

Colchester Borough Homes

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: screening stage

Name of policy, service or strategy to be assessed:

Disciplinary Rules and Procedures, June 2015

1. What is the main purpose of the policy, service or strategy?

Ensure fairness in the treatment of employees
Encourage employees to achieve and maintain standards of behaviour
Provide a fair and consistent method of dealing with alleged failures
Minimise disagreements about disciplinary matters

2. What main areas or activities does it cover?

Disciplinary rules, procedures, procedure for hearing of appeals against dismissals by appeals panel, procedure for hearing of appeals and hearing by a senior authorised officer (other than dismissals), guidance notes for the protocol for a disciplinary hearing.

3. Who are the main audience, users or customers who will be affected?

All employees – used to investigate some serious complaints by tenants.

4. What outcomes do you want to achieve from the policy, service or strategy?

Ensure fairness in the treatment of employees
Encourage employees to achieve and maintain standards of behaviour
Provide a fair and consistent method of dealing with alleged failures – to ensure that everyone is treated fairly HR are involved as case officers and a member of the SMT is appointed as an investigating officer and DMT as authorised officer.
Minimise disagreements about disciplinary matters

5. Are other service areas or partner agencies involved in delivery? If so, please give details below:

Directors management team, Senior management team, Human resources, the board and employees. Any issues raised during consultation would have been taken into account when drafting the policy. All employees are made aware of this policy at the start of their employment during the induction process and this policy is available on the Intranet and from HR for those who do not have access to a computer. Both managers and staff have HR support to discuss how to use this policy when needed.

6. Does the policy, service or strategy help to further or facilitate to our 'general duty'¹ to:

- (a) eliminate unlawful discrimination, harassment and victimisation? Yes
- (b) advance equality of opportunity between people who share a 'protected characteristic'² and those who do not? Yes
- (c) foster good relations between people who share a protected characteristic and those who do not? Yes

If you have answered 'no', please give details of the reasons for this decision:

7. If you answered 'yes' to any of the sections in Question 6 (above), please complete the following in order to identify how the policy, practice or strategy furthers the aim of the 'general duty':

¹ These three points summarise the 'general duty' as it applies to public sector organisations in the Equality Act 2010

² The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Age	Older people (60+)	Applies to all regardless of protected characteristics	All people treated fairly regardless of protected characteristics	Confidence to raise any concerns knowing they will be dealt with
	Younger people (17-25) and children (0-16)	Ditto	Ditto	Ditto
Disability	Physical	Ditto	Ditto	Ditto
	Sensory	Ditto	Ditto	Ditto
	Learning	Ditto	Ditto	Ditto
	Mental health issues	Ditto	Ditto	Ditto
	Other – <i>please specify</i>	Ditto	Ditto	Ditto
Ethnicity ³	White	Ditto	Ditto	Ditto
	Black	Ditto	Ditto	Ditto
	Chinese	Ditto	Ditto	Ditto
	Mixed Ethnic Origin	Ditto	Ditto	Ditto
	Gypsies/ Travellers	Ditto	Ditto	Ditto
	Other – <i>please state</i>	Ditto	Ditto	Ditto
Language	English not first language	Ditto	Ditto	Ditto
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Ditto	Ditto	Ditto
Religion or Belief	People with a religious belief (or none) ⁴	Ditto	Ditto	Ditto
Sex	Men	Ditto	Ditto	Ditto
	Women	Ditto	Ditto	Ditto

³ Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British); African, Caribbean, Other Black (Black or Black British); White and Black African, White and Asian, White and Black Caribbean (Mixed); British, Irish; Other White (White); Chinese, Other (Other ethnic group).

⁴ For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
	Transsexual / gender reassignment	Ditto	Ditto	Ditto
Sexual Orientation	Lesbian, gay and bisexual	Ditto	Ditto	Ditto
Marriage and Civil Partnership ⁵	People who are single, married or in a civil partnership	Ditto	not applicable	not applicable

⁵ Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

8. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?

None – Consultation took place with Unison, HR, DMT, SMT level

Please use the table below to indicate how the policy, service or strategy could have a positive or negative effect on any of the following equality groups (known under the Equality Act as ‘protected characteristics’). Include reference to any consultation, data or information that you have used in making this assessment about positive or negative effects.

‘Protected characteristic’ group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Age	Older people (60+)		Clear document sets out how employees should behave. Always prepared to make reasonable adjustments for illness/ reconvene hearings if necessary. Employees allowed to be represented.	None	
	Younger people (17-25) and children (0-16)		Ditto	None	
Disability	Physical		Ditto	None	
	Sensory		Ditto	None	
	Learning		Ditto	None	
	Mental health issues		Ditto	None	
	Other – <i>please specify</i>		Ditto	None	
Ethnicity	White		Ditto	None	
	Black		Ditto	None	
	Chinese		Ditto	None	
	Mixed Ethnic Origin		Ditto	None	
	Gypsies/ Travellers		Ditto	None	
	Other – <i>please state</i>		Ditto	None	
Language	English not first language		Ditto	None	

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		Ditto	None	
Religion or Belief	People with a religious belief (or none)		Ditto	None	
Sex	Men		Ditto	None	
	Women		Ditto	None	
	Transsexual / gender reassignment		Ditto	None	
Sexual Orientation	Lesbian, gay and bisexual		Ditto	None	
Marriage and Civil Partnership	People who are single, married or in a civil partnership		Ditto	None	

9. Could the policy, service or strategy discriminate⁶ against any 'protected characteristic', either directly or indirectly?

No

10. If you have identified any negative impacts above, have you been able to minimise or remove them, and if so, how?

N/A

⁶ Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or Marriage and Civil Partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic' unless the practice can be objectively justified by a legitimate aim.

Summary and findings of Initial Equality Impact Assessment – screening stage

11. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No likely negative impacts have been identified and this has been justified with reference to consultation, data or information. <input checked="" type="checkbox"/>	Sign off screening and finish.
Likely negative impacts have been identified but have been minimised or removed. <input type="checkbox"/>	Sign off screening and finish.
Likely negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

12. Name and job title of person completing this form:

Fiona Emanuele – HR Business Partner

13. Date of completion:

February 2018

14. Date for update or review of this screening:

February 2021