

## **Appendix 1: Equality Impact Assessment Screening:**

### **Reckonable Service Policy**

#### **1. Context:**

This EIA screening is undertaken because the paper requires a decision in relation to a: (Please delete as appropriate):

- Policy review

#### **2. Relevance to the Public sector Equality Duty:**

**The policy is relevant to the following aspects of the public sector Equality Duty:**

##### **1) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010**

Linking the amount of reckonable service to length of NHS service and excluding non NHS service from the calculation amounts to preferential treatment being given to new and existing employees with NHS experience. Whilst this might be desirable from several ethical and practical perspectives a potentially discriminatory outcome must also be recognised.

A policy which excludes non NHS joiners from reckonable service benefits, risks creating indirectly discriminatory outcomes for BME employees in terms of annual leave entitlement sickness, maternity and other benefits.

This is because NHS Bristol, the CCG's predecessor commissioning organisation, witnessed several changes to the equality profile of its workforce over its last years of existence. In particular, the proportion of Black and Minority Ethnic employees was growing steadily. Anecdotally, it was understood that several of the new employees did not have a background in the NHS (although no research has been done to identify whether BME employees are more likely than their white colleagues to have a non NHS background).

##### **2) Advance equality of opportunity between people who share a protected characteristic and those who do not**

Even if the reckonable service benefit is open to non NHS new starters, it is possible that those with a NHS background are more likely to know about this benefit and request it. To avoid resulting in discriminatory outcomes for BME new starters, it will be important to promote this benefit to all applicants/new starters (eg via NHS Jobs), giving everybody an equal opportunity to know about and apply for this benefit.

Issues around access to maternity and paternity leave benefits for same-sex parents should be dealt with within the substantive “other leave” policy.

**3) Foster good relations between people who share a protected characteristic and those who do not**

Draft policy has no direct relevance to this aim of the Duty.

**3. Impact on Protected Groups:**

Given that the policy provides benefits in relation to annual leave, sick leave, maternity leave, paternity leave and redundancy, it might be particularly (indirectly) relevant to older and younger employees and female employees (as the group which assumes primary responsible for the care of children in UK society). This is in addition to the obvious directly-impacted protected characteristics and those discussed above.

|                     |     |                       |     |                                      |    |
|---------------------|-----|-----------------------|-----|--------------------------------------|----|
| Age                 | Yes | Disability            | No  | Sexual Orientation                   | No |
| Race                | Yes | Sex                   | Yes | Religion or Belief                   | No |
| Gender Reassignment | No  | Pregnancy & Maternity | Yes | Marriage or Civil Partnership Status | No |

**4. Health Inequalities:**

Does it relate to an area with known Health Inequalities? No

**5. Where it is considered that the policy has no relevance to the General Duty or Protected Groups, this should be recorded here with reasons, along with any advice received:**

**6. Conclusion:**

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| Proceed to full EIA: No   |
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| Date: 7 April 2014  |