

APPENDIX 2

Addendum A

Equality Impact Assessment Summary

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Policy/Service: Appeals Policy and Procedure

Background

- Description of the aims of the policy/service
- Context in which the policy/service operates

Aims and benefits

This policy gives direction as to the procedures to be followed when the appeal process is instigated (that is when a member of staff appeals against any disciplinary or capability sanction imposed against them). It is designed to assist staff through the appeal process and outlines the appropriate steps to be followed (including the procedure at an appeal hearing).

The aim of having this policy is to ensure all staff are treated fairly, the principles of natural justice and recognised best practices are adhered to, and the Trust meets its legal obligations.

Whom will the policy affect

The policy applies to all staff employed by the Trust excluding medical and dental staff.

This procedure does not apply to:

- Independent contractors within the National Health Service on a contract for services
- Medical and dental staff, for whom a separate procedure exists
- People who do not have an employment relationship with the Trust such as those who are on an honorary contract (including volunteers).
- Staff employed by the Trust as part of a college placement, university course (e.g. as part of a sandwich course) etc.

Methodology

- A brief account of how the likely effects of the policy was assessed (consider race and ethnic origin, disability, gender, culture, religion or belief, sexual orientation, age) outlining the data sources and any other information used
- The consultation that was carried out (who, why and how?)

A report of appeals was obtained from the Electronic Staff Records (ESR) and has identified 3 cases in the past 12 months and at present we have insufficient information to draw any conclusions on whether equalities groups are adversely impacted upon.

Consultation has involved the Staff Employee Partnership Forum, General Managers, and members of the HR Department.

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The policy is applicable to any staff member who wishes to appeal against any disciplinary or capability sanction imposed against them.

Key Findings

- Describe the results of the assessment
- Identify if there is adverse or a potentially adverse impacts for any equalities groups

As present, there is insufficient data from a sample of 3,200 staff to draw any conclusions. The only conclusion we can draw is that due to a predominately female workforce it is expected that more female than male staff would be involved in an appeals process.

Need for improved workforce information data which may inform the review of employment policies in the future.

Information on the demographic characteristics of those staff who have instigated the appeal process are reported to Electronic Staff Records (ESR) on a routinely basis and will be monitored on a quarterly basis.

There is at present no evidence that the policy adversely impacts on particular equalities groups unwittingly.

Conclusion

- Provide a summary of the overall conclusions

In conclusion there are no equalities groups that are adversely impacted upon as a result of this policy.

The policy clearly states that it will be applied fairly and consistently to all staff employed by the Trust regardless of sex, race, creed, ethnic origin, marital status, age, disability, sexual orientation, status or number of hours worked and will be monitored accordingly.

Recommendations

- State recommended changes to the proposed policy/service as a result of the impact assessment
- Where it has not been possible to amend the policy/service, provide the detail of any actions that have been identified
- Describe the plans for reviewing the assessment

At this time there are no amendments to the appeal policy as it does not adversely impact upon any equalities groups and the policy has a further review date.

Guidance on Equalities Groups

Race and Ethnic origin (includes gypsies and travellers) (consider communication, access to information

Religion or belief (include dress, individual care needs, family relationships, dietary requirements and

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on services and employment, and ease of access to services and employment)	spiritual needs for consideration)
Disability (consider communication issues, access to employment and services, whether individual care needs are being met and whether the policy promotes the involvement of disabled people)	Sexual orientation including lesbian, gay and bisexual people (consider whether the policy/service promotes a culture of openness and takes account of individual needs)
Gender (consider care needs and employment issues, identify and remove or justify terms which are gender specific)	Age (consider any barriers to accessing services or employment, identify and remove or justify terms which could be ageist, for example, using titles of senior or junior)
Culture (consider dietary requirements, family relationships and individual care needs)	Social class (consider ability to access services and information, for example, is information provided in plain English?)