

Appendix E



Equality Impact Assessment (EIA)

Name of Policy or Practice	Retirement Policy		
Head of Service responsible for the Policy or Practice	Phil Davies		
Name of officer (s) completing impact assessment form	Carol Roberts		
Service	Corporate Human Resources	Date of Assessment	14.12.16 & 30.12.16

EIA Completed by :		EIA Agreed by Head of Service :	
Date		Date	17/1/17
Name(s)	Carol Roberts	Name	Phil Davies
Signature(s)		Signature	<i>Philipp M. Davies</i>

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 ?

To provide clear and up to date information to staff and managers regarding retirement options and procedures

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

Staff and managers

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

Trade Unions, Managers, Elected Members, Pensions, Corporate HR, SMT

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	27 BME employees as at 31.3.15. Nil
Disability	82 employees as at 31.3.15 The Ill Health Retirement section of the Policy may have more relevance for employees with this protected characteristic.
Sex	The %s of Actuarial Reduction are affected by the employee's gender 3154 female employees 1158 male employees

	It is not known how many male and how many female employees are members of the LGPS
Age	<p>Retirement can only be taken after the age of 55.</p> <p>The % of Actuarial Reduction is dependent on the length of time before State Pension Age the retirement is to take effect.</p> <p>This is legislated by Gwynedd Pensions and we have no control over this, although this has been subject to a separate EqIA completed by them.</p> <p>There is a clause in the Flexible Retirement policy that employees must state at what age they will retire fully. It states in the policy that in exceptional circumstances agreement can be sought to extend this. If we did not extend any requests, this might be regarded as a dismissal which could be automatically unfair, although advice should be sought from HR before any decision is made.</p>
Religion & Belief	846 employees have expressed a religion or belief as at 31 st March 2015
Sexual Orientation	16 Gay, Lesbian, Bisexual employees as at 31 st march 2015
Gender Reassignment	<p>As the Actuarial Reduction is based on gender, any gender reassignment would impact on the % of Actuarial Reduction.</p> <p>In order to ensure they have an actuarial reduction relevant to their reassigned gender, employees will need to provide a Gender Recognition Certificate to Pensions which is in line with government guidance on National Insurance and pensions. Gwynedd Pensions have been asked for advice and as at 30.12.16 a response is awaited.</p> <p>9 employees described themselves as Transgender as at 31st March 2015</p>
Marriage & Civil Partnership	2510 employees described themselves as being in a Marriage/Civil Partnership as at 31 st March 2015

	Marriage and Civil Partnership certificates must be provided to pensions at the time of retirement to ensure records are up to date but this does not have any impact on the pension of the employee at the point of retirement.															
Pregnancy & Maternity	144 employees had been pregnant or on Maternity leave as at 31 st March 2015															
Welsh Language	<p>Conwy Population data (as at 2011 census) These are the statistics from the Census 2011 from Wales and Conwy:-</p> <table border="1"> <thead> <tr> <th></th> <th>Able to speak Welsh</th> <th>Not able to speak Welsh</th> <th>Percentage able to speak Welsh</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Wales</td> <td>562,016</td> <td>2,393,825</td> <td>19.0</td> <td>2,955,841</td> </tr> <tr> <td>Conwy</td> <td>30,600</td> <td>81,124</td> <td>27.4</td> <td>111,724</td> </tr> </tbody> </table> <p>As at 17.1.17 Conwy's workforce is 5097 staff, of whom 2177 have made a Welsh Language ability statement. Of those 714 have declared an ability to speak/understand Welsh ie 32.79% of those who have made a declaration.</p> <p>Correspondence will be through the language of choice and all documents will be available to staff in both English and Welsh.</p>		Able to speak Welsh	Not able to speak Welsh	Percentage able to speak Welsh	Total	Wales	562,016	2,393,825	19.0	2,955,841	Conwy	30,600	81,124	27.4	111,724
	Able to speak Welsh	Not able to speak Welsh	Percentage able to speak Welsh	Total												
Wales	562,016	2,393,825	19.0	2,955,841												
Conwy	30,600	81,124	27.4	111,724												
Other (please state)																

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

Data / Information	Examples
<p>As at 31.3.15</p> <p>3154 female employees 1158 male employees</p> <p>9 Transgender employees</p> <p>1571 employees aged 50 - 64 120 employees aged 65+</p> <p>It is not known how many employees belong to the LGPS</p> <p>2057 staff in Education</p>	<p>Initial EIA Screening Complaints Compliments Service User data Service User Feedback Inspections or Audits</p>
Research or Comparative Information	Examples
<p>There are marginally more men (58%) who have applied for Flexible Retirement than women, although this is based on manual records which needs to be verified. This is in comparison to our workforce profile of 75% women and 25% men.</p>	<p>Service User Surveys Studies by Government departments or professional bodies Census data Service based projects and research</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 :

Consultation has been undertaken with Trade Unions and Corporate HR.

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

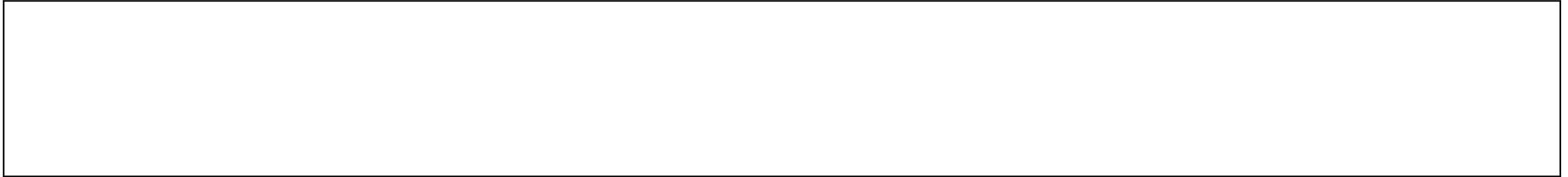
Partnerships

Who is responsible for :

- Equality Monitoring relevant data
- Equality Impact Assessment
- Delivering the actions from the EIA

- Performance and Monitoring measures are included to monitor compliance

- Ensuring that equality, human rights and Welsh 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?

There is evidence that more men have applied for flexible retirement. However, it is unclear why this is the case.

In the last year, our Employment Monitoring Reports that overall there were 34 age related retirements, of which 18 were female and 16 were male. There were 14 age related retirements between the age of 50-64 and 20 aged 65+.

There were 27 people who left due to early voluntary retirement of which 25 were between 50-64 and 19 were women and 8 were men.

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

Retirement is highly correlated to age.

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

Staff are automatically enrolled in the pension scheme and have to opt out if they do not wish to be a member.

Many staff are not office based and may not have immediate access to policies and information

Literacy and language skills will vary across employee groups so they may need more support to understand Policies and information and in completing retirement applications. Local managers support individuals in this process and Corporate HR can also provide advice. This new policy consolidates a lot of different retirement arrangements and will be communicated to staff at all levels across the Authority once agreed and implemented.

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?

All requests under this policy are for early or flexible retirement at the request of the employee. The decision to approve early or flexible retirements without actuarial reduction is based on the need for a business case which has to take into account the needs of the service and financial constraints.

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	Mobility Dexterity Blind or Visually impaired Deaf or Hearing impaired Mental Health Learning Disabilities
Sex	Men Women
Age	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	
Human Rights	Right to Education, Private and Family Life, Protection of property, etc
Welsh Speaking Communities	
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

If employees do not have access to Policies and Information or have difficulty understanding Policies and information, this could have a detrimental impact on them. In this case, understanding their retirement options and benefits, and procedures to access them.

The Pension arrangements have differential impact for men and women based on gender and age, eg able to retire after 55, and actuarial reductions differ based on gender. This is based on Pension regulations which is outside of our control.

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

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

If you answered Yes, please justify:

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

Do not know breakdown of membership of pension scheme by protected group.

We do not undertake analysing or monitoring of flexible retirements for any of the protected groups.

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:

The above information should be routinely gathered as part of employment monitoring.

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?

The Council is unable to change any provisions of the Local Government Pension Scheme which are set nationally. Some benefits are impacted upon by age and gender. The Equality Impact Assessment carried out by the Local Government pension scheme in 2014 covered these.

In terms of age, restrictions have to be placed on when retirement can take place to ensure the sustainability of the pension scheme, so there is objective justification. The Actuarial Reductions for early retirement are also linked to age, but again the objective justification for this is to ensure the sustainability of the pension scheme.

The Actuarial Reduction is also different according to the gender of the employee. The Equality Impact Assessment conducted by the LGPS used data regarding the different life expectancies of men and women to justify the difference, as usually women live longer than men.

The position of a transgender employee is unclear in terms of the Actuarial Reduction which would apply - Gwynedd Pensions have been asked for clarification.

There is a clause in the Flexible Retirement policy that employees must state at what age they will retire fully. It states in the policy that in exceptional circumstances agreement can be sought to extend this. If we did not extend any requests, this might be regarded as a dismissal which could be automatically unfair, although advice should be sought from HR before any decision is made.

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

Ensure awareness is raised of the policy via Team brief, team meetings and tool kit talks.

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

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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				

Actions after EIA and policy/practice signed off

<p>Review monitoring data in relation to members of LGPS for relevant age groups</p>	<p>Information available to analyse and monitor impact</p>	<p>1st April 2018</p>		
<p>Monitor number of Flexible Retirement applications and outcomes by service area and protected characteristics wef 1st April 2017.</p> <p>Ensure Flexible Retirement applications are recorded on central HR record.</p>	<p>Information available to analyse and monitor impact</p>	<p>1st April 2017</p>		
<p>Gain clarification from Gwynedd Pensions regarding any specific documentation which may be required from transgender employees in terms of the Actuarial Reduction which is based on gender.</p>	<p>Information available for transgender employees to include in Transgender Policy.</p>	<p>1st April 2017</p>		

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 checked="" 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 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 alternative ways of addressing the issues	Complete Action Plan to address any issues resulting from abandoning policy and to deal with the adverse impact identified

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 (✓)
Review Policy after 3 years or in light of any changes to/further information from LGPS or legislation	3 years	HR	/
Analyse data arising from equality monitoring and take appropriate action to address any equality issues.	annually		

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.