

## 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:

Right to request flexible working policy

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

Current UK legislation means that certain employees have the legal right to request to work in a flexible way, providing them with the opportunity to balance work and family life/personal responsibilities whilst being compatible with and beneficial to the efficiency of CBH.

2. What main areas or activities does it cover?

Definitions, eligibility, scope of a request, the procedure, the appeals process, guidance for managers

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

Employees who are a parent of a child age 16 or under, or under 18 years if the child is disabled, employees who are caring for a spouse, partner, civil partner, or relative or an adult who is not a spouse, partner or relative but lives at the same address as the employee.

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

Clear guidance on the eligibility, definition, scope, procedure and appeal process on the right to request flexible working.

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'<sup>1</sup> to:

- (a) eliminate unlawful discrimination, harassment and victimisation? Yes
- (b) advance equality of opportunity between people who share a 'protected characteristic'<sup>2</sup> and those who do not? Yes
- (c) foster good relations between people who share a protected characteristic and those who do not? No

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':

'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	None identified
	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 <sup>3</sup>	White	Ditto	Ditto	Ditto

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

<sup>2</sup> 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.

<sup>3</sup> 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).

'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'?
	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) <sup>4</sup>	Ditto	Ditto	Ditto
Sex	Men	Ditto	Ditto	Ditto
	Women	Ditto	Ditto	Ditto
	Transsexual / gender reassignment	Ditto	Ditto	Ditto
Sexual Orientation	Lesbian, gay and bisexual	Ditto	Ditto	Ditto
Marriage and Civil Partnership <sup>5</sup>	People who are single, married or in a civil partnership	Ditto	not applicable	not applicable

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

See below.

Note consultation has taken place with Unison, HR, DMT, SMT level

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

<sup>4</sup> For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

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

See table below.

Note consultation has taken place with Unison, HR, DMT, SMT level

'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+)	X	All groups benefit from this policy.		No negative impact identified.
	Younger people (17-25) and children (0-16)	X	ditto		No negative impact identified.
Disability	Physical	X	ditto		No negative impact identified.
	Sensory	X	ditto	X	The policy is in written format which could disadvantage this group. (See comments in section 10 below.)
	Learning	X	ditto		No negative impact identified.
	Mental health issues	X			No negative impact identified.
	Other – <i>please specify</i>		ditto		No negative impact identified.
Ethnicity	White	X	ditto		No negative impact identified.
	Black	X	ditto		No negative impact identified.
	Chinese	X	ditto		No negative impact identified.
	Mixed Ethnic Origin	X	ditto		No negative impact identified.
	Gypsies/ Travellers	X	ditto		No negative impact identified.
	Other – <i>please state</i>				No negative impact identified.
Language	English not first language	X	ditto		No negative impact identified.
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	ditto		No negative impact identified.
Religion or Belief	People with a religious belief (or none)	X	ditto		No negative impact identified.
Sex	Men	X	ditto		No negative impact identified.

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Women	X	ditto		No negative impact identified.
	Transsexual / gender reassignment	X	ditto		No negative impact identified.
Sexual Orientation	Lesbian, gay and bisexual	X	ditto		No negative impact identified.
Marriage and Civil Partnership	People who are single, married or in a civil partnership	X	ditto		No negative impact identified.

9. Could the policy, service or strategy discriminate<sup>6</sup> 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?

Sensory Disability	The policy is in written format which could disadvantage this group.
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Policies can be made available in alternative formats upon request.

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<sup>6</sup> 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 type="checkbox"/>	Sign off screening and finish.
<b>Likely negative impacts have been identified but have been minimised or removed X</b>	<b>Sign off screening and finish.</b>
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