

DRAFT

EQUALITY IMPACT ASSESSMENT

STAGE 2 FULL ASSESSMENT –using CRE guidance.¹

Name of Policy: Maternity, Paternity and Adoption Leave Policy 14

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Designations: HR Consultant

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Purpose of assessment: a means of ensuring that the policy does not result in unlawful discrimination, that the policy promotes equal opportunities and good relations.

Does the service we provide reach all the communities it is meant for, and does it meet their needs?

1. Identify all the aims.	Key Points	Compliant Yes or No?
1.1 You need to be clear about the purpose of the policy, the context within which it will operate, who it is intended to benefit and the expected results.	To ensure the legal entitlements to leave and pay for maternity, paternity and adoption leave are administered consistently and correctly	YES
1.2 What are the Trust's specific responsibilities in relation to the proposed policy?	Legally to ensure that legislation relating to maternity, paternity and adoption is implemented	YES
1.3 Where does responsibility for the proposed policy finally rest?	Chief Exec via Dir of HR	YES
1.4 How will the proposed policy be put into effect? Who will be responsible?	Managers and HR	YES
1.5 To what extent will the policy achieve equal opportunities and good relations between different racial groups?	To allow staff to take leave for maternity, paternity or adoption leave and balance their work and home life, enable staff to remain in employment	YES
1.6 What are the specific outcomes you hope to see from the proposed policy?	Improved retention	YES
What criteria will you use to measure progress towards these outcomes?	Retention rates	YES
1.7 Are there any risks associated with the proposals/policy,	Minimal as these are legal entitlements and not subjective	

¹ Race equality impact assessment: a step by step guide. www.cre.gov.uk/duty/reia/index.html

particularly for meeting the race equality duty, promoting good race relations, duties under the disability discrimination act?	allowances	
1.8 How does this policy fit in with other policies, - within this department and those of other departments and authorities? Is the overall purpose compatible with the Trust's equality and diversity policy?	This policy applies across the Trust and fits in with the Trust's Equality and Diversity Policy	
1.9 Which individuals and organisations are likely to have an interest in the proposals?	All individuals who wish to take leave for maternity, paternity and adoption.	
1.10 Do the stakeholders include representatives from all the groups likely to be affected by the proposed policy? (Noting need to promote equality of access and opportunity)	Consultation occurred following the HR Policy and Procedures consultation process	
1.11 What relationships do you have, or need to have with these stakeholders, if the policy is to be credible and have their support?		
1.12 Have you considered involving departments or authorities with similar policies in the assessment process, to benefit from their experience, and avoid duplicating work they might have already done?	Have to follow legal entitlements and also the national Agenda for Change terms and conditions	

2. Consider the Evidence. "The aim ultimately, should be to establish a reliable and extensive database of information on all equality factors"(age, religion or belief, gender, disability, sexual orientation and racial group).	Note Key Points	Compliant Yes or No?
2.1 What sort of information are you likely to need to develop an effective policy that benefits all (racial/ disability) groups equally?	More in depth information with regard to a breakdown of staff groups using the various leave entitlements	
2.2 Who will decide what information will be needed and where to look for it?	HR team	
2.3 What information is already available? (quantitative and	Information is available with regard to staff on maternity leave and	

qualitative)	adoption leave	
2.4 Could other Trusts or authorities with similar policies advise as to the information they found useful?	Possibly	
2.5 Is the available information sufficiently detailed to permit analysis of disparities between small groups?	No	
2.6 Is the information up to date, relevant and reliable?	Yes but limited	
2.7 Is more information required ?– particularly for incomers: asylum seekers, refugees, gypsies and travellers.	More detailed information is required	
2.8 Who will be responsible for ensuring new data is gathered? Are there other authorities to work with?	HR Team	

3. Assess likely impact		
3.1 Does your analysis of the policy indicate possible adverse impact on some groups? (Are disparities in the ethnic data statistically significant and not due to chance?)	There are higher numbers of females accessing the policy however this is due to the nature of the leave on offer	
Does your analysis of the policy indicate possible adverse impact in any other particular group (disability, gender, age, religious or sexual orientation.	Insufficient information	
3.2 Are there other factors that could explain the adverse impact? Would changes to the policy make a difference?		
3.3 Could the policy lead to direct discrimination? If so different ways of achieving the policy aims need to be agreed.	No	
3.4 Could the policy lead to unlawful indirect discrimination? If yes look at different ways of achieving the policy aims. If the potential for discrimination is justifiable please state the justification.	Yes if not applied fairly	

3.5 Could the policy damage relations between your Trust and a particular racial group?	No	
3.6 Could the policy be in breach of other legislation or international obligations?	No	
3.7 Is the policy intended to increase equality of opportunity for some groups? Are you confident that the policy is lawful? Do you need to take any steps to counter any resentment?	Policy is lawful and up to date	
3.8 Have you re-assessed the policy, if you have made substantive changes to the original proposal?	No	
3.9 Have you discussed the results of the assessment with the Steering Group and other stakeholders?	No	
3.10 Do you need to hold an informal consultation exercise?	No	
3.11 Would further research be useful?	Yes – more detailed analysis of staff using the policy	

4. Consider Alternatives	Note Key Points	Compliant – Yes or No?
<p>If your assessment shows that the policy is likely to have an adverse impact on a particular racial group, or people with a disability – that it will have significant negative consequences for them you must decide whether to:</p> <ul style="list-style-type: none"> • Make changes that will satisfy any concerns • Consider ways of putting the proposed policy into practice that remove or reduce its potential for affecting some groups adversely • Find alternative means of achieving the policy • Justify the policy, even though it could affect some groups adversely. Take legal advice. 		
4.1 If the assessment shows any potential adverse impact, look again at the purpose and aims. Can the approach be re-considered?		
4.2 Are there aspects that could be changed? Could additional measures be taken to reduce or remove adverse impact without affecting the policy's overall aims? Could this result in disadvantaging another group?		
4.3 How does each option above (in bold) advance or hinder equality of		

opportunity?		
4.4 Could the policy lead to tensions between groups? Can you explain or do anything to reduce this?		
4.5 Costs and benefits: what are the social benefits of implementing each option?		
4.6 If you decide the policy needs to go through without alteration, despite adverse impact, are you sure you can legally justify this action?		

5. Consult Formally	Key Points	Compliant Yes or No?
<p>Public involvement and consultation should be an on-going process in order to promote legitimacy of the policy and confidence in the ORH Trust. Note the need to include as appropriate: Asylum seekers and refugees, gypsies and travellers, people from ethnic minorities in isolated rural areas, women, elderly and young people from some racial groups, people with a disability, older people and children.</p>		
5.1 Have you identified all the groups affected by the policy? (different racial groups/ different disabilities)		
5.2 Which organisations and individuals are likely to have an interest in the policy?		
5.3 Which methods of consultation are likely to succeed?		
5.4 Have other departments or organisations held formal consultations? Can these be used? Can you target other groups?		
5.5 Are members of the steering group involving all stakeholders including the public in their sectors?		
5.6 Have previous attempts to involve and consult particular communities been unsuccessful – if so why?		
5.7 Do you have resources available to conduct meetings in the community? Check guidance on public involvement and planning meetings. Have you arranged for interpreting and/or translation services?		

6. Decide whether to adopt the policy.	Key Points	Compliant yes or No?
Base your decision on four factors: <ul style="list-style-type: none"> • The aims of the policy • The evidence you have collected • The results of your consultations • The relative merits of alternative approaches. 		
Keep records of the assessment process and justify your decision.		

Taken from The Commission For Race Equality Step by Step Guide to Race Equality Impact Assessment. www.cre.gov.uk/duty/reia/index.html