

## 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:

- **Terms and Conditions of Employment**

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

- **Adhere to legislation (Employment law, Contract law, Health and Safety and financial);**
- **Part of employee reward – ensuring this is fair and equitable for all;**
- **Recruitment and retention;**
- **To set out contractual arrangements between employees and employer.**

2. What main areas or activities does it cover?

- **Terms and Conditions of employment**
- **Local Government Pension Scheme**
- **Overtime policy**
- **Standby and call out allowances**
- **Pay, annual leave, sick pay, discipline and grievance, notice periods, probations, conduct, collective bargaining, special conditions of work**

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

- **Employees, managers, Senior Management Team, Unison**

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

- **To clarify terms and conditions for employees so that everyone is aware of what they are entitled to;**
- **To have a consistent and equitable approach to employee's terms and conditions;**
- **Managers will have clear guidance and support when dealing with individuals around employment issues;**
- **Equal pay and reward for employees.**
- **To be a fair employer meeting our statutory duties**
- **Equal opportunities for all**
- **To be transparent and provide clarity**

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

- **All employees are corporately involved in the delivery of these policies.**
- **CBC HR, payroll, Inland Revenue, Essex County Council – LGPS, Occupational Health – Heales; Trade Union**

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

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

- **Yes, see below.**

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

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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':

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<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.

'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+)	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Younger people (17-25) and children (0-16)	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
Disability	Physical	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Sensory	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Learning	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Mental health issues	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Other – <i>please specify</i>	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified

'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 <sup>3</sup>	White	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Black	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Chinese	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Mixed Ethnic Origin	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Gypsies/ Travellers	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Other – <i>please state</i>	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying..	Equal opportunities policy Robust policies and procedures ensure fairness and consistency.	None identified
Language	English not first language	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified

<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'?
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
Religion or Belief	People with a religious belief (or none) <sup>4</sup>	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
Sex	Men	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Women	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
	Transsexual / gender reassignment	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
Sexual Orientation	Lesbian, gay and bisexual	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified
Marriage and Civil Partnership <sup>5</sup>	People who are single, married or in a civil partnership	Compliance with Equality Act 2010 and legislation. Grievance procedure, discrimination and bullying.	Equal opportunities policy. Robust policies and procedures ensure fairness and consistency.	None identified

<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.

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

- **Yes**

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+)	√	LGPS, systems prevent age discrimination eg. Application forms		None identified
	Younger people (17-25) and children (0-16)	√	Apprenticeships, Internships, Trainee		None identified
Disability	Physical	√	DDA compliant, Positive about Disabled People accreditation, making reasonable adjustments (OH), Access to work	√	CBH offices at Greenstead Local Housing Office and Gosbecks Property Services do not currently have 1 <sup>st</sup> floor wheelchair access.
	Sensory	√	DDA compliant, Positive about Disabled People accreditation, making reasonable adjustments (OH), Access to work	√	Employees who have a hearing impairment may be disadvantaged by an open plan office – see below (question 10 for mitigating factors)
	Learning	√	DDA compliant, Positive about Disabled People accreditation, making reasonable adjustments (OH), Access to work		None identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Mental health issues	√	DDA compliant, Positive about Disabled People accreditation, making reasonable adjustments (OH), Access to work		None identified
	Other – <i>please specify</i>	√	Special leave policy		None identified
Ethnicity	White	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
	Black	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
	Chinese	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
	Mixed Ethnic Origin	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
	Gypsies/ Travellers	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
	Other – <i>please state</i>	√	Equality monitoring of applicants. Equal opportunities policies. Flexible working.		None identified
Language	English not first language				None identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	√	Flexible working policy, Sickness absence policy, Special leave policy	√	In common with other staff, staff who are pregnant do not normally have flexibility of being able to work from home currently.
Religion or Belief	People with a religious belief (or none)	√	Flexible working policy, Annual leave policy	√	People of religious belief may want to celebrate holidays and festivals specific to their religion which are not recognised as bank holidays.
Sex	Men	√	Right to request flexible working, paternity leave		None identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Women	√	Right to request flexible working; maternity leave	√	Women are more likely to combine work with childcare responsibilities and may be disadvantaged by the lack of a flexible working policy.
	Transsexual / gender reassignment	√	Right to request working policy	√	Apart from a wheelchair access toilet, there is no unisex toilet on site - which could impact negatively upon this group.
Sexual Orientation	Lesbian, gay and bisexual	√	Equal opportunities policy, monitoring of applicants		None identified
Marriage and Civil Partnership	People who are single, married or in a civil partnership	√	Equal opportunities policy, monitoring of applicants, statutorily compliant pension provisions		None 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?

- CBH offices at Greenstead Local Housing Office and Gosbecks Property Services do not currently have 1<sup>st</sup> floor wheelchair access: These sites are not perfect but they are DDA compliant, and these negative impacts will be considered further when future planning is undertaken.
- People with a hearing impairment may be disadvantaged by the 'open plan' office: All employees are expected to complete workstation assessments which help to identify, and mitigate or remove any problems. CBH allows the booking of "flex-time" and is has a flexible working policy which provides flexibility for employees.

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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.

- Although staff who are pregnant do not normally have the flexibility of being able to work from home, CBH recognises its specific legal obligations in employment law in respect of this protected characteristic, allows the booking of “flex-time” and has a flexible working policy.
- People of religious belief may wish to celebrate holidays and festivals specific to their religion: “Flex-time” is generally available for staff and CBH has a flexible working policy.
- Women are more likely to combine work with childcare responsibilities and CBH allows the use of “flex-time” for this purpose and has a flexible working policy.
- Apart from a wheelchair access toilet, there is no unisex toilet on site – This will be considered as part of planning for on-site improvements; any immediate changes, however, are not considered to be “proportionate”. (The possibility of adapting the wheelchair access toilet to male/female toilet only - or combined wheelchair access and male/female toilet - would unfairly disadvantage people who use wheelchairs, which is a larger protected characteristic group.)

## 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.</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**