through this proposal/work stream

By ensuring we are able to support employees at every stage of their employment and help them to return to work from any absence they may have, providing them with support and assistances, making reasonable adjustments where required will ensure a workforce which is motivated, feels supported and with high attendance levels which will lead on to improved customer service for all our customers.

Fostering Good Relations

Is there a possibility that this proposal/work stream could lead to negative perceptions among staff, and if so what will you do to counter this?

The Absence Policy may be seen as punitive to some employees as they feel they are unable to help being ill and it is better to take the time off work then to possibly infect their work colleagues with illness or work when not well and not be able to provide good customer service.

Bite size training sessions are being delivered by HR to all managers in each organisation to ensure a consistent and supportive approach to how they manage absence within their teams so that all employees feel they are fairly and consistently treated.

The long term outcome is that absences will decrease and employees will feel valued and supported.

Is there a possibility that this proposal/work stream could lead to negative perceptions among customers, and if so what will you do to counter this?

It is not anticipated, as the Absence Policy should lead to a reduction in absences and a workforce that feels supported which should improve the customer service that all the organisations deliver.

FINDINGS

The Councils will need to take steps to address any issues identified by this analysis. You should set out below how this will be done.

Protected Characteristic	Issue identified	Actions proposed	Lead Officer
Disability		Employees who have a disability may be requested to attend an occupational health appointment (if they haven't already) in order that the OH doctors can undertake a medical assessment and make recommendation to assist managers and HR in making any reasonable adjustment required to the employees working environment and put in place the necessary support.	Helen Knight

Quality assurance for this analysis	
What was the outcome of the JTP Consultative Forum?	
How will you implement any recommendations the Forum made?	
How will the actions be monitored, when will this be reviewed and who will do this?	

Who will analyse the monitoring at its review stages?	
What could trigger a revision to this analysis?	
Will you involve key service users/other parties in the review process? If so, how?	
How will you publish the results of any reviews?	

For completion by the JTP Consultative Forum:

Results of group discussion and recommended course of action:	
--	--

Appendix 1 - internal use only

Data collection for staff restructuring proposals:

The tables below identify the data required to carry put a meaningful analysis of the staff that are affected by this new Absence policy.

Team(s)	Total number of staff in the affected area	Total number of staff in scope of the proposed new Absence Policy
LDC		
EBC		
EH LTD.,		
Total		

Age Band	Total number of staff in affected area (LDC)	Total number of staff in affected area (EBC, EHL)	TOTAL number of staff
16-24			
25-34			
35-44			
45-54			
55-64			
65+			
Unrecorded			
Total			

Gender	Total number of staff in affected area(LDC)	Total Number of staff affected in areas (EBC, EHL)	Total number of staff
Male			
Female			
Total			

Ethnicity	Total number	Total number	Total number
------------------	---------------------	---------------------	---------------------

	of staff in affected area(LDC)	of staff affected in areas (EBC, EHL)	of staff affected
White			
BME*			
Unrecorded			
Total			

*Includes Black, Asian, Chinese, Arab, Mixed, Other

Disability Status	Total number of staff in affected area(LDC)	Total number of staff affected in areas (EBC, EHL)	Total number of staff affected
Disabled			
Not disabled			
Unrecorded			
Total			

Sexual Orientation	Total number of staff in affected area(LDC)	Total number of staff in affected areas (EBC,EHL)	Total number of staff affected
Bisexual			
Gay Man			
Heterosexual			
Lesbian/ Gay Woman			
Other			
Unrecorded			
Total			

Religion/Belief	Total number of staff in affected area(LDC)	Total number of staff affected in areas (EBC, EHL)	Total number of staff affected
Sikh			
Muslim			

Jewish			
Hindu			
Christian			
Buddhist			
No religion			
Unrecorded			
Total			

Working pattern	Total number of staff in affected area(LDC)	Total number of staff in affected areas (EBC, EHL)	Total number of employees
FTE = Full time equivalent			
1.0 FTE (37+ hours / week)			
0.5 FTE + (18.5 hours per week or more on average)			
Less than 0.5 FTE (less than 18.5 hours per week on average)			

Length of contract	Total number of staff in affected area(LDC)	Total number of staff in affected areas (EBC, EHL)	Total number of staff
Permanent contract			
Temporary contract			

Appendix 2 – Where to find data about the District

1. Both quantitative and qualitative forms of information and data should be gathered from existing sources where available. Relevant data is likely to include:
 - Information about the demographics of the local community. Some examples of possible sources can include including Census data, Office of National Statistics, Indices of Multiple Deprivation information, LG Inform and East Sussex in Figures.
 - Any relevant equality monitoring data. This can include number of users/non-users, case outcomes, contracts monitoring, complaints, satisfaction surveys etc. where this is broken down by the different protected equality groups.
 - Procedures, documents, information and publicity relating to the service/policy area.
 - Comparisons with similar policies in other departments or authorities.
 - Previous equality analysis reports and action plans.
 - Consultation exercises, such as surveys and focus groups.
 - Recommendations of relevant inspection and audit reports and reviews.
 - Relevant recent research findings from local, regional or national sources.
 - Information from groups and agencies directly in touch with particular groups in the communities we serve, for example from voluntary and community organisations like 3VA, East Sussex Seniors Association and Sussex Community Development Association.
 - Information from relevant partner agencies, such as the police or other local authorities.
2. Managers need to document the information being examined. You may find gaps in information or inadequacies in data. These need to be identified and it should be explained whether and how these gaps will be addressed in future. This can form part of your action plan.
3. Consultation with the representatives of the groups affected should be used wherever possible. The Communications Team should be made aware of any planned consultations and are available to provide support and advice where required.