

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:

Performance Capability policy

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

In order to provide a level of service that meets customer expectations, CBH is committed to ensuring that employees are fully equipped to undertake their duties as effectively as possible. CBH will use the performance management framework to provide employees with clear and realistic work objectives; assess their competencies and provide training and development.

2. What main areas or activities does it cover?

The policy covers an explanation of what performance management is, how it differs from the disciplinary procedure, who it applies to, managers and employee responsibility, the different stages of the procedure, redeployment, considerations, decision and implementation, appeal process and model letters.

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

All employees

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 performance issues
 - Minimise disagreements about performance issues

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, employees

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

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	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

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'?
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
	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

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.

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 Sub, DMT, SMT

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+)	X	Clear policy sets out how issues with performance have to be raised, the different stages involved, including support and training and employees are allowed to be represented.		None identified
	Younger people (17-25) and children (0-16)	X	Ditto		None identified
Disability	Physical	X	Ditto		None identified
	Sensory	X	Ditto		None identified
	Learning	X	Ditto		None identified
	Mental health issues	X	Ditto		None identified
	Other – <i>please specify</i>	X	Ditto		None identified
Ethnicity	White	X	Ditto		None identified
	Black	X	Ditto		None identified
	Chinese	X	Ditto		None identified
	Mixed Ethnic Origin	X	Ditto		None identified
	Gypsies/ Travellers	X	Ditto		None identified
	Other – <i>please state</i>	X	Ditto		None identified
Language	English not first language	X	Ditto		None identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	Ditto		None identified

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

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