

Appendix 9 - Equality Impact Assessment



Hull

Clinical Commissioning Group

HR / Corporate Policy Equality Impact Analysis:

Policy / Project / Function:	Disciplinary Policy & Procedure, v1.2
Date of Analysis:	8 November 2018
Completed by: (Name and Department)	eMBED Health Consortium HR Team
What are the aims and intended effects of this policy, project or function?	<ul style="list-style-type: none"> • To provide a process and framework to manage employee issues of misconduct at the workplace in a fair and consistent manner in line with employment law and good HR practice. • Set standards of conduct. • To manage issues in a timely equitable manner.
Are there any significant changes to previous policy likely to have an impact on staff / other stakeholder groups?	No
Please list any other policies that are related to or referred to as part of this analysis	<ul style="list-style-type: none"> • Whistleblowing • Standards of Business Conduct • Professional Registration • Managing Performance • Managing Absence • Policy, Procedures and Guidance for responding to allegations of abuse or neglect of a child against an employee • Bullying and Harassment • IM&T Security Policy
Who will the policy, project or function affect?	All CCG Employees
What engagement / consultation has been done, or is planned for this policy and the equality impact assessment?	Consultation has taken place with management sub groups of the CCG's and staff.
Promoting Inclusivity and Hull CCG's Equality Objectives. How does the project, service or function contribute towards our aims of eliminating	This policy does not directly promote inclusivity, however it applies a framework to follow a clear process for dealing with cases or suspected cases of misconduct for CCG staff/healthcare

<p>discrimination and promoting equality and diversity within our organisation?</p> <p>How does the policy promote our equality objectives:</p> <ol style="list-style-type: none"> 1. Ensure patients and public have improved access to information and minimise communications barriers 2. To ensure and provide evidence that equality is consciously considered in all commissioning activities and ownership of this is part of everyone's day-to-day job 3. Recruit and maintain a well-supported, skilled workforce, which is representative of the population we serve 4. Ensure the that NHS Hull Clinical Commissioning Group is welcoming and inclusive to people from all backgrounds and with a range of access needs 	<p>professionals.</p>
--	-----------------------

Equality Data	
<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Recruitment data, e.g. applications compared to the population profile, application success rates 2. Complaints by groups who share / represent protected characteristics 3. Grievances or decisions upheld and dismissed by protected characteristic group 4. Insight gained through engagement 	<p>Yes ✓</p> <p>No</p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document). If you answered No, what information will you use to assess impact?</p> <p>Please note that due to the small number of staff employed by the CCG, data with returns small enough to identify individuals cannot be published. However, the data should still be analysed as part of the EIA process, and where it is possible to identify trends or issues, these should be recorded in the EIA.</p>

Employee Equality Data

General	Total number of employees in the CCG is 103
Age	<p>8.7% of staff are under 30</p> <p>70.9% of staff aged 30 - 55</p> <p>19.4% of staff are over 55</p> <p>1% of staff are unspecified</p>
Gender	<p>67.0% of staff employed are female</p> <p>34.0% of staff employed are male</p>
Race / Nationality	<p>82.5% of staff employed in the CCG declared themselves as White British</p> <p>15.5% of staff are not stated/undefined.</p> <p>1.0% of staff declared themselves as White Other</p> <p>1.0% of staff declared themselves as Asian</p>
Disability	<p>41.7% of staff employed declared themselves as having no disability</p> <p>56.3% of staff did not declare /undefined</p> <p>1.9% of staff declared a disability</p>
Sexual Orientation	<p>40.8% of staff described themselves as heterosexual</p> <p>No staff described themselves as gay/lesbian/bisexual</p> <p>59.2% did not wish to respond /undefined</p>
Gender Reassignment	No information available
Religion / Belief	<p>32.0% of staff declared themselves as Christian.</p> <p>61.1% were undefined or did not wish to declare</p> <p>5.8 % of staff declared themselves as Atheist</p> <p>1.0% of staff declared themselves as Islamic</p>
Pregnancy and Maternity	No information available

Marriage and civil partnership	61.2% of employees are married. 20.4% of employees are single 6.8% of employees are divorced or legally separated 7.8% of employees were undefined or did not wish to declare 1.9% of employees are widowed. 1.9% of employees are in a civil partnership
---------------------------------------	--

Assessing Impact

**Is this policy (or the implementation of this policy) likely to have a particular impact on any of the protected characteristic groups?
 (Based on analysis of the data / insights gathered through engagement, or your knowledge of the substance of this policy)**

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> ¹ exists (see footnote below – seek further advice in this case)
<p>It is anticipated that these guidelines will have a positive impact as they support policy writers to complete meaningful EIAs, by providing this template and a range of potential issues to consider across the protected characteristics below. There may of course be other issues relevant to your policy, not listed below, and some of the issues listed below may not be relevant to your policy.</p>				
Gender			✓	Whilst the policy will be applied consistently to employees regardless of gender, the CCG employs a significant majority of women there may be expected to be more women subject to actions. Data should therefore be monitored for proportionality.
Age	✓			Considered and no evidence of impact.
Race / ethnicity / nationality			✓	National research shows that employees in the NHS from a black and minority ethnic background are almost twice as likely to be disciplined as white employees. This policy refers to the CCG's obligations under the Equality Act and reference is made to other policies where work performance or attendance is a concern. Training is also available. The policy will be applied consistently to employees regardless of race, nationality or ethnicity and there is currently no evidence to indicate this will have an adverse effect on black and minority ethnic staff but the policy should be monitored.
Disability			✓	National research shows that 'disabled people are significantly more likely to experience unfair treatment at work than non-disabled people. In 2008, 19%of disabled people experienced unfair treatment at work compared to 13% of non-disabled people' (source: Office for Disability issues).The policy refers to the CCG's obligations under the

¹ The action is proportionate to the legitimate aims of the organisation (please seek further advice)

				Equality Act and reference is made to other policies where work performance or attendance is a concern. Training is also available. There is currently no evidence to indicate this will have an adverse effect staff with disabilities but the policy should be monitored.
Religion or Belief	✓			Considered and no evidence of impact.
Sexual Orientation	✓			Considered and no evidence of impact.
Pregnancy and Maternity	✓			Considered and no evidence of impact.
Transgender / Gender reassignment	✓			Considered and no evidence of impact.
Marriage or civil partnership	✓			Considered and no evidence of impact.

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse impact or strengthen the promotion of equality?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Some equality groups have been found to be more likely to be subject to disciplinary actions by employers, including BME and disabled staff.	<p>Ensure CCG managers are trained in equality and diversity awareness and seek appropriate HR advice before undertaking investigations or disciplinary proceedings.</p> <p>Monitor disciplinary cases by protected characteristics to identify any trends or significant variance in proportionality of action.</p>		ongoing	

Sign-off

All policy EIAs must be signed off by Mike Napier, Associate Director of Corporate Affairs

I agree / disagree with this assessment / action plan

If *disagree*, state action/s required, reasons and details of who is to carry them out with timescales:

Signed:

Date: