

## EQUALITY IMPACT ASSESSMENT

# General Information

<b>Policy:</b>	Bullying and Harassment Policy	
<b>Date of Analysis:</b>	30 August 2018	
<b>Policy Lead: (Name, job title and department)</b>	Corporate Services Manager	
<b>What are the aims and intended effects of this policy?</b>	This policy promotes the respectful treatment of staff within the CCG and the protection of employees from bullying and harassment at work. Bullying and harassment will not be tolerated by the CCG in any form.	
<b>Are there any significant changes to previous policy likely to have an impact on staff, patients or other stakeholder groups?</b>	No	
<b>Please list any other policies that are related to or referred to as part of this analysis</b>	<ul style="list-style-type: none"> <li>• Disciplinary Policy</li> <li>• Grievance Policy</li> </ul>	
<b>Who is likely to be affected by this policy?</b>	<b>General Public</b>	<input type="checkbox"/>
	<b>Service Users</b>	<input type="checkbox"/>
	<b>Staff</b>	<input checked="" type="checkbox"/>
<b>What engagement / consultation has been done, or is planned for this policy and the equality impact assessment?</b>	Consultation has taken place locally and nationally with Trade Union Representatives	
<b>Promoting Inclusivity and NHS Scarborough and Ryedale CCG's Equality Objectives.</b>  How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation?  How does the policy promote our equality objectives	This Policy does not directly promote inclusivity, but can contribute to the aims of eliminating discrimination and promoting equality and diversity in the CCG	

# Employee Equality Data

<b>General</b>	Total number of employees in the CCG is 82
<b>Age</b>	8.5% of staff are under 30 51.3% of staff aged 31 - 50 40.3% of staff are over 51
<b>Gender</b>	81.7% of staff employed are female 18.3% of staff employed are male
<b>Race / Nationality</b>	84.1% of staff employed in the CCG declared themselves White 15.9% of staff are not stated/undefined -
<b>Disability</b>	63.4% of staff employed declared themselves as having no disability 35.4% of staff did not declare /undefined 1.2% of staff declared a disability
<b>Sexual Orientation</b>	59.8% of staff described themselves as heterosexual 1.2% of staff described themselves as gay 35.4% did not wish to respond /undefined
<b>Gender Reassignment</b>	No information available
<b>Religion / Belief</b>	Christianity is the largest religious group declared by staff in the CCG 39% 23.2% were undefined or did not wish to declare 11% of staff declared that they were Atheists 12.2% of staff did not wish to disclose their religion 11% of staff declared other faith or religious beliefs
<b>Pregnancy and Maternity</b>	No information
<b>Marriage and civil partnership</b>	62.77% of employees are married as at Jan 2018. 1.06% of employees are in a civil partnership

# Assessing Impact

Is this policy (or the implementation of this policy) likely to have a particular impact on any of the protected characteristic groups?

(Based on analysis of the data / insights gathered through engagement, or your knowledge of the substance of this policy)

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> <sup>1</sup> exists (see footnote below – seek further advice in this case)
Gender		X		In the national NHS staff survey 21% of men and 22% of women reported having experienced bullying or harassment from other staff. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Age		X		The policy should have a positive impact on all protected groups. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Race / ethnicity / nationality		X		It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Disability		X		In the national NHS staff survey 32% of disabled staff and 20% of non-disabled staff reported having experienced bullying or harassment from other staff. The policy should support disabled staff.
Religion or Belief		X		The policy should have a positive impact on all protected groups. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Sexual Orientation		X		The policy should have a positive impact on all staff. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Pregnancy and Maternity		X		In all cases where complaints arise, the CCG will investigate in accordance with the policy to ensure that cases are dealt with appropriately. The policy should have a positive impact on all protected groups. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment' In terms of the legal context the Equality Act Code of Practice produced by the CEHR states the following: 'Pregnancy and maternity and marriage and civil partnership are not protected directly under the harassment provisions. Pregnancy and maternity harassment would amount to harassment related to sex' In addition the ACAS advice guide sets out the following: 'Harassment applies to all protected characteristics except for pregnancy and maternity where any unfavourable treatment may be considered discrimination, and marriage and civil partnership where there is no significant evidence that it is needed' (Link - <a href="http://www.acas.org.uk/media/pdf/o/c/Bullying-and-harassment-at-work-a-guide-for-employees.pdf">http://www.acas.org.uk/media/pdf/o/c/Bullying-and-harassment-at-work-a-guide-for-employees.pdf</a> )

1. <sup>1</sup> The action is proportionate to the legitimate aims of the organisation (please seek further advice)

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> <sup>2</sup> exists (see footnote below – seek further advice in this case)
Transgender / Gender reassignment		X		The policy should have a positive impact on all protected groups. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment'
Marriage or civil partnership		X		In all cases where complaints arise, the CCG will investigate in accordance with the policy to ensure that cases are dealt with appropriately. The policy should have a positive impact on all protected groups. It is recognised by the Chartered Institute of Personnel and Development that 'a well-designed policy is essential to tackle harassment' In terms of the legal context the Equality Act Code of Practice produced by the CEHR states the following : 'Pregnancy and maternity and marriage and civil partnership are not protected directly under the harassment provisions... harassment related to civil partnership would amount to harassment related to sexual orientation.'  In addition the ACAS advice guide sets out the following: 'Harassment applies to all protected characteristics except for pregnancy and maternity where any unfavourable treatment may be considered discrimination, and marriage and civil partnership where there is no significant evidence that it is needed' (Link - <a href="http://www.acas.org.uk/media/pdf/o/c/Bullying-and-harassment-at-work-a-guide-for-employees.pdf">http://www.acas.org.uk/media/pdf/o/c/Bullying-and-harassment-at-work-a-guide-for-employees.pdf</a> )

**What sources of equality information have you used to inform your piece of work?**

(Please refer to the JSNAs and Population data, previous engagement findings, research, patient experience reports etc.)

Not applicable

**What measures have been put in place to mitigate any potential impact?**

Not applicable

2. <sup>2</sup> The action is proportionate to the legitimate aims of the organisation (please seek further advice)

# Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse impact or strengthen the promotion of equality?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

# Sign-off

All EIAs must be signed off by a member of SMT

I agree with this assessment / action plan

Signed off by (Name/Job Title) Sally Brown, Associate Director of Corporate Affairs

Signed: July 2017