

EQUALITY IMPACT ASSESSMENT

STAGE 2 FULL ASSESSMENT – using CRE guidance.¹

Name of Policy: Study Leave

Assessed by: Valerie Cullen

Designations: Acting Joint Head of Learning and Development

Date: 2 May 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.	The Trust values the significance of Learning, Training and Development and recognises the importance of a consistent framework and approach to study leave to improve individual and organisational development.	YES
1.2 What are the Trust's specific responsibilities in relation to the proposed policy?		

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

1.3 Where does responsibility for the proposed policy finally rest?	Chief Executive via Director of Human Resources.	YES
1.4 How will the proposed policy be put into effect? Who will be responsible?	Managers will have direct responsibility. Ultimately the Director of Human Resources.	YES
1.5 To what extent will the policy achieve equal opportunities and good relations between different racial and other groups?	The policy is written to ensure equal and fair access to learning and development through the annual appraisal and personal development review.	YES
1.6 What are the specific outcomes you hope to see from the proposed policy?	Able to identify the learning and development activities required by individuals required to do their jobs. Able to identify and investigate which staff groups do not access training and development.	
What criteria will you use to measure progress towards these outcomes?		YES
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?	Yes, policy not implementing the policy effectively. Not assessing individuals' needs through the appraisal and personal development review process.	
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?	All staff.	

1.9 Which individuals and organisations are likely to have an interest in the proposals?	All staff.	
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)	Staff and managers will have an opportunity to review and comment on the policy through the consultation process.	YES
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?	Providing managers and staff with information and training on the KSF and appraisal process.	
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?	YES. The policy was written after consultation with, and receiving example policies from, other NHS trusts.	

<p>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).</p>	<p>Note Key Points The information will come from the HR staff records in conjunction with training data. We need more in-depth analysis and reporting.</p>	<p>Compliant Yes or No?</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>We need to develop better monitoring and reporting on all diverse strands.</p>	
<p>2.2 Who will decide what information will be needed and where to look for it?</p>	<p>HR Consultant – Diversity lead in consultation with Director of HR, Equality Steering Group.</p>	
<p>2.3 What information is already available (quantitative and qualitative)?</p>	<p>BME data for 75% of existing staff, age information. BME. Age, gender information available on applicants.</p>	
<p>2.4 Could other trusts or authorities with similar policies advise as to the information they found useful?</p>	<p>YES</p>	
<p>2.5 Is the available information sufficiently detailed to permit analysis of disparities between small groups?</p>	<p>Not always.</p>	

2.6 Is the information up to date, relevant and reliable?	Not always.
2.7 Is more information required – particularly for incomers: asylum seekers, refugees, gypsies and travellers?	YES
2.8 Who will be responsible for ensuring new data is gathered? Are there other authorities to work with?	HR Consultants – Diversity lead in consultation with relevant departments, groups and individuals.

3. Assess likely impact	Key Points	Yes / No?
<p>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?)</p> <p>Does your analysis of the policy indicate possible adverse impact on disabled people or any other particular group : gender, age, religious or sexual orientation.</p>	<p>Not really. It should help to identify staff who do not access training and development and enable us to address the situation.</p> <p>Not really. It should help to identify staff who do not access training and development and enable us to address the situation.</p>	

<p>3.2 Are there other factors that could explain the adverse impact? Would changes to the policy make a difference?</p>	<p>Not aware of any.</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>NO – the aim of the policy is to ensure that all staff have equal access to learning in order to be competent in their jobs.</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>NO</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>NO</p>
<p>3.6 Could the policy be in breach of other legislation or international obligations?</p>	<p>NO</p>

3.7 Is the policy intended to increase equality of opportunity for some groups? Are you confident that the policy is lawful?	YES – the aim of the policy is to ensure that all staff have equal access to learning in order to be competent in their jobs.
3.8 Have you re-assessed the policy, if you have made substantive changes to the original proposal?	YES
3.9 Have you discussed the results of the assessment with the Steering Group and other stakeholders?	YES

4. Consider Alternatives	Note Key Points
<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. <p>Take legal advice.</p>	
4.1 If the assessment shows any potential adverse impact, look again at the purpose and aims. Can the approach be re-considered?	

<p>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?</p>	
<p>4.3 How does each option above (in bold) advance or hinder equality of opportunity?</p>	
<p>4.4 Could the policy lead to tensions between groups? Can you explain or do anything to reduce this?</p>	
<p>4.5 Costs and benefits: what are the social benefits of implementing each option?</p>	
<p>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?</p>	

5. Listen to public views / involve public views in policy development / consult formally.	Key Points	Yes or No?
Public involvement and consultation should be an on-going process in order to promote legitimacy of the policy and confidence in the ORH. 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.		
5.1 Have you identified all the groups affected by the policy (different racial groups / different disabilities)?	YES – all diverse groups internal staff.	
5.2 Which organisations and individuals are likely to have an interest in the policy?	All staff.	
5.3 Which methods of consultation are likely to succeed?	Emailing, meetings and face to face.	
5.4 Have other departments or organisations held formal consultations? Can these be used? Can you target other groups?	YES – HR P&P consultation process involves Directorate Board, HR Committee, JSCNC consultation.	
5.5 Are members of the steering group involving all stakeholders including the public in their sectors?	NO – public sector.	
5.6 Have previous attempts to involve and consult particular communities been unsuccessful – if so why?	Not aware of this.	

<p>5.7 Do you have resources available to conduct meetings in the community? Check guidance on public involvement and planning meetings on the intranet. Have you arranged for interpreting and/or translation services?</p>	<p>YES – PPI.</p>
--	--------------------------

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