



South Gloucestershire Clinical Commissioning Group

EQUALITY IMPACT ASSESSMENT

NAME OF SERVICE/POLICY/STRATEGY BEING ASSESSED:

Pay Protection Policy

DETAILS OF LEAD COMMISSIONER OR CSU STAFF COMPLETING THIS SCREENING:

Name	(Ellen Hembrough)
Title	(Employee Relations Manager)
Dept/Service	(NBT ASK HR)
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APPROVED AND SIGNED BY RELEVANT DIRECTOR:

Name	Anne Morris
Title	Director of Nursing and Quality
Date	May 2016

N.B.

1. Once this Equality Impact Assessment has been approved and signed off, an electronic copy will need to be sent to the CCG's Equalities and Patient and Public Involvement Officer for publication on the CCG website.
2. Please read the background to the EqIA at the back of this document prior to starting.

1. PLEASE GIVE A BRIEF DESCRIPTION OF THE SERVICE/POLICY/STRATEGY AND ITS AIMS/OBJECTIVES:

Arrangements for Pay Protection are not specified in the NHS Terms and Conditions of Service Handbook. This Policy sets out the local arrangements for pay protection.

This policy seeks to ensure that the arrangements for pay protection are clear and applied appropriately and fairly for staff who may be eligible for protection of pay at some point during their employment.

The policy references the NHS term and conditions, Capability Policy H&B Policy, Sickness Absence Procedure, Appeals, Grievance, Working Time.

The policy applies to all staff members of the CCG.

2. IS THIS SERVICE/POLICY ...

New <input type="checkbox"/>	Existing <input type="checkbox"/>	Refreshed <input checked="" type="checkbox"/>
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3. WHO IS THIS SERVICE/POLICY/STRATEGY LIKELY TO HAVE AN IMPACT ON?

Patients <input type="checkbox"/>	Carers <input type="checkbox"/>	Visitors <input type="checkbox"/>	Staff <input checked="" type="checkbox"/>
Other <input type="checkbox"/> [Please state who].			

4. WHAT EVIDENCE ARE YOU USING TO INFORM THIS ASSESSMENT?

SOURCE	<input checked="" type="checkbox"/>	Date	Details of Evidence [hyperlink to documents]
Demographic (including Census) data	<input type="checkbox"/>		None. The CCG's workforce profile is contained in its annual report available on its website.
Research Findings	<input type="checkbox"/>		None.
Recent Consultations and Surveys	<input type="checkbox"/>		None. The CCG does not take part in the national NHS Staff survey.
Results of: ethnic monitoring data; and any equalities data from the local authority / joint services; or Health inequality data	<input type="checkbox"/>		None

SOURCE	<input checked="" type="checkbox"/>	Date	Details of Evidence [hyperlink to documents]
Anecdotal information from groups and agencies within South Gloucestershire	<input type="checkbox"/>		Not applicable.
Comparisons between similar functions / policies elsewhere	<input type="checkbox"/>		<p>No comparisons with other policies have been made.</p> <p>However, a number of other policies have been cross-referenced which include: Capability Policy, Sickness Absence Policy and Procedure and, Grievance Policy.</p>
Analysis of PALS, complaints and public enquires information	<input type="checkbox"/>		None.
Analysis of audit reports and reviews	<input type="checkbox"/>		No audits have been carried that directly affect this policy.

5. ASSESSMENT OF THE EFFECTS OF THE SERVICE/POLICY/STRATEGY ON THE PROTECTED CHARACTERISTICS [EQUALITY GROUPS]

Assess whether the Service/Policy has a positive, negative or neutral impact on the Protected Characteristics.

- **Positive impact** means promoting equal opportunities or improving relations within equality groups
- **Negative impact** means that an equality group(s) could be disadvantaged or discriminated against
- **Neutral impact** means that it has no effect currently on equality groups

Please answer Yes or No in the following table and provide reasons accordingly:

Assessment of Impact of Policy/Service on Protected Characteristics [Equality Groups]				
Protected Characteristic	Positive Impact ✓	Negative Impact ✗	Neutral Impact ✓	Please provide reasons for your answer and any mitigation required
Age [Children and Young people 0 to 19; Older People 60+]			Yes	The CCG does not employ children and young people. The policy is applied equally to all adult staff irrespective of their age.
Disability Physical Impairment; Sensory Impairment; Mental Health; Learning Difficulty; Long-Term Condition			Yes	The policy is applied equally to all staff.
Gender Reassignment [Trans people]			Yes	As above.
Race			Yes	As above.
Religion or Belief			Yes	As above.
Sex [Male or Female]			Yes	As above.

Assessment of Impact of Policy/Service on Protected Characteristics [Equality Groups]				
Protected Characteristic	Positive Impact ✓	Negative Impact ✗	Neutral Impact ✓	Please provide reasons for your answer and any mitigation required
Sexual Orientation			Yes	As above.
Pregnancy and maternity			Yes	As above.

- **Positive impact** means promoting equal opportunities or improving relations within equality groups
- **Negative impact** means that an equality group(s) could be disadvantaged or discriminated against
- **Neutral impact** means that it has no effect currently on equality groups

6. ELIMINATING DISCRIMINATION, HARASSMENT AND VICTIMISATION

The policy is generally applicable to all staff.

Additionally, the CCG will consider a member of staff's request following a bullying or harassment case to be redeployed. If this is to a lower banded job, the member of staff's pay will be protected.

Conversely, if a member of staff is redeployed as a sanction given as a result of a disciplinary/harassment case, they will not be eligible for pay protection.

The above are part of the measures which enable the CCG to eliminate discrimination, harassment and victimisation.

7. ADVANCE EQUALITY OF OPPORTUNITY

Not applicable.

The policy has a neutral impact across all protected characteristics.

The CCG is a small organisation [less than 50] and all policies are considered by a staff group and their recommendations taken into account by the CCG's Quality and Governance committee before being adopted.

8. FOSTER/PROMOTE GOOD RELATIONS BETWEEN PEOPLE

Not applicable.

The policy by itself does not provide the means to foster and promote good relations between people.

9. HAVE YOU SET UP OR ARRANGED FOR ANY OF THE FOLLOWING:

Attribute	Yes	No	If Yes, please describe what these are, If No, please give reasons.
Equality Monitoring Systems		No	Universal policy. Not applicable.
Equality Related Performance Indicators		No	Universal Policy. Not applicable.

10. ACTION PLAN

None required.

11. RECOMMENDATIONS FOR THE PROJECT BOARD/CCG GOVERNING BODY

a) Use this section to also draw attention to any issue where there has been a significant impact, and demonstrate how you either propose to mitigate it [cross reference to action plan] or if you cannot, why you cannot.

The assessment has confirmed that the policy treats all staff equally.

b) Explain how the results of this assessment have influenced your service/policy/strategy

The policy has a neutral impact on all the protected characteristics.

However, the policy needs to be available in an alternative format should the CCG have a member of staff that requires it e.g. braille.

12. DATE EQIA COMPLETED: MAY 2016

13. REVIEW DATE: APRIL 2019

Equality Impact Assessment – Background Information

Before you start, please ensure that you have completed the online training available on the MLE <http://nhssw.e2train.com/southwest>

In completing this assessment you should keep the Equality Duty set out in the Equality Act 2010 in mind. The Duty has three aims. It requires public bodies to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

This EqIA is based on the following principles, drawn from case law and provides the essential information to enable us to fulfil our Equality Duty. Public bodies are expected to ensure:

Knowledge – those who exercise the public body’s functions need to be aware of the requirements of the Equality Duty. Compliance with the Equality Duty involves a conscious approach and state of mind.

Timeliness – the Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken – that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.

Real consideration – consideration of the three aims of the Equality Duty must form an integral part of the decision-making process. **The Equality Duty is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.**

Sufficient information – the decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the Equality Duty.

No delegation – public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the Equality Duty, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated.

Review – public bodies must have regard to the aims of the Equality Duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The Equality Duty is a continuing duty

Completing this assessment will help us demonstrate compliance with the Equality Duty

Please use a minimum 12 pt font size. This assessment must be signed off by the relevant director and will be made publicly available on our website.