

## Appendix E



# Equality Impact Assessment (EIA)

Name of Policy or Practice	Disturbance Policy		
Head of Service responsible for the Policy or Practice	Phil Davies		
Name of officer (s) completing impact assessment form	Ruth Hind and Gail Radcliffe		
Service	Corporate Human Resources	Date of Assessment	25.3.13

EIA Completed by :		EIA Agreed by Head of Service :	
Date	25.3.13	Date	26.3.13
Name(s)	Ruth Hind and Gail Radcliffe	Name	Phil Davies
Signature(s)	R. Hind and G. Radcliffe	Signature	P. Davies

## **STEP 1 – Identify the Main Aims and Objectives of the Policy or Practice**

1. What is being assessed? (***Please double click on the box and select 'checked' as appropriate to cross X***)

- New and revised policies or practices
- New procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year
- Decisions affecting service users, employees or the wider community
- New project proposals affecting staff, communities or accessibility to the built environment, eg, new construction work or adaptations to existing buildings
- Other please explain in the box below :

2. What are the overall aims and objectives of the policy or practice ?

The purpose of the Disturbance Policy is to contribute towards extra travel costs incurred by employees who are moved by the Council to another workplace

3. Who is the policy or practice intended to help or benefit (stakeholders) ?

The policy is intended to benefit employees by providing financial help which contributes towards the cost of travelling additional miles to a new workplace.

4. Who are the main consultative groups or communities of interest ?

Employees, Managers, trade unions, Corporate Human Resources.

## **STEP 2 - Consider Existing Information and What This Tells You**

When completing this section, you need to consider if you have sufficient information with which to complete your EIA, or whether you need to undertake a period of engagement/consultation before continuing. The legislation relating to the EIA process requires you to **engage and involve people who represent the interests of those who share one or more of the protected characteristics and with those who have an interest in the way you carry out your functions**. This needs to be proportionate to the policy or practice being Equality Impact Assessed. You may have already recently undertaken consultation specifically on this policy or practice. Other officers within CCBC may have carried out engagement work which will be relevant to this EIA and you can review the Community Involvement Database to find out what engagement activities have taken place in Conwy and establish if this is relevant. If you have very little or no information from previous engagement that is relevant to this EIA, you should consider undertaking some engagement work with your stakeholders and with relevant representative groups to ensure that you do not unwittingly overlook the needs of each protected group.

5. What do you already know about the impact on each protected characteristic from your experience of current service delivery or previous engagement or consultation? You could refer to the Initial Equality Impact Assessment Screening Form and the Community Involvement Database.

<b>Protected Group</b>	<b>Relevance of the policy / practice by protected characteristic</b>
Race	Employees from an ethnic minority background make up 0.6% of the Council's current workforce. None of the 35 employees who were in receipt of Disturbance allowance during February 2013 were from an ethnic minority background. This is as statistically expected. We will monitor this area going forwards.
Disability	At present, 1.75% of the Council's workforce has declared that they have a disability. None of the 35 'in receipt' staff declared that they have a disability. We are aware that there are disabled people in the work place who are in receipt of financial assistance through Access to Work which pays for or contributes towards work transport costs. If an individual was in receipt of this support, the support

	<p>package from Access to Work could be looked at and revised. We are aware that people have specific needs and these would be discussed on an individual basis.</p>
Sex	<p>The Council's workforce is made up of 72% women and 28% men. Of the 35 employees who were in receipt of the allowance 28 (80%) were women and 7 (20%) were men. This is almost proportionate to the profile of the workforce. During last year, the Council was modernising Services to older residents and Libraries. These changes significantly impacted upon a predominantly female workforce.</p> <p>There were five employees graded at Grade 7 or above, four of whom were women. It is proposed that the allowance would be payable only to grades Grade 1- Grade 6, and so this would have slightly more impact on women, although the numbers are small. As an indication, there are 390 positions filled by women and 266 filled by men between Grade 7 to Grade 12.</p> <p>Overall, the reduction from 2 to 1 years allowance has the potential for a greater impact on female staff because of the workforce profile of 70% female staff and 30% male staff employed.</p>
Age	<p>The current workforce age profile is as follows: 3.1% - age 16-24, 58.9% - age 25-49, 34.3% - age 50-64, 3.7% - age 65 and over.</p> <p>In February 2013, of the 35 employees who were 'in receipt', one (3%) was in the 16-24 group, 20 (57%) were in the 25-49 age group, 14 (40%) were in the 50-64 age group and there were no employees in the 65 and over age group.</p> <p>All outcomes were what would broadly have been statistically expected. We are aware that there could be an impact on non drivers who could belong to any of the identified age groups, however, there could potentially be a greater number of non drivers in the 16-24 age bracket. The policy does cover public transport and many of Conwy's main offices are based along public transport routes.</p>
Religion & Belief	<p>We don't currently collect data specifically regarding the religion or belief of employees who were in receipt of the allowance. However, according to iTrent, none of the 35 'in receipt' employees had declared their religion or belief or non belief.</p>
Sexual Orientation	<p>We don't currently collect data specifically regarding the sexual orientation of employees who were in receipt of the allowance. However, according to iTrent, none of the 35 'in receipt' employees declared any sexual orientation other than heterosexual. We are improving the amount of data we collect</p>

	corporately, and do propose collecting and reporting upon this area going forwards.
Gender Reassignment	We don't currently collect data specifically regarding the gender re-assignment of employees who were in receipt of the allowance. However, according to iTrent, none of the 35 'in receipt' employees had declared themselves as transgender. We are improving the amount of data we collect corporately, and do propose collecting and reporting upon this area going forwards.
Marriage & Civil Partnership	<p>We don't currently collect data specifically regarding the marriage or civil partnership status of employees who were in receipt of the allowance. Of the 35 employees who were in receipt of the allowance in February 2013 17 were married, 13 were single and 5 were divorced. None of the employees stated that they were in a civil partnership.</p> <p>It is possible that car sharing arrangements may be in place for some employees – for example with a spouse, family member, or friend. Such employees may not own a vehicle, and so the impact could be greater.</p>
Pregnancy & Maternity	Employees who are pregnant or on maternity leave, would be entitled to receive the same level of allowance as other employees. Therefore, the allowance period would begin either during pregnancy or upon return from maternity leave. Any period of maternity leave would be disregarded from the twelve months allowance period.
Welsh Language	The policy will be produced in both Welsh and English.
Other (please state)	Non-drivers have been mentioned above. However we recognise that non-drivers could potentially have any of the above protected characteristics.

6. Summarise the additional relevant data, research and performance management information you already have:

<b>Data / Information</b>	<b>Examples</b>
Feedback on existing policy. Employment monitoring report 2011/12. HR/Payroll data of employees in receipt of the allowance in February 2013.	Initial EIA Screening Complaints Compliments Service User data Service User Feedback Inspections or Audits
<b>Research or Comparative Information</b>	<b>Examples</b>
Disturbance Allowance arrangements of other Welsh Councils. Memorandum of Understanding (lapsed) between unions and the Welsh Government.	Service User Surveys Studies by Government departments or professional bodies Census data Service based projects and research How Fair Is Wales (EHRC data)

7. Have you complied with the duty to Engage as described at the start of this section and are you sufficiently informed to proceed?

Yes  No  **(please cross as appropriate X)** If Yes, please proceed to Step 3

If No, you may wish to consider pausing at this point while you undertake engagement activities (which you should add to your action plan – Step 6). Please incorporate any information you have obtained from this additional activity in the box below and state what the key findings were :

### **STEP 3 - Procurement and Partnerships**

The public sector General Duty means all public authorities need to consider the needs of different groups when designing and delivering public services. This duty also applies to private sector organisations who deliver a public function on our behalf and we need to ensure that those organisations exercise those functions by ensuring our procurement and monitoring of those services complies with the General Duty.

8. Is this policy or practice to be carried out wholly or partly by contractors or in partnership with another organisation(s)?

Yes  No  **(please cross as appropriate X)** If No, please proceed to Step 4

9. If yes, how will you comply with Equality, Human Rights and Welsh Language Legislation? Think about :

#### **Procurement**

- Setting out clear equality expectations in Tendering and Specification documentation
- On what you based your decisions in the award process
- That contract clauses cover legislative equality requirements
- Performance and Monitoring measures are included to monitor compliance

#### **Partnerships**

Who is responsible for :

- Equality Monitoring relevant data
- Equality Impact Assessment
- Delivering the actions from the EIA
- Ensuring that equality, human rights and Welsh Language legislation is complied with by all partners

## **STEP 4 - Assessing the Impact**

10. Is there any evidence of higher or lower take-up or satisfaction by any group(s), and if so, how is this explained?

Overall potential impact on women, because they make up 72% of the workforce profile. However, where changes are taking place in different services, the services could have different gender profiles, which may mean that the impact is greater on women one year and on men the following year.

We are also aware that there are disabled staff within the workplace who may have specific requirements with regards to travelling to work.

11. Does the geography or demography of any groups reveal anything?

The present allowance is payable only in respect of 'excess miles' of more than five per day. Employees are expected to bear the additional cost of the first five 'extra' miles or first £1 of public transport costs. This has not been changed in the current proposed revised policy. Most of the Council's main sites are located along the County's coastal belt, and are close to public transport routes.

12. Do any rules or requirements or the way the policy or practice is delivered prevent or reduce the likelihood of any groups from use or access or are any other barriers created for them?

Eg: due to limited income, location, times of availability, access to buildings, information or language, eligibility rules, dress code, cultural issues

As identified in section 5, under 'other impact' – people who either do not drive or do not have access to transport. Equally, employees living in more rural areas, where transport links may not be as good.

13. Can any of these limitations be justified on the grounds of advancing equality of opportunity or fostering good relations between those who share a protected characteristic and those who do not?



We will outline in Step 5 actions that have been or will be taken to reduce any possible equality impact.

14. Do any of these limitations amount to unlawful discrimination?

Yes  No  Not Sure   
**(please cross as appropriate X)**

If you answered Yes or Not Sure, please state on the table below, which protected group(s) it applies to and if possible explain why (including likely impact or effects of this proposed change):

Race	Black Minority Ethnic groups Gypsies / Travellers Language
Disability	Mobility Dexterity Blind or Visually impaired Deaf or Hearing impaired Mental Health Learning Disabilities
Sex	Men Women
Age	Older People Children Young People
Religion & Belief	Faith communities
Sexual Orientation	Gay Lesbian Bi-sexual Heterosexual
Gender Reassignment	A person who proposes to, starts or has changed his or her gender

Marriage & Civil Partnership	
Pregnancy & Maternity	
Human Rights	Right to Education, Private and Family Life, Protection of property, etc
Welsh Speaking Communities	
Other socially excluded groups or communities (please state)	

15. If you answered No to Question 14, do the barriers and limitations amount to a differential impact for certain groups?

Yes  No  Not Sure   
**(please cross as appropriate X)**

16. If you answered Yes or Not Sure to Question 15, please give details in the box below and explain why

We have identified that there could potentially be a differential impact on men, women and disabled employees.

17. Do you have enough information to make an informed judgement?

Yes  No  **(please cross as appropriate X)**

If you answered Yes, please justify:

This information has come from analysis of the Council's overall workforce profile and analysis of those employees currently in receipt of disturbance allowance.

If you answered No, what information do you require about protected groups?

18. Is it possible to get the information needed quickly and easily, or should data collection be included in the action plan? Please give details below:

## **STEP 5 – Dealing with Adverse or Unlawful Impact and Strengthening the Policy or Practice**

In this section, you will consider whether there are any measures to reduce or remove any adverse impact. You should also explore other ways of achieving the same goal and / or alternative means of delivering a service to meet the needs of different groups.

19. What measures can you introduce to the policy or practice which could reduce or remove any unlawful impact or disadvantage?

As a result of consultation, the proposed allowance period was increased to one year. The policy was also amended to include payment of the allowance in exceptional circumstances to employees at Grade 7 or above.

The policy will be amended to include that reasonable adjustments will be considered for disabled employees with specific travel requirements.

20. What measures could be included to strengthen the policy/practice and foster good relations and advance equality of opportunity?

The policy will be amended to include signposting to relevant support services. The Council is currently considering the 'green car' scheme, where employees could lease 'green vehicles' via a salary sacrifice scheme and receive tax breaks. The Council already operates the cycle to work scheme and has a car loan scheme in operation. Our mileage arrangements include mileage for staff who choose to cycle to work, and may use their bicycle to travel to meetings during the working day. The policy does also include an allowance to assist with public transport costs for those staff who either don't drive, or don't have access to a vehicle.

21. What actions could you take to achieve the same goal by an alternative means?

Potentially we could adjust the disturbance mileage rate, the grade threshold, or the allowance period. However, consultation outcomes indicate that the current proposal represents the fairest option.

**STEP 6 – Action Plan**

Please outline below the actions you will take to progress your proposal. These might involve carrying out additional Engagement/Involvement activities, collecting Equality data where this was not readily available to help with this EIA, undertake data analysis from future data obtained to monitor the impact of this policy/practice on an ongoing basis, any actions you need to take to ensure procurement complies with the General Duty, any arrangements you need to put in place to monitor and review the impact of this policy/practice in future, and so on.

<b>Action</b>	<b>Measure of Success</b>	<b>Timeframe</b>	<b>Lead Responsibility</b>	<b>Add to Service Plan (✓)</b>
<b>Actions to be taken before EIA and policy/practice can be signed off</b>				
Amend the policy to include reasonable adjustments for disabled employees.				
Amend the policy to include signposting to support services.				

**Actions after EIA and policy/practice signed off**

Annual monitoring and analysis of staff in receipt of disturbance allowance to identify impact on staff of different protected characteristics.				

## **STEP 7 – Decision To Proceed**

22. Using the information you have gathered in steps 1 – 5 above, please state on the table below whether you are able to proceed with the policy or practice and if so, on what basis?

*(please cross as appropriate X)*

<b>Decision</b>		<b>Action</b>
<input type="checkbox"/> Yes	Continue with policy or practice in its current form	Complete the Monitoring and Review section (Step 8) to ensure the outcomes are monitored and regularly reviewed
<input checked="" type="checkbox"/> Yes	Continue with policy or practice but with amendments for improvement	Complete Action Plan and Monitor and Review sections (Steps 6 & 8) to continually assess impact
<input checked="" type="checkbox"/> Yes	Continue with policy or practice but with amendments to remove any areas of adverse impact as identified in Step 5	Complete Action Plan (Step 6) to address any areas of adverse impact and Monitor and Review (Section 8) to continually assess impact
<input type="checkbox"/> No	Abandon this policy or practice as it is not possible to address the adverse impact, and consider alternative ways of addressing the issues	Complete Action Plan to address any issues resulting from abandoning policy and to deal with the adverse impact identified

## **STEP 8 – Arrangements for Monitoring Outcomes and Reviewing Data**

The EIA process is an ongoing one that doesn't end when the policy/practice and EIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced this new policy or practice.

23. Please outline below what arrangements you will make to monitor and review the ongoing impact of this policy or practice :

<b>Monitoring and Review arrangements</b> (including where outcomes will be recorded)	<b>Timeframe &amp; Frequency</b>	<b>Lead Responsibility</b>	<b>Add to Service Plan (✓)</b>
The policy will be reviewed by the Head of Corporate Human Resources, depending on future business needs and resources. This will include impact monitoring as set out in step 6.	Annually	HR Business Partner.	✓

## **STEP 9 – Publishing the Equality Impact Assessment**

**Please arrange for this completed EIA to be agreed by your Head of Service, refer to the EIA Policy regarding publishing arrangements and return a copy to the HR and Equality Officer.**