

Equality Impact Assessment Form

About the function, policy, project or decision being assessed

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| What is being assessed? | <input type="checkbox"/> | Function |
| | <input checked="" type="checkbox"/> | Policy |
| | <input type="checkbox"/> | Project |
| | <input type="checkbox"/> | Decision |
| Title of the function, policy, project, or decision | Disciplinary Policy (revised) Grievance Policy (revised) | |
| What is this function, policy, project, or decision aiming to achieve? | Disciplinary Policy: ensure that there is a clear and fair approach to disciplinary matters within PSOW that reflects good practice and ACAS guidance. Grievance Policy: set out a clear and fair process to allow staff to raise grievances and for grievances to be handled in a way that is fair to those involved and complies with ACAS guidance. | |
| Who is affected by this function, policy, project, or decision? | All staff who have a Contract of Employment | |
| Who should be consulted about this function, policy, project, or decision? | TU, Staff | |
| Who is conducting this impact assessment? | Marilyn Maidment (HR Business Partner) Ania Rolewska (Head of EDI) | |
| Date: 30/11/2022 | | Version: 1.0 |

Initial screening

| Question | Y | N | If 'YES', briefly explain why |
|--|--------------------------|-------------------------------------|--|
| Does this policy, project or decision relate to our functions or areas of work within those functions for which EIA has identified equality impacts? | <input type="checkbox"/> | <input type="checkbox"/> | The previous EIA of this policy noted that some groups may face disadvantages during the disciplinary or grievance process (see below) |
| Does this policy, project or decision relate to our Equality Objectives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

| | | | |
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| <p>Is there a risk that this policy, project, or decision could disadvantage any group of people?</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>The policy could affect slightly differently people who may require reasonable adjustments due to disability or want to use the Welsh language. However, the arrangements for responding to the needs of these individuals are already covered by other PSOW policies and duties; and are confirmed in this policy being assessed.</p> |
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If you answered 'yes' to any of the questions above, proceed to the full impact assessment.

Impact Assessment

| Characteristic | Potential impact | | | Please explain this impact | Can this impact be mitigated or enhanced? If so, how? | Impact after actions | | |
|------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---|---|--------------------------|-------------------------------------|--------------------------|
| | Negative | Neutral | Positive | | | Negative | Neutral | Positive |
| Cross-cutting considerations | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | These policies intend to ensure that disciplinary and grievance procedures are applied fairly to all staff. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The Grievance Policy states explicitly that members of staff must not be discriminated against or victimised for raising the grievance. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Age | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impacts identified. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Disability | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>It is possible that staff who are disabled could be placed at a disadvantage when</p> <ul style="list-style-type: none"> • seeking to access grievance procedure • being subject to disciplinary procedure. <p>The policies as assessed mitigate that risk by clearly stating our commitment to offer reasonable adjustments during the process.</p> | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | There is a small risk that effects or symptoms of a person's disability may be interpreted as minor misconduct (e.g. poor timekeeping due to health reasons). | A reminder has been included in Appendix I to take into account reasonable adjustments or disabilities that may impact on a Staff Member's ability to meet all the standards required. Advice from the HRBP should be sought before progressing disciplinary matters. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gender (sex) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impacts identified. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gender reassignment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impacts identified. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marriage & civil partnership | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impacts identified. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Characteristic | Potential impact | | | Please explain this impact | Can this impact be mitigated or enhanced? If so, how? | Impact after actions | | |
|-----------------------|-------------------------------------|-------------------------------------|--------------------------|---|--|--------------------------|-------------------------------------|--------------------------|
| | Negative | Neutral | Positive | | | Negative | Neutral | Positive |
| Pregnancy & maternity | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Potential risk that the timeframes set out in the policies could place at a disadvantage people on parental leave. | The HRBP would liaise with the DM to ensure appropriate timescales were modified in order to take into account parental leave commitments. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Race | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | There is the potential for misunderstanding of these policies by staff for whom Welsh or English are additional languages. This risk is very remote, as all PSOW staff have very good literacy level. Nevertheless, both policies include that Welsh will be used if Welsh is the first language. | Reference has been included in both policies, that if the first language is Welsh, the process can be conducted in Welsh. If English, then conducted in English. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Religion or belief | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The timeframes outlined in the policies could potentially clash with religious celebrations. This risk is mitigated by the timeframes involving a degree of flexibility, allowing to avoid important dates. | The HRBP will liaise with the DM to avoid arranging Hearings or formal meetings during festive periods such as Ramadan. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sexual orientation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impacts identified. | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Welsh language | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | There is a risk that Welsh speakers will not be able to fully access or participate in grievance or disciplinary procedure in Welsh. However, the policies as assessed mitigate that risk, as they comply with our Welsh Language Standards. The policies are available bilingually, and they state clearly that any formal part of these procedures can be undertaken in Welsh. | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| Characteristic | Potential impact | | | Please explain this impact | Can this impact be mitigated or enhanced? If so, how? | Impact after actions | | |
|--|-------------------------------------|--------------------------|--------------------------|---|---|--------------------------|-------------------------------------|--------------------------|
| | Negative | Neutral | Positive | | | Negative | Neutral | Positive |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <p>The Grievance Policy as assessed states that ‘If any aspect of the grievance procedure causes the staff member difficulty because of any disability that they may have, or if they need assistance because English is not their first language, they should raise this issue with their line manager, their manager’s manager or the HR adviser, who will make appropriate arrangements.’ This section omits reference to Welsh, treating Welsh less favourably than English.</p> <p>Section 3 Principles outlines that grievances may be raised in Welsh or English and any member of staff will be able to use Welsh or English, in accordance with their preference in any formal part of this process. Any formal grievance will be handled and responded to in the language used by the person who submitted the grievance.</p> | This has been modified to include Welsh language provision in the introduction. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>Socio-economic characteristics</p> <ul style="list-style-type: none"> rurality low/no income caring duties | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <p>Potential risks that the timeframes set out in the policies could place at a disadvantage people with caring duties?</p> <p>Where appearance in person is required (e.g. disciplinary hearing / the Grievance Meeting), the policies need to explain how these requirements will be applied to people who work remotely.</p> | <p>Both policies outline that if a Contract of Employment designates the Staff Member as a remote worker, it may be necessary to hold any Hearings or formal meetings on line.</p> <p>The HRBP in conjunction with the DM will ensure that timeframes are adjusted for any Staff Member who requires it due to their caring responsibilities.</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Please record the evidence that you used to assess impact:

Record of use of our disciplinary and / or grievance procedure

These procedures are used very rarely within PSOW. In 2021/22, no one was subject to the disciplinary process or used the disciplinary procedure. Only one person used the grievance procedure.

We now have the capacity to analyse the equality profile of the staff involved in disciplinary and / or grievance procedure. However, with the numbers of staff affected by those procedures minimal, it is not possible to draw comparisons with organisational data related to protected characteristics or to publish the equality information without compromising confidentiality.

The ACAS Code of Practice was also considered when updating the Policies.

EIAs of other organisations

A range of other organisational EIAs has been reviewed to look at good practice and to understand the impact that Disciplinary processes may have on particular groups of people. e.g.

- [Orkney Islands Council](#)
- [Maldon District Council](#)
- [Public Health Wales.](#)

However, these assessments were all conducted by much larger organisations where the disciplinary process was used much more extensively than in case of PSOW.

Please record any consultation and engagement undertaken

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| 7/12/22 Both Staff and TU |
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Outcomes report

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|---|--|-------------------------------|
| EIA stage completed | <input checked="" type="checkbox"/> | Initial screening |
| | <input checked="" type="checkbox"/> | Full assessment |
| Summary of negative impacts identified | | |
| Decision | <input checked="" type="checkbox"/> | Proceed – no changes |
| | <input type="checkbox"/> | Proceed – actions needed |
| | <input type="checkbox"/> | Do not proceed |
| Action plan | If actions are needed to proceed with the policy, project or decision, please specify here the actions, who is responsible for them and who will monitor how they are implemented. | |
| | Authorised by MT | Date 06/12/2022 |