Equality Impact Assessment (EQIA) Template

Section 1: Details of the policy/practice/project

| **Information required** | **Enter information below** |
| --- | --- |
| Department/Team responsible | Human Resources |
| Name of Policy, Practice or Project being assessed | Grievance Policy |
| Purpose and anticipated outcomes | The Grievance Policy and Procedure will be refreshed and streamlined into one policy. This will follow the ACAS code and best practice. It focusses on the user experience, written in plain English with easy-to-follow processes, and includes support for those involved (stakeholder guidance for manager, grievance manager, investigator, appeal manager, etc.).  The policy has been written to support a culture which encourages positive working relationships. It asks for unacceptable behaviour to be called out, through concerns being raised and managed appropriately. This links into the Engaging the Bystander training. There is also the inclusion of a statement on equality, diversity and inclusion, setting out expectations on behaviours in relation to this. The policy provides for informal resolution and introduces mediation as an effective way to resolve work-related concerns. |
| Is this a new or existing Policy, Practice or Project? | The current Grievance Policy and Procedure have been rewritten into one Grievance Policy |
| List of participants in Equality Impact Assessment process | Nichola Corrigan, HR Policy Manager  Aileen Thomson, Senior HR Manager, ER & Policy  Julie Fitzpatrick, Head of People and OD  FLS/SF HR Policy Approval Committee  FTUS |
| Date Assessment started | 27/07/2023 |
| Completion date | 29/05/2024 |
| Who is likely to be affected?  *E.g. employees, visitors, contractors, women, men, young people, older people, people with disabilities etc.* | All employees within FLS and SF, up to and including pay band 1 and Senior Executives within the Agency. Employees have the right to be accompanied at meetings by a companion who may be from outside the agency. This is a supportive role, so they are unlikely to be significantly affected by this policy. It is not possible to say if any of these groups are more likely to raise a grievance or be involved in the process. The current data indicates that more men raise grievances. |

Section 2: Collecting information

What evidence is available about the needs of relevant groups? Please consider demographic data, including census information, research, consultation and survey reports, feedback and complaints, case law, others knowledge and experience. Please refer to the list of evidence on the EqIA page of the intranet.

Any figures in the below table shown as ‘\*%’ represents statistics of <1% and has therefore been withheld to protect anonymity.

| **Details** | **Source of evidence** |
| --- | --- |
| **People Data for FLS as of 01 March 2024**  Total staff: 1143  Gender: Male 66% | Female 34%  Disabled: 6% (94% declared)  Minority Ethnic: \*%, 7% not shared, 92% white  Age: <39 years 36% | 40> years 64%  LGBT+: 3% (55% declared)  Gender Reassignment: 0% (63% declared)  Religious: 15% (27% declared)  Married/Civil Partnership: 47% (98% declared)  **People Data for SF as of 01 March 2024**  Total staff: 236  Gender: Male 48% | Female 52%  Disabled: 7% (93% declared)  Minority Ethnic: 3% (94% declared)  Age: <39 years 27% | 40> years 73%  LGBT+: 7% (64% declared)  Gender Reassignment: 0% (69% declared)  Religious: 19% (30% declared)  Married/Civil Partnership: 50% (96% declared) | FLS Workforce Demographics  SF Workforce Demographics |
| **Number of Grievance Cases**  **FLS**  **2023 –** Gender: Female 17% | Male 83%  **2024 to date –** Gender: Female 22% | Male 78%  **SF**  **2023 –** Gender: Female 0% | Male 100%  **2024 to date –** Gender: Female 100% | Male 0% | FLS Case Management Tracker  SF Case Management Tracker |

| **From your research above, if you have you identified any gaps in evidence, enter the details of the gaps below** |
| --- |
| We don’t currently have a complete data picture for all protected characteristics. Specifically, percentages of employees have chosen not to disclose information on disability, ethnicity, sexual orientation and gender reassignment. Work has been done in recent years to encourage employees to update this information in iTrent, and progress can be seen – particularly in relation to declaring a disability. The introduction of the Employee Passport should further encourage disclosure. |

| **As appropriate, please describe below, the consultation/engagement undertaken, including details of the groups involved and the methods used** |
| --- |
| The Grievance Policy must follow employment legislation and reflect the ACAS Code of Practice. There is not much scope to deviate from this. We are limited in what constitutes appropriate and valuable consultation. The nature of the grievance policy, raising concerns and problems at work, can often be difficult and stressful for those involved. It is a challenge to get feedback on a Policy which can involve sensitive and confidential issues. With low case numbers any feedback may not give an accurate representation.  We have therefore looked at available data on the protected characteristics of those managed under the current Grievance Policy and Procedure and supplemented this with feedback from the HR Business Partner team, who support managers and employees through the grievance process. |

| **Detail below if there are any other groups to be consulted** |
| --- |
| We will get/ have sought feedback on the draft Policy and Guidance from the HR Policy Approval Committee, members of which are likely to have had a reasonable amount of experience in applying the current Grievance Policy and Procedure, particularly in considering appeals. We have received informal feedback on the policy from FTUS and Formal consultation took place in October 2023. Changes were made to the policy as a result of the feedback received from FTUS. |

Section 3: Impacts

Has the research and consultation identified any potential for impacts on those with the following protected characteristics:

| **Protected Characteristic** | **Potential Impact (yes or no)** | **Explain** |
| --- | --- | --- |
| **Age**  *E.g. older people, children including looked after children, young people including care leavers* | No | There is no evidence to suggest that application of the current grievance policy would place those of different ages at a disadvantage. |
| **Disability**  *E.g. long-term mental health conditions, neurodiversity, physical impairments* | Yes | In the new grievance policy there a statement on equality, diversity and inclusion, setting out expectations on behaviours in relation to this. It asks for unacceptable behaviour to be called out, through concerns being raised and managed appropriately.  Reasonable or workplace adjustments will be made to ensure every employee can participate fully in the process and no one is at a detriment – including allowing a different or second companion, where appropriate. Staff with long term mental health disabilities or who are neurodivergent may suffer additional negative impact if the process takes a particularly long time – the stakeholder guidance contains details of indicative timescales that the different stages of the process should take – for example, meeting notes are normally provided within two normal working days, meeting outcome letters issued are normally issued within five normal working days from the date of meetings, etc. In addition, the Investigators Guidance states, “in most cases, we would recommend you try to conclude within 30 normal working days.” And finally, the various guidance documents reiterate the importance of maintaining communication with all impacted parties throughout the process to ensure they feel supported and are kept abreast of progress. |
| **Gender reassignment**  *Where a person is living as a different gender to that at birth* | No | There is no evidence to suggest that application of the current grievance policy would place those undergoing gender reassignment at a disadvantage. |
| **Pregnancy and maternity**  *Including breastfeeding* | No | There’s no evidence to suggest application of the current grievance policy or procedure has a specific impact on employees who are, or have been, pregnant, on maternity leave (or other family leave) or breastfeeding.  If an employee was to raise a grievance prior to their maternity leave starting, it would depend on their views and the reason for the grievance as to whether it would be appropriate to try to resolve this during their maternity leave. If a grievance was raised against an employee when on maternity leave, it would depend on the reason for this, and the stage of the pregnancy as we would not wish to cause any undue stress or concern. The HR Business Partners would advise on a case-by-case basis. |
| **Race, ethnicity, colour, nationality or national origins**  *Including gypsies or travellers, refugees or asylum seekers* | No | There’s no evidence to suggest application of the current Grievance Policy and Procedure has a specific impact on any particular racial or ethnic group. None of the grievance cases within the previous financial year were raised by employees who identified as minority ethnic. The policy will be made available in Polish. |
| **Religion or belief**  *Including non-belief* | No | There’s no evidence to suggest application of the current Grievance Policy and Procedure has a specific impact on any group of employees who hold the same religion or belief |
| **Sex/Gender** | Yes | In FLS over 2023 and 2024, 83% and 78% of grievance cases respectively, were raised by male employees, 17% (2023) and 22% (2024 to date) by female employees. This averages to loosely mirror the gender categories with FLS: Male 66% | Female 34%.  100% of SF grievances cases raised in 2023 were by male employees, 100% in 2024 to date by female employees. This averages to closely reflect the gender categories within SF: Male 48% | Female 52%. |
| **Marriage and civil partnership** | No | There’s no evidence to suggest application of the current Grievance Policy and Procedure has a specific impact on any group of employees who share any particular marital status. Conflicts of interest are mentioned in the policy and further detailed in the guidance for managers, grievance managers, and appeal managers, ensuring that if they are appointed in one of these roles, they declare any actual, potential or perceived conflict of interest, so that an alternate manager is appointed to carry out the role to avoid any bias in decision making. |
| **Sexual Orientation** | No | There’s no evidence to suggest application of the current Grievance Policy and Procedure has a specific impact on LGBT+ employees |

Is there any evidence that the policy may result in any less favourable treatment, discrimination, harassment or victimization as detailed below:

| **Potential outcome of the policy** | **Delete as appropriate** | **If yes, give details of the potential outcome and any project modifications to mitigate the risk** |
| --- | --- | --- |
| Result in less favourable treatment for particular groups | No evidence | Any failure to recognise the impact a disability may have on an employee’s behaviour, or the way they may engage with the process, could lead to less favourable treatment. The new policy promotes a positive culture which celebrates difference, challenges prejudice and ensures fairness. If you have a disability, and need assistance with any aspect of the policy, you can contact your HR Representative.  We recognise that a grievance procedure can be stressful and upsetting. Everyone involved in the process must be treated calmly and with respect.  Supporting guidance for managers/HR will also reflect the importance of reasonable and workplace adjustments, and ensuring the impact of any declared disabilities are taken into account when considering the circumstances of the grievance. |
| Give rise to direct or indirect discrimination | No evidence | You should contact your HR representative or make the relevant manager aware if you have a disability that impacts your participation in the grievance process, or if you need another form of assistance – for example, where English is not your first language.  An HR representative will support the investigator/grievance manager/appeal manager in making any reasonable or workplace adjustments you or your companion require. |
| Give rise to unlawful harassment or victimisation | No evidence | Everyone involved in the grievance process is personally responsible for maintaining appropriate confidentiality – only discussing the case with those directly involved or affected. All information and documents will be kept secure and in line with our data protection and information security requirements.  In terms of fairness - the complainant or the respondent can ask for an alternative investigator/s, grievance manager or appeal manager to be appointed, if they have a valid reason. For example, if the complainant / respondent believe they can't be impartial due to an actual, perceived or potential conflict of interest. Or they have prior knowledge or involvement in the circumstances leading to the complaint. This can be raised with an HR Representative. They will advise if an alternative person should be appointed. |

Section 4: Meeting our General Equality Duty

| **Enter below which aspects of the Policy, Practice or Project seek to eliminate unlawful discrimination, harassment and victimisation** |
| --- |
| The policy has been written to support a culture which encourages positive working relationships. It asks for unacceptable behaviour to be called out, through concerns being raised and managed appropriately. This links into the Engaging the Bystander training. There is also the inclusion of a statement on equality, diversity and inclusion, setting out expectations on behaviours in relation to this. There has also been the addition of the right to ask for an alternative investigator/s, grievance manager or appeal manager to be appointed, if there is a valid reason. E.g. a belief they can't be impartial due to an actual, perceived or potential conflict of interest, or they have prior knowledge or involvement in the circumstances leading to the complaint which could result in bias. The policy principles include the following statements:   * The grievance process is intended to ensure any genuine concern or grievance, raised in good faith, is dealt with fairly and minimising any potential damage to working relationships. * We will comply with the ACAS Code of Practice and work hard to resolve matters promptly. * Everyone involved is entitled to be treated with dignity and respect. * We will make sure all our actions and decisions are objective, free from discrimination and in-line with our commitment to equality, diversity and inclusion. * We will make all reasonable and workplace adjustments necessary to allow you, and all other parties, to fully participate in the grievance process. * We will not tolerate behaviour that is abusive, or in breach of the Civil Service Code, from anyone involved in the grievance process.   Supporting guidance for grievance managers/appeal managers/HR, and management training currently under development and launching later this year, will reflect: the importance of reasonable and workplace adjustments; the need to ensure the impact of any declared disabilities are taken into account when considering the circumstances of the case, mitigation and appropriate penalties; unconscious bias; avoiding direct and indirect discrimination, etc. |

| **Enter below which aspects of the Policy, Practice or Project seek to advance equality of opportunity between people who share a relevant protected characteristic and those who do not** |
| --- |
| We are committed to advancing equality of opportunity between people who share a relevant protected characteristic and those who do not. For example, we're ensuring there is equality of opportunity between disabled and non-disabled staff through our commitment to implementing workplace adjustments throughout the process, not just ‘reasonable adjustments’ required by law. |

| **Enter below which aspects of the Policy, Practice or Project seek to foster good relations between people who share a protected characteristic and those who do not** |
| --- |
| The policy has been written to support a culture which encourages positive working relationships. It asks for unacceptable behaviour to be called out, through concerns being raised and managed appropriately. This links into the Engaging the Bystander training. There is also the inclusion of a statement on equality, diversity and inclusion, setting out expectations on behaviours in relation to this. There has also been the introduction of mediation, to facilitate resolution and foster positive working relationships. |

Section 5: Outcome of the assessment

| **Outcome of the assessment on the Policy, Practice or Project** | **Enter detail below** |
| --- | --- |
|  |  |
| Adjust the Policy, Practice or Project |  |
| Continue to Policy, Practice or Project | X |
| Stop and remove the Policy, Practice or Project |  |

| **Detail below recommendations, including action required, to address any negative impacts identified** |
| --- |
| Guidance for disciplinary managers/appeal managers reflects the importance of reasonable and workplace adjustments, the need to understand and mitigate against the impact of some disabilities, unconscious bias, etc. |

Section 6: Monitoring

| **Describe below how you will monitor the impact of this Policy, Practice or Project**  *E.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure achievement of outcomes etc.* |
| --- |
| The policy will be reviewed in line with the schedule set by the Policy Approval Committee.  People Management Team to monitor the application of this Policy and the impact on those with protected characteristics – working with the Equality, Diversity and Inclusion Manager on options for addressing any concerns or issues. This EqIA will also need to be revisited, in full, in-line with any future reviews and/or changes to the Grievance Policy. |

| **When and how is the Policy, Practice or Project due to be reviewed?** |
| --- |
| All policies are reviewed through the HR PAC who set the organisation’s policy priorities annually. The Policy Team maintain a policy spreadsheet which is reviewed and updated regularly in terms of changes in legislation and best practice. |

Section 7: Sign off

| **Required information** | **Enter information below** |
| --- | --- |
| Date sent to Equality and Diversity Manager | 27/07/2023 |
| Comments from Equality and Diversity Manager | Integrated into EqIA |
| Date signed off by Equality and Diversity Manager | 10/06/2024 |

| **Details of Senior Manager who has signed off this Equality Impact Assessment** | **Enter information below** |
| --- | --- |
| Name | Julie Fitzpatrick |
| Title | Head of People and OD |
| Date approved | 13.6.24 |