



South Gloucestershire Clinical Commissioning Group

EQUALITY IMPACT ASSESSMENT

Procedure for Dealing with Harassment and Bullying

DETAILS OF LEAD COMMISSIONER OR CSU STAFF COMPLETING THIS SCREENING:

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APPROVED AND SIGNED BY RELEVANT DIRECTOR:

Name	Anne Morris
Title	Director of Nursing and Quality
Date	August 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 POLICY AND ITS AIMS/OBJECTIVES:

<p>This policy sets out the steps that the CCG will take to prevent incidents of violence, harassment or bullying at work from occurring in the first place, and describes the way that any incidents that do occur will be dealt with</p> <p>The policy aims to support employees and managers to deal with violence, harassment or bullying issues as promptly and effectively as possible.</p> <p>The policy applies to all staff members of the CCG.</p>
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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 POLICY 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 checked="" type="checkbox"/> [Please state who] Contractors			

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

SOURCE	Details of Evidence
Demographic (including Census) data	None
Research Findings	None
Recent Consultations and Surveys	None
Results of: ethnic monitoring data; and any equalities data from the local authority / joint services; or Health inequality data	None
Anecdotal information from groups and agencies within South Gloucestershire	None
Comparisons between similar functions / policies elsewhere	<p>The policy references:</p> <ul style="list-style-type: none"> ▪ The Disciplinary Policy and Procedure. ▪ Investigating (employment) Complaints and Allegations Policy and Procedure. ▪ Grievance Policy
Analysis of PALS, complaints and public enquires information	None
Analysis of audit reports and reviews	None
Other:	Employment law

5. ASSESSMENT OF THE EFFECTS OF THE POLICY 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	Applies equally to all staff
Disability Physical Impairment; Sensory Impairment; Mental Health; Learning Difficulty; Long-Term Condition			Yes	As above
Gender Reassignment [Trans people]			Yes	As above
Race			Yes	As above
Religion or Belief			Yes	As above
Sex [Male or Female]			Yes	As above
Sexual Orientation			Yes	As above
Pregnancy and Maternity			Yes	As above
Marriage and Civil partnership			Yes	As above

6. ELIMINATING DISCRIMINATION, HARASSMENT AND VICTIMISATION

Key commitments within the policy support the CCG to eliminate discrimination, harassment and victimisation, these include:

- The CCG regards all forms of violence, including harassment and bullying, as completely unacceptable. Such behaviour will not be tolerated
- First and foremost, employees at all levels have the right not to be harassed, bullied or otherwise attacked or intimidated whilst at work. Employees have the right to decide what is inappropriate and unacceptable.
- Employees have the right to expect that any concern or incident is taken seriously and dealt with quickly and effectively.
- Employees can ask for help and support from a wide range of people including their line manager (or their managers' manager), Human Resources Advisor (provided by North Bristol Trust's "Ask HR" function), Occupational Health or Counselling Service.
- The right of all parties to privacy and confidentiality will be respected as far as possible.
- All parties including witnesses have the right throughout the process to representation from trade union representatives or a work colleague.

Additionally:

- managers are encouraged to deal with all claims of bullying and harassment swiftly, effectively, consistently and fairly, within the guidelines of the policy;
- individuals can invoke the grievance procedure where they do not feel the process has been applied or followed correctly and that has influenced the outcome.

7. ADVANCE EQUALITY OF OPPORTUNITY

Not applicable.

8. FOSTER/PROMOTE GOOD RELATIONS BETWEEN PEOPLE

Not applicable

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		✓	Staff demographics are recorded on the Electronic Staff Record.
Equality Related Performance Indicators		✓	Not applicable.

10. ACTION PLAN

Provided paragraph 1.6.1 d is amended to refer to “disability” instead of “impairment”, none is 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.
No significant impact has been identified. The policy makes all reasonable provision to ensure equity of access to all staff. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic.

b) Explain how the results of this assessment have influenced your service/policy/strategy
Not applicable.

12. DATE EQIA COMPLETED: AUGUST 2016

13. REVIEW DATE: AUGUST 2018

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.