



GUILD FORD
B O R O U G H

Full Equality Impact Assessment (EIA)

Service/function/policy being assessed: **Revised Disciplinary Policy, Disciplinary Procedure and Dismissal Procedure**

Service Unit: **Human Resources**

Officer completing the EIA:

Date started: **19/06/2009**

Once completed:

Date completed: 17/7/09

Signed _____ (Officer)

Signed _____ (Service Unit Head)

Signed _____ (HR Business Partner (Equality & Diversity))

Full Equality Impact Assessment (EIA)

OUTLINE OF THE SERVICE / FUNCTION / POLICY YOU ARE ASSESSING:

- What are the aims and objectives of this service/function/policy?
 - a) Employers are legally required to have in place disciplinary procedures.
 - b) It is the employer's responsibility to set and maintain standards of behaviour and performance within the organisation and to put in place disciplinary rules and procedures to help ensure that the standards are followed.
 - c) An effective disciplinary policy is key to good employment relations and to ensuring that individuals are treated fairly and consistently in cases where standards of behaviour fall below an acceptable level.
 - d) Therefore Guildford Borough Council has developed and adopted this policy and associated disciplinary and dismissal procedures which managers must follow in working to maintain good conduct and acceptable standards of behaviour.

- Who is it designed to support/help/serve?
 - a) The 'customers' of Guildford BC who can feel reassured that there is an effective policy and procedures in place to ensure that negative behaviours on the part of Guildford employees are addressed.
 - b) Employees in their being aware that behaviours by employees that are below an acceptable level will be dealt with as will employee dissatisfaction and having clarity about how they would be treated in a disciplinary situation.
 - c) Line management in having available a policy and procedures to deal with unacceptable behaviours/performance and to deal with employee dissatisfaction.
 - d) The Council as a whole through the support that the policy and procedures provides in ensuring the professionalism and effective performance of staff.

EIA Worksheets

RACE EQUALITY

- 1. List any examples where your service/policy/procedure is already being proactive in ensuring equal access for people from black and minority ethnic (BME) communities**

The policy and procedures must be applied to all staff consistently regardless of their equality profile. However, it is recognised that certain staff may need additional support if they are subject to the disciplinary policy or procedures. The documents make provision for support for employees for whom English is not their first language and whose level of understanding of English would not allow them to understand or participate fully in the process.

The policy allows, where practicable, for a member of the panel hearing a disciplinary case to be from the BME staff although, given the current number of BME staff employed, it recognises that this may not be practicable.

- 2. Have you found any evidence which gives you an idea about how people from BME communities are using your service and/or how they find using your service?**

YES (please go to question 3)

~~NO (please explain why below and then move on to question 5b)~~

3. Details about the evidence you been able to gather to give you an idea about how people from BME communities are using your service and/or how they find using your service

Service usage

Evidence source	Time period covered by data	Total number of respondents	Total number who provided ethnicity data*	From those who provided ethnicity data, the number who are from a BME community	Does this evidence show that people from BME communities are disproportionately and significantly under using this service?
Meeting with BME and other staff held on 12 th June 2009	Single event followed by 2 weeks for further comment after reflection	25	24	5	No although the Council has only just begun to equality monitor those who are subject to the disciplinary policy
E-mail from those unable to attend the above event					

Service satisfaction (including complaints)

Evidence source	Time period covered by data	Total number of respondents	Total number who provided ethnicity data*	From those who provided ethnicity data, the number who are from a BME community	Number of people from BME communities who are dissatisfied with the service	Number of people from non BME communities who are dissatisfied with the service	Does the evidence show that people from BME communities are significantly more dissatisfied with the service than people from non BME communities?
Meeting with BME and other staff held on 12 th June 2009	Single event followed by 2 weeks for further comment after reflection	25	24	5	0	0	No

* = please note that if this number is very small, be wary as it is unlikely to provide you with representative/reliable data. If you would like further guidance on this, please contact the HR Business Partner (Equality & Diversity).

4. If your evidence highlights that your service is having a significant negative impact on people from BME communities, can this be justified?

~~YES please give details below. You will need to refer to the guidance note if you have selected this answer as it is very unlikely that any policy or service can be justified which is having a significant and disproportionately negative impact on people from BME communities.~~

~~NO please go to question 5a.~~

Not applicable

5a. If you have identified disproportionate satisfaction or under usage - Identify any barriers or issues which you think may be preventing people from BME communities from accessing your service and/or causing higher levels of dissatisfaction. How could these barriers be removed?

Possible barrier/issue	Suggested solution

Other evidence sources to consider:

5b. EXTERNAL EVIDENCE

What experience do people from BME communities have in other parts of the country when using the same service as the one you provide? Have organisations identified any common barriers or issues which make it more difficult for people from BME communities to use services similar to the one you provide? Are these relevant to the accessibility of your own service?

Supporting external evidence	Potential issue/barrier	Is this likely to be an issue/barrier for your service?		Suggested solution(s) for your service (if necessary)
		✓ / X	Explanation/details	
<i>e.g. national report</i>	None discovered	X	No external evidence identified to lead to the conclusion that there would be a differential impact on BME staff arising from the disciplinary policy and procedures as currently drafted.	
<i>e.g. EIA from other district councils</i>	Research of statistics produced by other Councils does not suggest over-representation of BMEs involved in discipline cases. One (of 10) concluded that there was over-representation but pointed out that the numbers were so low as to not be statistically valid	X	No external evidence identified to lead to the conclusion that there would be a differential impact on BME staff arising from the disciplinary policy and procedures as currently drafted.	
<i>e.g. research by another district council</i>				

5c. ANECDOTAL EVIDENCE FROM COLLEAGUES

Are your colleagues aware of any barriers which may be preventing people from BME communities from accessing your service and/or causing higher levels of dissatisfaction? What could be done to make things better?

Possible issue/barrier limiting access to your service	Suggested solution
None	

6. Formally consult on your EIA findings (you must contact the HR Business Partner (Equality and Diversity) before commencing with this stage)

Who did you consult with?

All BME employees invited to a consultation meeting which also involved non-BME staff. Consultation took place with those who attended. For those who could not attend, consultation was by e-mail.

What feedback did you receive and how will you address it?

Feedback received	How it will be addressed
Awareness of support available for those who are subject to the disciplinary policy but for whom English is not their first language.	Identify this availability on the front page of the policy and procedures.
Similarly for those for whom English is not their first language, the need to ensure that documents are prepared in plain, easy to read language was identified	Produce documents in plain, easy to read language, where necessary, testing it before publication on an employee who does not have English as a first language and/or asking for external input to ensure that the document is readable by all

7. Turn your solutions into action by completing the ethnicity section of the action plan, at the back of the paperwork.

EIA Worksheets

DISABILITY EQUALITY

1. List any examples where your service/policy is already being proactive in ensuring equal access for disabled people/carers

The policy must be applied to all staff consistently regardless of their equality profile. However, it is recognised that certain staff may need additional support if they are subject to the disciplinary policy and procedures. The policy makes provision for support for such staff including those with certain types of disability, i.e. those who are blind or partially sighted or deaf or hard of hearing or have difficulty expressing themselves.

The policy allows for, where practicable, for a member of the panel hearing a disciplinary case to be from the disabled staff although, given the current number of declared disabled staff, it recognises that this may not be practicable.

2. Have you found any evidence which gives you an idea about how disabled people are using your service and/or how they find using your service?

YES (please go to question 3)

~~NO (please explain why below and then move on to question 5b)~~

3. Details about the evidence you been able to gather to give you an idea about how disabled people are using your service and/or how they find using your service

Service usage

Evidence source	Time period covered by data	Total number of respondents	Total number who provided disability data*	From those who provided disability data, the number who are disabled	Does this evidence show that disabled people are disproportionately and significantly under using this service?
Meeting with disabled and other staff held on 12 th June 2009	Single event followed by 2 weeks for further input after reflection	25	25	5	No although the Council has only just begun to equality monitor those who are subject to the disciplinary policy. This will identify whether, in practice, there may be a differential impact. In that event, the reasons why would be investigated.
E-mail from those unable to attend the above event					

Service satisfaction (including complaints)

Evidence source	Time period covered by data	Total number of respondents	Total number who provided disability data*	From those who provided disability data, the number who are disabled	Number of disabled people who are dissatisfied with the service	Number of non disabled people who are dissatisfied with the service	Does the evidence show that disabled people are significantly more dissatisfied with the service than non disabled people?
Meeting with disabled and other staff held on 12 th June 2009	Single event followed by 2 weeks for further input after reflection	25	25	5	0	0	No
E-mail from those unable to attend the above event							

* = please note that if this number is very small, be wary as it is unlikely to provide you with representative/reliable data. If you would like further guidance on this, please contact the HR Business Partner (Equality & Diversity).

Small numbers of staff are subject to the disciplinary policy (30/35 year) and an even smaller number of employees who have declared that they have a disability.

4. If your evidence highlights that your service is having a significant negative impact on disabled people, can this be justified?

~~YES please give details below. You will need to refer to the guidance note if you have selected this answer as it is very unlikely that any policy or service can be justified which is having a significant and disproportionately negative impact on disabled people.~~

~~NO please go to question 5a.~~

Not applicable

5a. If you have identified disproportionate satisfaction or under usage - Identify any barriers or issues which you think may be preventing disabled people from accessing your service and/or causing higher levels of dissatisfaction. How could these barriers be removed? Also think about the needs of carers.

Possible barrier/issue	Suggested solution
None	

Other evidence sources to consider:

5b. EXTERNAL EVIDENCE

What experience do disabled people have in other parts of the country when using the same service as the one you provide? Have organisations identified any common barriers or issues which make it more difficult for disabled people to use services similar to the one you provide? Are these relevant to the accessibility of your own service?

Supporting external evidence	Potential issue/barrier	Is this likely to be an issue/barrier for your service?		Suggested solution(s) for your service (if necessary)
		✓ / X	Explanation/details	
<i>e.g. national report</i>	None discovered	X	No external evidence identified to lead to the conclusion that there would be a differential impact on disabled staff arising from the disciplinary policy as currently drafted.	
<i>e.g. EIA from another district council</i>	Research of statistics produced by other councils does not suggest over-representation of disabled employees involved in disciplinary cases.	X	No external evidence identified to lead to the conclusion that there would be a differential impact on disabled staff arising from the disciplinary policy as currently drafted.	
<i>e.g. research by another district council</i>				

5c. ANECDOTAL EVIDENCE FROM COLLEAGUES

Are your colleagues aware of any barriers which may be preventing disabled people from accessing your service and/or causing higher levels of dissatisfaction? What could be done to make things better?

Possible issue/barrier limiting access to your service	Suggested solution
None	

6. Formally consult on your EIA findings

Who did you consult with?

Disabled and non-disabled employees

What feedback did you receive and how will you address it?

Feedback received	How it will be addressed
No concerns identified given that the existing arrangements to provide additional support to disabled staff as necessary are carried out.	

7. Turn your solutions into action by completing the disability section of the action plan, at the back of the paperwork

EIA Worksheets

GENDER EQUALITY

1. List any examples where your service/policy/procedure is already being proactive in ensuring equal access for women and men

The policy and procedures must be applied to all staff consistently regardless of their equality profile. No special arrangements have been considered necessary to ensure equal access although, where practicable, the Council will ensure that at least one member of a panel conducting a disciplinary hearing would be of the same gender as the person who is the subject of the disciplinary policy.

2. Have you found any evidence which gives you an idea about how people are using your service and/or how they find using your service, according to their gender?

YES (please go to question 3)

NO (please explain why below and then move on to question 5b)

3. Details about the evidence you been able to gather to give you an idea about how people are using your service and/or how they find using your service, according to their gender

Service usage

Evidence source	Time period covered by data	Total number of respondents	Total number who provided gender data*	From those who provided gender data, the number who are female	From those who provided gender data, the number who are male	Does this evidence show that women/men are disproportionately and significantly under using this service?
Meeting with disabled and other staff held on 12 th June 2009	Single event followed by 2 weeks for further input after reflection	25	25	13	12	No. It has not been the practice to monitor those who pass through the disciplinary procedure by gender.

Service satisfaction (including complaints)

Evidence source	Time period covered by data	Total number of respondents	Total number who provided gender data*	From those who provided gender data, the number who are female	From those who provided gender data, the number who are male	Number of women who are dissatisfied with the service	Number of men who are dissatisfied with the service	Does the evidence show that one gender is significantly more dissatisfied with the service than the other?
Meeting with disabled and other staff held on 12 th June 2009	Single event followed by 2 weeks for further input after reflection	25	25	13	12	0	0	No

* = please note that if this number is very small, be wary as it is unlikely to provide you with representative/reliable data. If you would like further guidance on this, please contact the HR Business Partner (Equality & Diversity).

4. If your evidence highlights that your service is having a significant negative impact on women/men, can this be justified?

~~YES please give details below. You will need to refer to the guidance note if you have selected this answer as it is very unlikely that any policy or service can be justified which is having a significant and disproportionately negative impact on women/men.~~

~~NO please go to question 5a.~~

Not applicable.

5a. If you have identified disproportionate satisfaction or under usage - Identify any barriers or issues which you think may be preventing women/men from accessing your service and/or causing higher levels of dissatisfaction. How could these barriers be removed?

Possible barrier/issue	Suggested solution
None	

Other evidence sources to consider:

5b. EXTERNAL EVIDENCE

What experience do women and men have in other parts of the country when using the same service as the one you provide? Have organisations identified any common gender related barriers or issues which make it more difficult for men or women to use services similar to the one you provide? Are these relevant to the accessibility of your own service?

Supporting external evidence	Potential issue/barrier	Is this likely to be an issue/barrier for your service?		Suggested solution(s) for your service (if necessary)
		✓ / X	Explanation/details	
<i>e.g. national report</i>				
<i>e.g. EIA from another district council</i>	From internet search of councils' published EIAs, there is evidence that more men than women are the subject of disciplinary action when females make up the greater percentage of employees	X	The consistency of the evidence serves to confirm that this is most likely to be as a consequence of values and behaviours that are more likely to be demonstrated by male employees than female employees (in the same way that the prison population is predominately male), i.e. there is no obvious reason to attribute this in-balance to the disciplinary policy.	
<i>e.g. research by another district council</i>				

5C. ANECDOTAL EVIDENCE FROM COLLEAGUES

Are your colleagues aware of any barriers which may be preventing men or women from accessing your service and/or causing higher levels of dissatisfaction? What could be done to make things better?

Possible issue/barrier limiting access to your service	Suggested solution
None	

6. Formally consult on your EIA findings (you must contact the HR Business Partner (Equality & Diversity) before commencing with this stage)

Who did you consult with?

Male and female employees

What feedback did you receive and how will you address it?

Feedback received	How it will be addressed
None relevant to gender	

7. Turn your solutions into action by completing the gender section of the action plan, at the back of the paperwork.

EIA Worksheets

ADDITIONAL GROUPS TO CONSIDER:

- people of different beliefs and/or religions
- gay, lesbian, bisexual and transgender people
- older and younger people – people of different age groups
- people with carer responsibilities
- people living in rural/urban communities

1. Do you have any evidence which indicates that one of the groups above is significantly and disproportionately under using your service/highly dissatisfied with your service? If so, please give details below.

The council does not currently monitor its employees for religion or belief or sexual orientation. Neither does it monitor the equality profile of those who have been the subject of the disciplinary policy. Such monitoring is being introduced but, pending the outcomes of future monitoring, there is no such evidence.

Group	Evidence

2. Can you think of any barriers which may be causing this disproportionate and significant under usage/dissatisfaction? If so, please list them below, along with suggested solutions

Group	Possible barrier/issue	Suggested solution

EIA action plan

ETHNICITY

Action number	Action	Outcome	Performance measure	Service / corporate action?	Completion date (quarter/year)
1	Introduce ethnic monitoring of those to whom the disciplinary policy is applied.	Increased knowledge/evidence of whether or not there are differential impacts	Over (say) a 5 year cycle, incidence of disciplinary action should reflect the equality profile of total staff.	Human Resources	July 2009
2	Ensure greater awareness of support in applying the policy to those who do not speak English well as it is not their first language.	Improved 'access' to the policy'	No complaints of inaccessibility from BME staff to whom the policy is applied.	Human Resources	June 2009
3.	Produce the policy in plain, easy to read language, where necessary, testing it on an employee who does not have English as their first language	Better understanding of the policy by those who do not have English as their first language	No complaints	Human Resources	July 2009 and ongoing

DISABILITY

Action number	Action	Outcome	Performance measure	Service / corporate action?	Completion date (quarter/year)
1	Introduce disability monitoring of those to whom the disciplinary policy is applied.	Increased knowledge/evidence of whether or not there are differential impacts	Over (say) a 5 year cycle, incidence of disciplinary action should reflect the equality profile of total staff.	Human Resources	July 2009
2	Ensure greater awareness of support in applying the policy to those who are blind or partially sighted or deaf or who have a learning disability which makes reading and understanding the documents difficult.	Improved 'access' to the policy'	No complaints of inaccessibility from disabled staff to whom the policy is applied.	Human Resources	June 2009

GENDER

Action number	Action	Outcome	Performance measure	Service / corporate action?	Completion date (quarter/year)
1	Introduce gender monitoring of those to whom the disciplinary policy is applied.	Increased knowledge/evidence of whether or not there are differential impacts	Over (say) a 5 year cycle, incidence of disciplinary action should reflect the equality profile of total staff.	Human Resources	July 2009

ADDITIONAL GROUPS

Action number	Action	Outcome	Performance measure	Service / corporate action?	Completion date (quarter/year)
1.	Introduce monitoring by religion or belief, sexuality and age of those subject to the disciplinary policy	Increased knowledge/evidence of whether or not there are differential impacts	Over (say) a 5 year cycle, incidence of disciplinary action should reflect the equality profile of total staff.	Human Resources	