

Equality Impact Assessment (EIA)

Name of Policy or Practice	Redundancy Policy		
Head of Service responsible for the Policy or Practice	Phil Davies		
Name of officer (s) completing impact assessment form	Ruth Hind		
Service	Corporate HR	Date of Assessment	24.12.12

EIA Completed by :		EIA Agreed by Head of Service :	
Date	24.12.12	Date	15/2/13
Name(s)	Ruth Hind	Name	Phil Davies
Signature(s)	R. Hind	Signature	P. Davies

STEP 1 – Identify the Main Aims and Objectives of the Policy or Practice

1. What is being assessed? (***Please double click on the box and select 'checked' as appropriate to cross X***)

- New and revised policies or practices
- New procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year
- Decisions affecting service users, employees or the wider community
- New project proposals affecting staff, communities or accessibility to the built environment, eg, new construction work or adaptations to existing buildings
- Other please explain in the box below :

2. What are the overall aims and objectives of the policy or practice ?

The Council recognises that changes in service demand, funding or other developments could create a need to reduce numbers of employees within services. The Council will aim to minimise the effect on employees by seeking alternatives to making compulsory redundancies and this policy sets out clear procedures for managing the redundancy process in the event that redundancies have to be made.

3. Who is the policy or practice intended to help or benefit (stakeholders) ?

The policy is intended to benefit both the Council and employees. The Council may need to consider making compulsory redundancies in the wider interests of protecting services and jobs. In the event that redundancies are considered, the policy clarifies the necessary steps that will be taken, plus the protection and support arrangements

that are in place to support employees who are at risk of redundancy.

4. Who are the main consultative groups or communities of interest ?

Employees, Managers, trade unions, elected members, Corporate Human Resources.

STEP 2 - Consider Existing Information and What This Tells You

When completing this section, you need to consider if you have sufficient information with which to complete your EIA, or whether you need to undertake a period of engagement/consultation before continuing. The legislation relating to the EIA process requires you to **engage and involve people who represent the interests of those who share one or more of the protected characteristics and with those who have an interest in the way you carry out your functions**. This needs to be proportionate to the policy or practice being Equality Impact Assessed. You may have already recently undertaken consultation specifically on this policy or practice. Other officers within CCBC may have carried out engagement work which will be relevant to this EIA and you can review the Community Involvement Database to find out what engagement activities have taken place in Conwy and establish if this is relevant. If you have very little or no information from previous engagement that is relevant to this EIA, you should consider undertaking some engagement work with your stakeholders and with relevant representative groups to ensure that you do not unwittingly overlook the needs of each protected group.

5. What do you already know about the impact on each protected characteristic from your experience of current service delivery or previous engagement or consultation? You could refer to the Initial Equality Impact Assessment Screening Form and the Community Involvement Database.

Protected Group	Relevance of the policy / practice by protected characteristic
Race	Employees from an ethnic minority background make up 0.6% of the Council's current workforce. None of the 46 employees who were made redundant between 1.4.11 to

	<p>31.3.12 were from an ethnic minority background. This is as statistically expected. We are not aware of any impact at this stage, but will monitor this area going forwards.</p>
Disability	<p>At present, disabled employees make up 1.6% of the Council's workforce. Two (4.3%) of the 46 staff made redundant between 1.4.11 and 31.3.12 were disabled. Although the percentage is higher than would have been statistically significant, the numbers are small, and it is therefore difficult to draw any specific conclusions. We are not aware of any impact at this stage, but will monitor this area going forwards.</p>
Sex	<p>The Council's workforce is made up of 68% women and 32% men. Of the 46 employees who were made redundant between 1.4.11 and 31.3.12, 37 (80%) were women and 9 (20%) were men.</p> <p>During this period, the Council was modernising provision of services to older residents. These changes significantly impacted upon a predominantly female workforce in this area, some of whom chose to accept voluntary redundancy packages. However, given the higher numbers of women being made redundant, it will be important to monitor this area going forwards.</p> <p>We don't currently record on Trent whether a redundancy was voluntary or compulsory, and it will be helpful to have this information going forwards in order that outcomes for different staff groups can be better monitored.</p>
Age	<p>The current workforce age profile is as follows: 10.7% - 16-24, 54.8% - 25-49, 30.8% - 50-64, 3.7% - 65+. From 1.4.11 to 31.3.12, of the 46 employees who were made redundant, none were in the 16-24 group, 11 (24%) were in the 25-49 age group, 32 (69%) were in the 50-64 age group and 3 (6%) were in the 65+ age group.</p> <p>All outcomes were as statistically expected, apart from those for the 50-64 group,</p>

	<p>where many more staff were made redundant than would have been statistically expected. It is likely that automatic access to pension for LGPS employees aged over 55 will have had a bearing on this figure, and that many of those employees being made redundant in this age group will have been volunteers. One area of potential impact is the decision making process to either allow or not allow early voluntary reytirements/voluntary redundancies. Cost and business case are the primary drivers in deciding whether these are voluntary departures. However, the age and service of the employee have a significant bearing on these. We don't currently record on Trent whether a redundancy was voluntary or compulsory, and it will be helpful to have this information going forwards in order that outcomes can be better monitored.</p>
Religion & Belief	<p>We are building up our data in this area, however currently it is not very meaningful. According to Trent, none of the 46 employees who were made redundant in 2011/12 had declared a particular religion or belief. We are improving the amount of data we collect corporately, and do propose collecting and reporting upon this area for redundancy purposes going forwards. We are not aware of any impact at this stage, but will monitor this area going forwards.</p>
Sexual Orientation	<p>We are building up our data in this area, however currently it is not very meaningful. According to Trent, none of the 46 employees who were made redundant between 1.4.11 and 31.12.12 declared any sexual orientation other than heterosexual. We are improving the amount of data we collect corporately, and do propose collecting and reporting upon this area for redundancy monitoring purposes going forwards. We are not aware of any impact at this stage.</p>
Gender Reassignment	<p>We are building up our data in this area, however currently it is not very meaningful. According to Trent, none of the 46 employees who were made redundant declared themselves as undergoing gender reassignment. We are improving the data we collect corporately, and do propose collecting and reporting upon this area for redundancy monitoring purposes going forwards. We are not aware of any impact at this stage.</p>

Marriage & Civil Partnership	We are building up our dataset regarding the marriage or civil partnership status of employees who are at risk of redundancy and we propose collecting and reporting upon this area going forwards. We are not aware of any impact at this stage.
Pregnancy & Maternity	We don't currently have information on how many employees were made redundant, who were pregnant or on maternity leave. The law provides additional protection for employees in this group. They are entitled to be 'slotted in' to any suitable post that may arise if they are at risk of redundancy.
Welsh Language	The Council must comply with the Welsh Language Act and Scheme. Welsh language skills are sometimes required for vacancies advertised within the Council, and the Council has a robust process for assessing what level of skills are needed. Each vacancy is assessed individually in the context of present 'team' welsh language abilities and the requirements of the post, including the level of public contact. Employees at risk of redundancy will need to match the profile of vacancies, and not having Welsh language skills would preclude some candidates from applying for these vacancies. We propose collecting this data going forwards for future monitoring purposes. We are not aware of any impact at this stage.
Other (please state)	

6. Summarise the additional relevant data, research and performance management information you already have:

Data / Information	Examples
<p>At present we don't specifically monitor Redundancy outcomes for employees with different protected characteristics. However, equalities data is collected within the Trent system, and we also collect data on reasons for leaving the Council, which include redundancy. It is therefore possible to monitor this area going forwards, and it is suggested that this be done routinely on a yearly basis.</p> <p>However, it will be helpful to improve our data by specifying whether redundancies were voluntary and compulsory, as this will provide more meaningful information from which to monitor outcomes for different groups.</p>	<p>Initial EIA Screening Complaints Compliments Service User data Service User Feedback Inspections or Audits</p>
Research or Comparative Information	Examples
<p>The following list of legislation has been considered in the development of this draft policy:</p> <p>Equality Act 2010 Human Rights Act 1998 Employment Rights Act 1996 (ERA) Trade Union and Labour Relations (Consolidation) Act 1992 Maternity and Parental leave etc Regulations 1999 Fixed Term Employees (Prevention of Less favourable treatment) Regulations 2002 Additional Paternity Leave Regulations 2010</p> <p>We have also reviewed current pay protection arrangements for other Councils across the whole of Wales and have referred to the previously agreed 'Memorandum of Understanding' which, although expired, provides useful guidance on acceptable periods of salary protection.</p>	<p>Service User Surveys Studies by Government departments or professional bodies Census data Service based projects and research How Fair Is Wales (EHRC data)</p>

7. Have you complied with the duty to Engage as described at the start of this section and are you sufficiently informed to proceed?

Yes No **(please cross as appropriate X)** If Yes, please proceed to Step 3

If No, you may wish to consider pausing at this point while you undertake engagement activities (which you should add to your action plan – Step 6). Please incorporate any information you have obtained from this additional activity in the box below and state what the key findings were :

STEP 3 - Procurement and Partnerships

The public sector General Duty means all public authorities need to consider the needs of different groups when designing and delivering public services. This duty also applies to private sector organisations who deliver a public function on our behalf and we need to ensure that those organisations exercise those functions by ensuring our procurement and monitoring of those services complies with the General Duty.

8. Is this policy or practice to be carried out wholly or partly by contractors or in partnership with another organisation(s)?

Yes No **(please cross as appropriate X)** If No, please proceed to Step 4

9. If yes, how will you comply with Equality, Human Rights and Welsh Language Legislation? Think about :

Procurement

- Setting out clear equality expectations in Tendering and Specification documentation
- On what you based your decisions in the award process
- That contract clauses cover legislative equality requirements

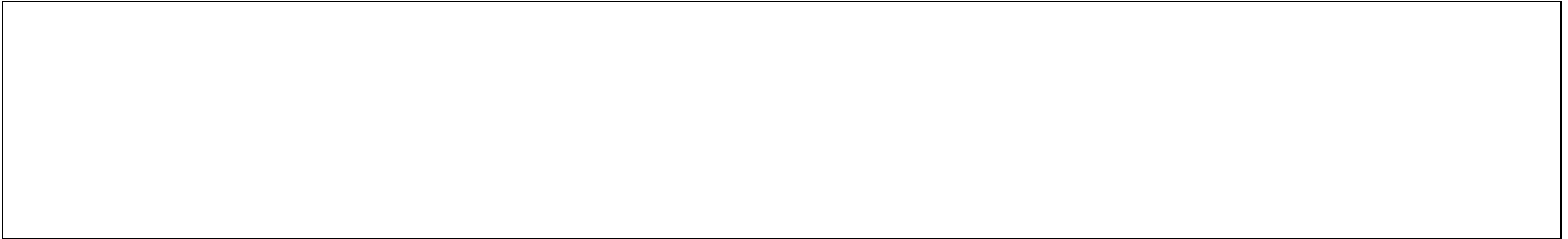
Partnerships

Who is responsible for :

- Equality Monitoring relevant data
- Equality Impact Assessment
- Delivering the actions from the EIA
- Ensuring that equality, human rights and Welsh

- Performance and Monitoring measures are included to monitor compliance

Language legislation is complied with by all partners



STEP 4 - Assessing the Impact

10. Is there any evidence of higher or lower take-up or satisfaction by any group(s), and if so, how is this explained?

Largely, the percentages of staff in different groups who were made redundant were as would have been statistically expected. The exception to this was in the 50-65 age group. Above, some explanation of this has been provided, and we intend to better monitor going forwards to ensure that any differential outcomes are identified and addressed. The old '85 year' pensions rule is currently being phased out, which will mean a fairer deal for employees in the pension fund.

11. Does the geography or demography of any groups reveal anything?

Conwy has a number of work locations, and this may potentially be a barrier to successful redeployment for staff at risk of redundancy.

12. Do any rules or requirements or the way the policy or practice is delivered prevent or reduce the likelihood of any groups from use or access or are any other barriers created for them?

Eg: due to limited income, location, times of availability, access to buildings, information or language, eligibility rules, dress code, cultural issues

The proposed reduction of salary protection from 3 years to 1 year represents a general negative impact on all staff. However, specific negative impact upon a particular staff group has not been identified.

In the financial year 2011/12 ?? staff who had been at risk of redundancy received salary protection upon being redeployed to a lower graded post. 17 of these staff were female. However this is due to recent restructuring activities, which have taken place in services with mostly female employees. Given the current financial position of the Council, it has been necessary to reconsider and reduce salary protection arrangements. It is hoped that a reduced period of salary protection may make it more feasible in some cases for the Council to achieve a successful redeployment. We will continue to monitor any ongoing impact upon staff in protected groups.

13. Can any of these limitations be justified on the grounds of advancing equality of opportunity or fostering good relations between those who share a protected characteristic and those who do not?

The reduction in salary protection arrangements has been primarily made for business and financial reasons, and supports our wider aim of protecting services and jobs as best we can during a challenging financial period.

14. Do any of these limitations amount to unlawful discrimination?

Yes No Not Sure
(please cross as appropriate X)

If you answered Yes or Not Sure, please state on the table below, which protected group(s) it applies to and if possible explain why (including likely impact or effects of this proposed change):

Race	Black Minority Ethnic groups Gypsies / Travellers Language
Disability Disability related absences have been excluded from consideration in the example redundancy selection criteria.	Mobility Dexterity Blind or Visually impaired Deaf or Hearing impaired Mental Health Learning Disabilities
Sex	Men Women
Age There is considerable scrutiny of requests to approve early voluntary retirements and voluntary redundancies. Whilst age and service are inevitably linked to departure costs, the primary drivers for making decisions to release people are financial and business case ones. It should also be noted that all such departures are voluntary on the part of employees.	Older People Children Young People
Religion & Belief	Faith communities

Sexual Orientation	Gay Lesbian Bi-sexual Heterosexual
Gender Reassignment	A person who proposes to, starts or has changed his or her gender
Marriage & Civil Partnership	
Pregnancy & Maternity Pregnancy related sickness absence has been excluded from consideration in the example redundancy selection criteria. Our policy also specifies that consultation needs to take place with all affected staff, including those presently absent from the workplace.	
Human Rights	Right to Education, Private and Family Life, Protection of property, etc
Welsh Speaking Communities The Welsh Language Act and Scheme bring obligations upon the Council as a provider of government services. We are confident that our scheme to assess the language requirements of posts is robust. Posts are assessed on an individual basis. Consideration is given to the existing levels of Welsh skills within recruiting services, the degree of contact with members of the public and the requirement for any vacancy set accordingly, to ensure that bilingual services can be delivered.	
Other socially excluded groups or communities (please state)	

15. If you answered No to Question 14, do the barriers and limitations amount to a differential impact for certain groups?

Yes No Not Sure
(please cross as appropriate X)

16. If you answered Yes or Not Sure to Question 15, please give details in the box below and explain why

The current pension arrangements do represent a differential impact depending on the age of the employee. However, the current pension arrangements are determined at national level, following due consultation with key stakeholders.

17. Do you have enough information to make an informed judgement?

Yes No **(please cross as appropriate X)**

If you answered Yes, please justify:

We have analysed outcomes for different protected groups where such data is available, and have also reviewed employees previously in receipt of salary protection and their protected characteristics.

If you answered No, what information do you require about protected groups?

n/a.

18. Is it possible to get the information needed quickly and easily, or should data collection be included in the action plan? Please give details below:

n/a.

STEP 5 – Dealing with Adverse or Unlawful Impact and Strengthening the Policy or Practice

In this section, you will consider whether there are any measures to reduce or remove any adverse impact. You should also explore other ways of achieving the same goal and / or alternative means of delivering a service to meet the needs of different groups.

19. What measures can you introduce to the policy or practice which could reduce or remove any unlawful impact or disadvantage?

Our original draft of the Redundancy Policy provided that just six months salary protection would be paid. However, this has been revised up to 12 months following consultation with interested parties and the EIA process.

20. What measures could be included to strengthen the policy/practice and foster good relations and advance equality of opportunity?

The policy already provides that a consistent approach will be taken in potential redundancy situations. However, the policy also provides that adjustments may be made for disabled employees in particular, depending on individual needs. For example, adjustments may be required to enable employees to participate in consultation arrangements, and the Council has worked with advocates on occasion at the request of employees.

21. What actions could you take to achieve the same goal by an alternative means?

Measures will be taken to help support employees and mitigate any financial impact upon them. For example, the Council can help employees access financial advice through our Care First Employee Assistance Programme service, and we have strong links with the Money Advice Service too. Counselling support can also be accessed from Care First. To ensure that managers are aware of our key avenues of support, a simple guidance note will be developed and put on the Council's Intranet.

STEP 6 – Action Plan

Please outline below the actions you will take to progress your proposal. These might involve carrying out additional Engagement/Involvement activities, collecting Equality data where this was not readily available to help with this EIA, undertake data analysis from future data obtained to monitor the impact of this policy/practice on an ongoing basis, any actions you need to take to ensure procurement complies with the General Duty, any arrangements you need to put in place to monitor and review the impact of this policy/practice in future, and so on.

Action	Measure of Success	Timeframe	Lead Responsibility	Add to Service Plan (✓)
Actions to be taken before EIA and policy/practice can be signed off				
Salary protection content amended - the period for receiving salary protection has been increased from 6 to 12 months.	Employees are successfully redeployed with revised salary protection arrangements.	yearly monitoring	HRBP	
Actions after EIA and policy/practice signed off				
As part of the itrent implementation, our leaver reasons will be revised to include voluntary redundancy/early voluntary retirement.	Ability to monitor more meaningful data for potential differential impact on protected groups.	ongoing	HRBPs	

Develop a simple guidance note for managers, listing sources of support for employees who are at risk of redundancy.	Employees access support whilst they are at risk of redundancy.	1.3.13	HRBP	
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STEP 7 – Decision To Proceed

22. Using the information you have gathered in steps 1 – 5 above, please state on the table below whether you are able to proceed with the policy or practice and if so, on what basis?

(please cross as appropriate X)

Decision		Action
<input type="checkbox"/> Yes	Continue with policy or practice in its current form	Complete the Monitoring and Review section (Step 8) to ensure the outcomes are monitored and regularly reviewed
<input checked="" type="checkbox"/> Yes	Continue with policy or practice but with amendments for improvement	Complete Action Plan and Monitor and Review sections (Steps 6 & 8) to continually assess impact
<input type="checkbox"/> Yes	Continue with policy or practice but with amendments to remove any areas of adverse impact as identified in Step 5	Complete Action Plan (Step 6) to address any areas of adverse impact and Monitor and Review (Section 8) to continually assess impact
<input type="checkbox"/> No	Abandon this policy or practice as it is not possible to address the adverse impact, and consider	Complete Action Plan to address any issues resulting from abandoning policy and to deal with

	alternative ways of addressing the issues	the adverse impact identified
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STEP 8 – Arrangements for Monitoring Outcomes and Reviewing Data

The EIA process is an ongoing one that doesn't end when the policy/practice and EIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced this new policy or practice.

23. Please outline below what arrangements you will make to monitor and review the ongoing impact of this policy or practice :

Monitoring and Review arrangements (including where outcomes will be recorded)	Timeframe & Frequency	Lead Responsibility	Add to Service Plan (✓)
Annual monitoring of employees in receipt of salary protection as a result of redeployment.	Ongoing	HRBP	
Yearly analysis of Trent data will be carried out to assess any potential impact of the policy on different protected groups	Annual basis	HRBP	

STEP 9 – Publishing the Equality Impact Assessment

Please arrange for this completed EIA to be agreed by your Head of Service, refer to the EIA Policy regarding publishing arrangements and return a copy to the HR and Equality Officer.