

EQUALITY SCREENING AND IMPACT ASSESSMENT

Introduction

Whenever we introduce, or revise policies, or when we introduce new ways of working or deliver activities in a different way, we need to equality screen to decide if an equality impact assessment (EIA) is required. This helps us to consider the potential impact of what we do on different groups who are susceptible to unjustified discrimination and are afforded legal protection against this, whether by UK or other law. Crucially, we want to make sure that our decisions and ways of working are not going to have a negative impact on certain groups that cannot be reasonably justified, and also that we really take opportunities to advance equality of opportunity and foster inclusion.

The groups/characteristics

We particularly focus on: age, dependant responsibilities (with or without), disability (please note disabled people are hugely marginalised and discriminated against as a group, so give particular consideration to them), gender including transgender, marital status/civil partnership, political opinion, pregnancy and maternity, race or ethnic origin, religion or belief and sexual orientation. Invariably there are other areas and characteristics to consider and these can include full-time/part-time (or reduced hours) working, geographical location, tribe, language, dependent on the country we are working with.

Equality screening: is an equality impact assessment required?

A 'yes' answer to all the questions below means an EIA is required. A 'yes' answer to some of the questions, or doubt, will require a judgement to be made based on an evaluation of the extent to which what is proposed raises concerns about equality and inclusion, particularly in relation to the above groups/characteristics. If you decide that an EIA is required, please move to address the EIA questions overleaf.

If you answer 'no' to all of the questions, then an EIA is not required and you should include the completed section below as a record of your decision with the policy or change documentation.

Title of Policy, Function or Practice:			
	Please tick as required:		
Question	Yes	No	Not sure
A large number of people are affected	Yes		
A small number who are particularly under-represented, or disadvantaged, or excluded are affected			Not sure
The proposed changes (if this is a change to an existing policy, function or practice) are profound		No	
The proposals will result in benefit for some people	Yes		
The proposals will result in disadvantage for some people		No	

Record of Decision:

An equality impact assessment is required (please delete as relevant)

Your name and location/department: Jane Anning/Manchester/HR - Recruitment

Date: 7/1/13

Note: if an equality impact assessment is required, please send any relevant background documentation about the policy to the panel prior to the EIA meeting. This could include the draft policy, any background research or relevant papers.

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Details of the Policy, Function or Practice (referred to as policy hereafter)

Take as much space as required under each heading below.

1. Title of policy and name of policy owner

NPW Policy – Louise Jopling

2. People undertaking the EIA (strive for a minimum of 3 people with diverse backgrounds)

Jane Franklin (Chair), Cath Auld, Jane Anning, Theo Stubbs, Eduardo Lees, Debbi Rosenthal (Note taker), Eleanor Hart, Rebecca Rodgers, Owain Wright, Stephanie Ashcroft.

3. Background

Provide background to the policy or change, and why an EIA is required. Summarise any already apparent equality issues either addressed within the policy or to be included.

The new policy is to support the business when hiring temporary agency workers. Previous investigations have highlighted that there are inconsistencies with management of temporary agency workers regarding Legislation, Setting Objectives, and Evaluation.

The Chair began the meeting by explaining about ESIs and what they are intended to do; they provide a proactive opportunity to reflect on proposed policy from the perspective of people in protected equality groups to ensure there is no potential negative impact and to see if there are opportunities to promote equality and inclusion. The panel were encouraged to think particularly of disabled people as the most disadvantaged group in the workforce – a good time to consider what's being proposed particularly through that lens (Theo Stubbs was representing the Disability Working Group).

4. Supporting data

Summarise any relevant supporting data, for example any research, statistical monitoring data, staff surveys, client feedback, and consultation exercises.

Data collated last year for end of year evaluations raised many questions and queries regarding scoring and evaluating a temporary worker's performance. Feedback collated from managers regarding the use of the Comensura portal and lack of clarity when determining the type of NPW - i.e. Consultant/Contractor/Temp etc...

5. Identification of potential negative impact and opportunities to promote equality

Identify areas of concern, discuss them and identify what can be done to address them. Identify too any changes that could be made to enhance equality and support inclusion. Include an additional row for any overall points if relevant.

Take as much space as required for each category discussed.

Equality categories	Summary of key issues	
	Potential for negative impact	Opportunity to promote equality
Age		
Dependant responsibilities (with or without)		
Disability (physical, mental, learning, sensory)	The issue raised here was particularly about NPWs (contractors) procuring the services of other NPWs without asking appropriate questions about disability. It's not that candidates are uninformed, but that managers are not being appropriately informed about NPWs being sent to them.	Include a section in the guidance for managers about hiring a disabled NPW, informing managers about what needs putting in place. This section should be worded in a positive way. Needs to consider particular implications of smart working on disabled people, especially if they are likely to need assistance evacuating the building in the event of an emergency.
Gender including transgender		
Marital status/civil partnership		
Political opinion		
Pregnancy and maternity	NPWs are not entitled to the same schemes as permanent members of staff due to Agency Worker Regulations 2011 guidance.	Include a section in the line manager guidance about maternity, paternity and adoptive leave to clarify how this should be dealt with, so all NPWs are treated equally.
Race or ethnic origin		Will be able to monitor ethnic breakdown of applicants for different paybands.
Religion or belief	Annual leave can be rejected by managers. Should there be a clause about when it is mandatory to accept requests for annual leave?	Include guidance for managers about when to consider allowing leave – and refer to particular efforts being made to allow leave for religious purposes, or to make appropriate alternative

		suggestions. This should be done in a way that doesn't impact negatively on NPWs or permanent staff who hold a different religion/belief, or who are not religious.
Sexual orientation - lesbian, gay, bisexual, or heterosexual		
British Council values		<p>The new approach was felt to be in line with the organisation's values of integrity, professionalism and valuing people in particular.</p> <p>Make sure the guidance is clear about treating all types of workers in line with our EO Policy, and stresses the need for an induction for all types of worker.</p> <p>It will be possible to monitor diversity across NPWs if everyone comes through Comensura and as part of this under-representation of particular groups can be addressed if identified.</p>
Any additional equality grounds and/or any examples of combined grounds including but not limited to full-time/part-time (or reduced hours) working, geographical location, tribe, language, dependent on the country the policy applies to.		
Discrimination against British Council staff	<p>Departments do not always advertise short term posts or temporary vacancies and these are not offered to internal staff.</p> <p>NPWs do not have to go through the same evaluation as permanent staff but can get the same bonus. Legally obliged to provide performance</p>	<p>Managers have more opportunity to quickly advertise all postings (short and long term) with the e-recruitment system, providing more opportunities to BC staff.</p>

	related bonuses to NPW. This can be a cause of conflict if not handled appropriately.	
Discrimination against NPW	There was an issue of concern raised about some agencies who don't allow NPWs to take paid annual leave, just paying them extra instead. Questions were raised about whether line managers can do anything about this.	

6. ACTION PLAN

Please itemise any agreed actions: *Add more rows for further action points as required.*

Action	Person responsible	Target date
Amend and strengthen the guidance for line managers in the ways mentioned in the table above	NPW Team	
Make it clear when the guidance is referring to Agency Workers and when the points apply to Contractors more generally.	NPW Team	
Make it clear within the guidance what the Agency Workers Day 1 rights are and what rights apply after 12 weeks.	NPW Team	
Strengthen the guidelines to make it clear to managers when they should use fixed term contracts, indefinite contracts or a non-permanent worker to fill a vacancy. Stress the risks involved in using NPWs for long time periods. Stress the potential disadvantage to British Council staff if NPWs are used to fill posts that could be filled by permanent staff	NPW Team	
Recruitment team/NPW team to look at ways to monitor incoming NPW staff and whether their jobs were advertised internally.	Recruitment/NPW Team	
Create a 'crib sheet' to show at a glance what leave entitlements NPWs are allowed, and also highlight what NPWs are not entitled to.	NPW Team	
Raise a risk on the risk register about the organisation's current use of NPWs, which in many places is out of policy and is presenting a number of risks relating to employee status.	NPW Team	
Include within the guidance for managers a section on travel, given that NPWs are not ordinarily covered by British Council insurance.	NPW Team	
Make sure the issue of NPWs is kept on the HR Leadership Team meeting agendas so the current issues can be regularly reviewed and monitored.	Everyone	

7. ANY SUMMARY COMMENTS

8. RECORD-KEEPING

This document should be retained by the department for monitoring purposes. Please arrange for a copy of the report to be entered onto the diversity intranet site by e-mailing it to ESIA@britishcouncil.org

Signed off by policy owner:

Name: Louise Jopling

Position: Head of Recruitment

Date:

Attendants:

Jane Franklin

Cath Auld

Jane Anning

Theo Stubbs

Stephanie Ashcroft

Eduardo Lees

Debbi Rosenthal

Eleanor Hart

Rebecca Rogers

Owain Wright