

## EQUALITY IMPACT ASSESSMENT

### STAGE 2 FULL ASSESSMENT – using CRE guidance.<sup>1</sup>

**Name of Policy: Appraisal Policy**

**Assessed by: Valerie Cullen**

**Designations: Acting Joint Head of Learning and Development**

**Date: May 2008**

**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?**

<b>1. Identify all the aims.</b>	<b>Key Points</b>	<b>Compliant Yes or No?</b>
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.	<b>The policy makes appraisal and personal development plans a contractual requirement for all staff.</b>	<b>YES</b>
1.2 What are the Trust's specific responsibilities in relation to the proposed policy?	<b>Training, monitoring, evaluation and updating the policy. Enforcing accountability and dealing with non compliance.</b>	<b>YES</b>

<sup>1</sup> Race equality impact assessment: a step by step guide. [www.cre.gov.uk/duty/reia/index.html](http://www.cre.gov.uk/duty/reia/index.html)

1.3 Where does responsibility for the proposed policy finally rest?	<b>Trust and Executive Board.</b>	<b>YES</b>
1.4 How will the proposed policy be put into effect? Who will be responsible?	<b>The policy will be implemented by the Head of Learning and Development and all managers will be responsible for conducting appraisal interviews with their staff.</b>	<b>YES</b>
1.5 To what extent will the policy achieve equal opportunities and good relations between different racial and other groups?	<b>The policy will promote equality and equal access to development and career progression. It will provide a framework and competencies to help staff identify areas for improvement and poor performance.</b>	<b>YES</b>
1.6 What are the specific outcomes you hope to see from the proposed policy?	<b>A more motivated, competent and effective staff.</b>	
What criteria will you use to measure progress towards these outcomes?	<b>Improved work performance, reduced sickness and absence leave and increase staff retention.</b>	<b>YES</b>
1.7 Are there any risks associated with the proposals/policy, particularly for meeting the race equality duty, promoting good race relations, duties under the disability discrimination act?	<b>Managers may not conduct the appraisals due to staff shortages and time constraints.</b>	<b>YES</b>
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?	<b>This policy reflects the study leave, induction policy race and equality policy, performance and conduct and grievance policies.</b>	

1.9 Which individuals and organisations are likely to have an interest in the proposals?	<b>All staff, patients and the public.</b>	
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)?	<b>Through the policy consultation process.</b>	<b>YES</b>
1.11 Involvement. 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?	<b>Yes, consulted other trusts and ORH departments for their input. The policy group process prevents duplication.</b>	<b>YES</b>

<p><b>2. Consider the evidence.</b>                      “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).</p>	<p><b>Note Key Points</b>  <b>The information will come from the HR staff records in conjunction with training data. We need more in-depth analysis and reporting.</b></p>	<p><b>Compliant Yes or No?</b>   <b>Yes, but the information could be improved.</b></p>
<p>2.1 What sort of information are you likely to need to develop an effective policy that benefits all (racial/disability etc.) groups equally?</p>	<p><b>We need to develop better monitoring and reporting on all diverse strands.</b></p>	
<p>2.2 Who will decide what information will be needed and where to look for it?</p>	<p><b>HR committee, Board, internal and external auditors.</b></p>	
<p>2.3 What information is already available (quantitative and qualitative)?</p>	<p><b>Training records, e-ksf appraisal records.</b></p>	
<p>2.4 Could other trusts or authorities with similar policies advise as to the information they found useful?</p>	<p><b>Yes, have shared information with other trusts and departments.</b></p>	

2.5 Is the available information sufficiently detailed to permit analysis of disparities between small groups?	<b>Sometimes.</b>
2.6 Is the information up to date, relevant and reliable?	<b>Not always.</b>
2.7 Is more information required particularly for incomers: asylum seekers, refugees, gypsies and travellers?	<b>YES. We are hoping that the ESR will help to improve the information collected.</b>
2.8 Who will be responsible for ensuring new data is gathered? Are there other authorities to work with?	<b>HR – internal and external auditors.</b>

<b>3. Assess likely impact.</b>	<b>Key Points</b>	<b>Yes / No?</b>
<b>3.1 Does your analysis of the policy indicate possible adverse impact on some racial groups? (Are disparities in the ethnic data statistically significant and not due to chance?)</b>		<b>NO</b>

<p><b>Does your analysis of the policy indicate possible adverse impact on disabled people or any other particular group : gender, age, religious or sexual orientation.</b></p>		<p><b>NO</b></p>
<p>3.2 Are there other factors that could explain the adverse impact? Would changes to the policy make a difference?</p>	<p><b>NO</b></p>	
<p>3.3 Could the policy lead to direct discrimination? If so different ways of achieving the policy aims need to be agreed.</p>	<p><b>NO</b></p>	
<p>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.</p>	<p><b>NO</b></p>	
<p>3.5 Could the policy damage relations between your Trust and a particular racial or other group? Do you need to take any steps to counter any resentment?</p>	<p><b>NO</b></p>	

3.6 Could the policy be in breach of other legislation or international obligations?	<b>NO</b>
3.7 Is the policy intended to increase equality of opportunity for some groups? Are you confident that the policy is lawful?	<b>YES – intended to increase equality of opportunity for older workers who have in the past been least likely to have an appraisal.</b>  <b>YES</b>
3.8 Have you re-assessed the policy, if you have made substantive changes to the original proposal?	<b>YES</b>
3.9 Have you discussed the results of the assessment with the Steering Group and other stakeholders?	<b>YES</b>

<b>4. Consider Alternatives.</b>	<b>Note Key Points</b>
<p><b>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:</b></p> <ul style="list-style-type: none"> <li>• <b>make changes that will satisfy any concerns</b></li> <li>• <b>consider ways of putting the proposed policy into practice that remove or reduce its potential for affecting some groups adversely</b></li> <li>• <b>find alternative means of achieving the policy</b></li> <li>• <b>justify the policy, even though it could affect some groups adversely.</b></li> </ul> <p><b>Take legal advice.</b></p>	

4.1 If the assessment shows any potential adverse impact, look again at the purpose and aims. Can the approach be re-considered?	N/A
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?	N/A
4.3 How does each option above (in bold) advance or hinder equality of opportunity?	N/A
4.4 Could the policy lead to tensions between groups? Can you explain or do anything to reduce this?	N/A
4.5 Costs and benefits: what are the social benefits of implementing each option?	<b>Improved staff retentions, better skilled and motivated staff.</b>
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?	N/A

<b>5. Listen to public views / involve public views in policy development / consult formally.</b>	<b>Key Points</b>	<b>Yes or No?</b>
		<b>YES</b>

<p><b>Public involvement and consultation should be an on-going process in order to promote legitimacy of the policy and confidence in the ORH.</b> Note the need to include as appropriate: asylum seekers and refugees, gypsies and travellers, people from ethnic minorities, people in isolated rural areas, women, elderly and young people from some racial groups, disabled people, older people and children.</p>	
5.1 Have you identified all the groups affected by the policy? ( different racial groups/ different disabilities)	<b>YES</b>
5.2 Which organisations and individuals are likely to have an interest in the policy?	<b>All staff, patients and the public.</b>
5.3 Which methods of consultation are likely to succeed?	<b>ORH News, intranet, email, Divisional and Directorate meetings, policy and race and equality group meetings.</b>
5.4 Have other departments or organisations held formal consultations? Can these be used? Can you target other groups?	<b>Yes, have discussed the policy with other trusts, and the ORH Risk Team.</b>
5.5 Are members of the steering group involving all stakeholders including the public in their sectors?	<b>The public are not consulted widely. A member of the PALS group is consulted.</b>
5.6 Have previous attempts to involve and consult particular communities been unsuccessful – if so why?	<b>NO</b>
5.7 Do you have resources available to conduct meetings in the community?	<b>NO</b>

<p>Check guidance on public involvement and planning meetings on the intranet. Have you arranged for interpreting and/or translation services?</p>	
--	--

<p><b>6. Decide whether the policy is compliant with equality legislation.</b></p>	<p><b>Key Points</b></p> <p><b>The policy is compliant with equality legislation.</b></p>
<p>Base your decision on four factors:</p> <ul style="list-style-type: none"> <li>• the aims of the policy</li> <li>• the evidence you have collected</li> <li>• the results of your public involvement and consultations</li> <li>• the relative merits of alternative approaches.</li> </ul>	
<p>Keep records of the assessment process and justify your decision.</p>	

**Taken from The Commission For Race Equality Step by Step Guide to Race Equality Impact Assessment.**  
[www.cre.gov.uk/duty/reia/index.html](http://www.cre.gov.uk/duty/reia/index.html)