



Derby City Council

Equality impact assessment form

Corporate Management Restructure

Date of assessment – 13 July 2015

Signed off by

Cabinet decision

Date published on website – 15 July 2015

Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have ‘**due regard**’ to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a ‘**relevant protected characteristic**’ and people who don’t.

Having ‘due regard’ means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity

- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you

may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity for checking and to publish on our website. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law –Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender reassignment – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls

- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

In addition, we have decided to look at the effects on families and people on low incomes too as we feel this is very important.

Contact for help

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk

Tel 01332 643722

Minicom 01332 640666

Mobile 01782

301144

The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt - do one! You never know when we may get a legal challenge and someone applies for Judicial Review.

What’s the name of the policy you are assessing?

Corporate Management Restructure

The assessment team

Team leader’s name and job title – Gordon Stirling, Director of Strategic Services and Transformation and Interim Director of HR

Other team members...

Name	Job title	Organisation	Area of expertise
Diane Sturdy	Acting Head of Service – Organisational Development, Employee Relations and Pay & Reward Strategy	Derby City Council	HR / OD
Ann Webster	Lead on Equality and Diversity	Derby City Council	Equalities
Sue Farmery	Strategic HR Adviser - OD	Derby City Council	HR / OD
Helen Davenport	Strategic HR Adviser - OD	Derby City Council	HR / OD

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

Like most local authorities, Derby City Council is facing unprecedented financial challenges. The 2015/16 budget setting process was challenging and included a requirement by the Council's Cabinet to reduce the current management structure (Tiers 1- 3) to deliver at least £600k of annual savings. It is envisaged that further management savings will be required in the next 12 months as the Council starts to significantly reduce in size to meet the budget savings requirements forecast as a result of reductions in grants from central government and continuing pressures and demands on frontline services.

As the Council moves forward and there is clarity around which services are going to be delivered in the future (as part of the 2016/17 budget setting process) there needs to be an emphasis on:

- establishing an organisation fit for purpose
- effective partnerships making the difference
- high quality frontline practice where it matters
- measuring only what counts
- becoming an employer of choice.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The proposed structures outlined within the Cabinet Report have been developed by Chief Officer Group (COG) in consultation with the Leader of the Council. COG has used a variety of information to help inform their decision about the preferred option for each Directorate including:

- the information provided through the various consultation and workshop exercises with Service Directors
- a revised leadership competency framework
- a set of Key Principles
- Cabinet's priorities for 2015/16 following the May election
- the current and future budget position of the Council
- a review of management structures from other councils.

The final proposals will be considered by the Council's Cabinet on 15 July 2015.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

The following will be affected by the proposed changes...

- Tier 1 – 3 staff (Chief Executive, Strategic Directors, Service Directors and Heads of Service
- All Council staff
- Members
- Derby Residents
- Strategic Partners

Step 2 – collecting information and assessing impact

4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.

As outlined in Part 2, COG has used a variety of information to help inform their decision about the preferred option for each Directorate including:

- the information provided through the various consultation and workshop exercises with Service Directors
- a revised leadership competency framework
- a set of Key Principles
- Cabinet's priorities for 2015/16 following the May election
- the current and future budget position of the Council
- a review of management structures from other councils.

The Chief Executive held three Briefing Sessions at the beginning, middle and end of the consultation period with all Tier 1 – 3 staff.

A Microsite was set-up giving Tier 1-3 staff access to all the relevant information relating to the restructure.

A collective consultation took place for the first 3 weeks of June.

A significant amount of feedback was received and a management response was prepared.

Trade Unions were consulted on the proposed structures.

Regular briefings have been provided to Members through the Council's Leadership meetings.

Meetings were held in accessible places and no interpreters were required.

- 5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure**

Equality groups	What do you already know?	No impact	Positive impact	Negative impact	Not sure until after selection
Age	Age Category				X
	35-39				
	40-44				
	45-49				
	50-54				
	55-59				
	60-64				
	Grand Total				
Disability	There are 2.6% of the current Senior Management who have identified as disabled people. One of the Council's performance indicators is that 8% of the top 5% of earners are disabled people.				X
Gender reassignment – trans		X			

Equality groups	What do you already know?	No impact	Positive impact	Negative impact	Not sure until after selection
Marriage and civil partnership		X			
Pregnancy and maternity		X			
Race	There are 9.33% minority ethnic employees in the current Senior Management One of the Council's performance indicators is that 8% of the top 5% of earners are minority ethnic employees.				X
Religion or belief or none	69.33% of employees in Senior Management have not stated their religion or belief. 18.67% have stated they are Christian, 8% no religion and 4% preferred not to say.				X

Equality groups	What do you already know?	No impact	Positive impact	Negative impact	Not sure until after selection
Sex	The Council's target for women in the top 5% of earners is 55%. Of the 75 people affected by these proposals, 35 (46.67%) are women.				X
Sexual Orientation	4% of the Senior Management have identified as lesbian, gay or bisexual, 12% heterosexual/straight, 2.67% prefer not to say and 88.33% we do not know.				X
Families and people on low income		X			

A full workforce audit will be undertaken once the restructure has been approved and implementation is complete.

6 From the information you have collected, how are you going to lesson any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

Although the management structures of the Council are going to change as a result of these proposals including the combination of roles, the actual work delivered will not have a negative impact on any particular equality group.

A full workforce audit will be undertaken once the restructure has been approved and implementation is complete plus Part 2 EIA after implemented.

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1	X	No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
Outcome 2		Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
Outcome 3		Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none">• sufficient plans to stop or minimise the negative impact• mitigating actions for any remaining negative impacts• plans to monitor the actual impact.
Outcome 4		Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

Number 1

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Why did you come to this decision?

At this stage we have not identified any negative impact. Selection procedures will follow the Council's recruitment and selection policy and reasonable adjustments will be provided to any disabled employee needing them. The EIA Team will revisit the EIA after the structure has been implemented.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

- 8 Fill in the table (on the next page) with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.**

Equality action plan – setting targets and monitoring

What are we going to do to advance equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
The Team will review the EIA once the new structures have been implemented.	Review Meeting	Oct 2015	Review of implementation to make sure any equality issues are addressed and / or lessons learned.	G Stirling	Report to COG

Make sure you include these actions in your Directorate service business plans.