

## EQUALITY IMPACT ASSESSMENT

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

**Name of Policy:** Job Banding

**Assessed by:** Angela Savage

**Designations:** HR Consultant

**Date:** June 2007

**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.	<p>The NHS Job Evaluation Scheme underpins the Agenda for Change pay system as set out in the NHS Terms and Conditions of Service Handbook (NHS Employers, 01/05).</p> <p>This Policy applies to the banding of all staff on Agenda for Change terms and conditions (all staff, except medical staff and directors).</p> <p>The policy applies to:</p> <ul style="list-style-type: none"><li>• the banding of new vacant posts, where a banding has not previously been applied;</li><li>• a post updated prior to recruitment;</li><li>• the banding of posts that have been revised as a result of organisational change or where there have been significant changes to a job within a department.</li></ul>	YES

<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)

<p>1.2 What are the Trust's specific responsibilities in relation to the proposed policy?</p>	<p>The NHS Job Evaluation Scheme underpins the Agenda for Change pay system as set out in the NHS Terms and Conditions of Service Handbook (NHS Employers, January 2005).</p> <p>The policy will apply the Job Matching and Job Evaluation procedures as set out in the NHS Job Evaluation Handbook (2<sup>nd</sup> Ed. Department of Health, October 2004).</p>	
<p>1.3 Where does responsibility for the proposed policy finally rest?</p>	<p>HR Director</p>	<p>YES</p>
<p>1.4 How will the proposed policy be put into effect? Who will be responsible?</p>	<p>Using the process set out in the policy, independent panels comprising management and staff side representatives. Job Evaluation lead responsible.</p>	<p>YES</p>
<p>1.5 To what extent will the policy achieve equal opportunities and good relations between different racial groups?</p>	<p>Independent panels, applying national guidelines, with no identifying factors relating to the postholder.</p>	<p>YES</p>
<p>1.6 What are the specific outcomes you hope to see from the proposed policy?</p>	<p>Jobs banded in a fair, open and robust process.</p>	<p>YES</p>
<p>What criteria will you use to measure progress towards these outcomes?</p>	<p>Consistency checking.</p>	<p>YES</p>
<p>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?</p>	<p>In the case of re-banding applications, Line Managers are responsible for signing off applications – risk of discrimination</p>	<p>YES</p>
<p>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?</p>	<p>Recruitment and Selection</p> <p>Equal Opportunities</p>	<p>YES</p>

1.9 Which individuals and organisations are likely to have an interest in the proposals?	All staff that the policy applies to (all staff, except medical staff and directors).	YES
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)	All staff affected are from representative groups. Not all representative groups were consulted with	NO
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?	Stronger links with representative groups	NO
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?	Implemented a national process	NO

<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).	<b>Note Key Points</b>	<b>Compliant Yes or No?</b>
2.1 What sort of information are you likely to need to develop an effective policy that benefits all (racial/ disability) groups equally?	Diversity information for staff applying for re-banding	NO
2.2 Who will decide what information will be needed and where to look for it?	Equality Steering Group Policy group	YES
2.3 What information is already available (quantitative and qualitative)?	Linked to the payroll system	NO

2.4 Could other trusts or authorities with similar policies advise as to the information they found useful?	NO	
2.5 Is the available information sufficiently detailed to permit analysis of disparities between small groups?	NO because current staff data is incomplete.	NO
2.6 Is the information up to date, relevant and reliable?	NO	
2.7 Is more information required particularly for incomers: asylum seekers, refugees, gypsies and travellers?	NO	
2.8 Who will be responsible for ensuring new data is gathered? Are there other authorities to work with?	Workforce Planning and Information Manager.	

<b>3. Assess likely impact.</b>		
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?)	No evidence to suggest this. Further analysis required	
Does your analysis of the policy indicate possible adverse impact in any other particular group (disability, gender, age, religious or sexual orientation).	No evidence to suggest this. Further analysis required.	
3.2 Are there other factors that could explain the adverse impact? Would changes to the policy make a difference?	Don't know if adverse due to lack of data.	

3.3 Could the policy lead to direct discrimination? If so different ways of achieving the policy aims need to be agreed.	The policy itself could not discriminate, potentially the managers' application of it could.	
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.	The policy itself could not discriminate, potentially the managers' application of it could.	
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?	<p>Panels are independent, applying a scheme that has been designed to be non-discriminatory.</p> <p>NO</p>	
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?	YES	
3.10 Do you need to hold an informal consultation exercise?	NO	
3.11 Would further research be useful?	NO	

4. Consider alternatives.	Note Key Points	Compliant Yes or No?
<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?	NO	
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?	NO	
4.3 How does each option above (in bold) advance or hinder equality of opportunity?	NO	
4.4 Could the policy lead to tensions between groups? Can you explain or do anything to reduce this?	NO	
4.5 Costs and benefits: what are the social benefits of implementing each option?	N/A	
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	

5. Consult formally.	Key Points	Compliant Yes or No?
<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 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)?	All staff (except medics and directors).	
5.2 Which organisations and individuals are likely to have an interest in the policy?	All staff (except medics and directors).	
5.3 Which methods of consultation are likely to succeed?	Policy consultation process.	
5.4 Have other departments or organisations held formal consultations? Can these be used? Can you target other groups?	YES	
5.5 Are members of the steering group involving all stakeholders including the public in their sectors?	Not always	
5.6 Have previous attempts to involve and consult particular communities been unsuccessful – if so why?	YES	
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?	Public involvement lead.	

<b>6. Decide whether to adopt the policy.</b>	<b>Key Points</b>	<b>Compliant Yes or No?</b>
Base your decision on four factors: <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 consultations</li> <li>• the relative merits of alternative approaches.</li> </ul>	YES	
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](http://www.cre.gov.uk/duty/reia/index.html)