

Colchester Borough Homes

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

Section 1: Initial Equality Impact Assessment

CBH Managing sickness absence policy

1. What is the main purpose of the policy?

To provide managers with guidance on supporting employees on long term absence and those with persistent short-term absence, in a sensitive, fair and consistent manner. To provide employees with information on absence reporting, sick pay entitlement and management of absence.

2. What main areas or activities does it cover?

Sick pay and time off due to injury, Bradford Factor, Conduct during sickness absence, return to work interviews and absence review meetings, disability related absence, absence for medical appointments, absence for planned operations, stress related absence, accident or injury at work, Dying to Work Charter, Gender Reassignment.

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

This policy incorporates the current Short-term and Frequent absence policy and Long-term absence policy. It also includes the Dying to Work Charter and reference to Gender Reassignment, as well as a new monthly monitoring meeting following Stage 1 and the additional trigger of 3 occasions (of any length) of absence in a rolling 12-month period.

4. Who are the main audience, users or customers who will be affected by the policy?

CBH Managers, employees and workers.

5. What outcomes do you want to achieve from the policy?

Ensuring managers, employees and workers are fully informed of how absences will be managed.

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

No

7. Are you aware of any relevant information, data, surveys or consultations which help us to assess the likely or actual impact of the policy upon customers or staff?

No

8. The 'general duty' states that we must have "due regard" to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation
- (b) advance equality of opportunity between people who share a 'protected characteristic'¹ and those who do not²
- (c) foster good relations between people who share a protected characteristic and those who do not³

Not all policies help us to meet the 'general duty', but most do.

Where applicable, explain how this policy helps us to meet the 'general duty':

The policy helps us to 'eliminate unlawful discrimination, harassment and victimisation' in the following way(s):

- Ensures that all employees and workers are treated in a sensitive, fair and consistent manner.

The policy helps us to 'advance equality of opportunity...' in the following way(s):

- Ensures that all employees and workers are treated in a sensitive, fair and consistent manner.

¹ 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.

² This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

³ This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

The policy helps us to ‘foster good relations...’ in the following way(s):

- No specific benefit has been identified here.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the ‘protected characteristics’.

Remember to include reference to any relevant consultation, data or information.

‘Protected characteristic’ group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)		None identified		None identified
	Younger people (17-25) and children (0-16)		None identified		None identified
Disability	Physical		None identified	X	People with a disability may be more likely to need to take more frequent and longer periods of absence because of their condition. See section 10 below
	Sensory				
	Learning				
	Mental health issues				
	Other – <i>specify</i>				
Ethnicity ⁴	White		None identified		None identified
	Black		None identified		None identified
	Chinese		None identified		None identified
	Mixed Ethnic Origin		None identified		None identified
	Gypsies/ Travellers		None identified		None identified
	Other – <i>please state</i>		None identified		None identified
Language	English not first language		None identified	✓	This policy is written in English

⁴ National 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		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		None identified		None identified
Religion or Belief	People with a religious belief (or none)		None identified		None identified
Sex	Men		None identified		None identified
	Women		None identified		None identified
Gender Reassignment ⁵	Transgender/ Transsexual ⁶	✓	This policy provides guidance to managers on how to support an employee during the transition process.		None identified
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian		None identified		None identified
Marriage and Civil Partnership	People who are married or in a civil partnership		None identified		None identified

10. If you have identified any negative impacts (above) how can they be minimised or removed?

People with a disability may be more likely to need to take more frequent and longer periods of absence because of their condition.

The policy details the guidance managers need to provide staff with.

⁵ The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to.

⁶ It is generally held that people who are *transgender* disguise their features or clothing to resemble their preferred sex, whereas people who are *transsexual* wish to change their body to completely resemble their preferred sex.

Where an underlying condition has been identified as the cause of absence that has met the trigger point for attendance monitoring, then the absence would be managed in line with long term absence procedure which includes the actions below:

- Welfare Meeting – considers how CBH can support the member of staff in attendance
- Occupational health – a referral to this external, independent service is designed to support the member of staff in maintaining employment
- Reasonable adjustments – may include:
 - changes to place of work
 - introduction or extension of working from home arrangements
 - changes to the office environment such as desk, chair, equipment

The above factors help to ensure that any potential negative impact upon people with disabilities is removed or minimised.

This policy is written in English

CBH considers providing translation services for staff and customers on request.

11. Could the policy discriminate⁷ against any ‘protected characteristic’, either directly or indirectly⁸? **No**

⁷ The Council has a general duty to ‘eliminate unlawful discrimination, harassment and victimisation’. 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’.

⁸ If you answer ‘yes’ to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

Summary and findings of Initial Equality Impact Assessment

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

Findings	Action required
No negative impacts have been identified <input type="checkbox"/>	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed X	Sign off screening and finish.
Negative impacts could not be 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.

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

- Krishna Thaker, HR Business Partner

14. Date of completion:

- 23.12.2019

15. Date for update or review of this screening:

- December 2022