

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Amendment to Flexible Working Arrangements
DEPARTMENT:	HR
TEAM:	Policies and EDI
LEAD OFFICER:	Meeta Lakhani
DATE:	2.10.23

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Flexible Working Policy's aim is to provide flexibility in working where it is beneficial to both staff and the Council. It describes different types of flexible working and a procedure for requesting it formally. The recent change in the policy proposes a change from employees working from their place of work from 1 day a week to up to 3 days a week, where at least one of those days is a Monday or a Friday. It also proposes that all DMT and team meetings are face-to-face and that this provision should be pro-rata for part time employees. The main aim of the change is that the Council has more people present for its residents and that there is more collaborative working.

2. Who may be affected by this policy or proposal?

The covid pandemic has had an impact on lifestyles, health and ways of working. It is recognised that these changes will have had varying effects on staff. Impacts on staff will range from an increase in health issues (eg mental health), a change in the way that dependents are cared for to changes in circumstances and the ability of staff to travel to work.

The proposed policy recognises these impacts and aims to provide a supporting framework to help managers bring employees back to work on a more regular basis whilst recognising the benefits to both staff and the Council of increasingly working together at places of work. It also provides a mechanism for employees to request a change in flexible working where their needs are not being met.

Employees who work flexibly in the Council will be impacted by the change in policy, as opposed to those who need to come to their place of work in customer facing roles. Employees with dependents (parents and/or carers) and females will also most likely be

affected by the change in policy as they are more likely to benefit from working flexibly. Females form the majority of parents and carers in the Council (data used was from end March 23 where employees have disclosed this information) and could be impacted in a negative way. In addition, employees who are carers of vulnerable people may be more cautious of the need to come in and so could be negatively impacted.

Other staff who may be impacted may be those from low socio-economic backgrounds where the increase in travel costs and childcare may cause resources to be stretched.

The impact of the change on employees who are disabled or have a long term impairment may be mixed. For some, the change in the requirement to come to work may present mobility problems, sensory problems, for example in a noisier and brighter workplace, or accessibility problems during travel, for example. Conversely, some disabled employees may find it easier to come to work where adjustments have been made to their work environment. Those who are suffering from mental health problems (numbers of those who have declared are relatively low) may also benefit from working increasingly in the office on a more structured basis and with closer management support.

As a greater number of employees are from Black, Asian and Multi Ethnic backgrounds than those from non Black, Asian and Multi Ethnic backgrounds (White groups), it is likely that a greater number are affected by a change which affects all staff. There is no evidence to suggest that they are disproportionately affected.

In addition those employees who live further from their place of work will be impacted though there is no data to demonstrate this.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Potentially – due to above possible implications of change.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	Impact Positive	Impact Neutral/None	Impact Negative
Age		X	
Sex			X
Race			X
Disability *	X		X
Sexual orientation		X	
Gender reassignment		X	

Religion or belief		X	X
Pregnancy or maternity			X
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

Screening Checklist

	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council’s public sector equality duty?	y	
Does the policy or proposal relate to an area with known inequalities?	y	
Would the policy or proposal change or remove services used by vulnerable groups of people?		n
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	y	

If you have answered YES to ANY of the above, then proceed to section B.

If you have answered NO to ALL of the above, then proceed straight to section D.

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

I used the data available to me – using a snapshot as at 31 March 2023. In the Council we have 13% of employees who are carers and 40% who are parents. The impact is relatively small in numbers for carers. 67% of carers employed by the Council are female. 63% of parents employed by the Council are female. I expect them to have the largest impact, though disabled employees could also be negatively and positively impacted. 8% of our workforce are disabled.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE

Details of impacts identified	Approx. 40% of all carers are in the 51-60 age bracket. Approx. 40% of parents are in the 41-50 age bracket. Age in the workforce:
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	<p>Under 31 – 14%</p> <p>31-40 – 21%</p> <p>41-50 – 25%</p> <p>51-60 – 29%</p> <p>61 and over – 11%</p> <p>The impact could be negative for certain groups, though there is no data to support this</p>
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DISABILITY

Details of impacts identified	<p>8% of the workforce consider themselves to be disabled, or have a long term impairment or condition. 7% of all parents in the Council are disabled. Approx. 12% of carers are disabled – though this is relatively small. For some disabled employees, working from the place of work can bring positive impacts such as for those who have mental health issues where working remotely can cause isolation, or those for whom workplace adjustments have been assessed and implemented and who can move around more freely. Working more collaboratively and communicating directly may be a benefit for some disabled employees. For others the negative impact of coming into the place of work may include commute and transportation challenges, the use of more resources to carry out regular activities such as to travel, and an increased risk of exposure to contagious diseases, for employees who have serious health conditions. In addition, some neurodivergent employees may experience increased difficulties, for example sensory difficulties, when coming increasingly to the workplace. Approx. 2% of the workforce have declared themselves to be neurodivergent.</p>
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RACE

Details of impacts identified	<p>The majority of employees (69%) in the Council are Black, Asian or Multi-Ethnic and so it is possible that they will be more negatively impacted, though this policy applies equally to all protected characteristics. The majority of parents and carers are also from a Black, Asian or Minority Ethnic background.</p>
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SEX

Details of impacts identified	<p>Females will be impacted as above.</p>
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SEXUAL ORIENTATION

Details of impacts identified	<p>4% of the Council identified as LGB or other. Other impacts are unknown.</p>
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PREGANCY AND MATERNITY

Details of impacts identified

Parents will be impacted as above and make up 40% (approx.600 employees) of the Council.

RELIGION OR BELIEF
Details of impacts identified

Christians made up the majority of religions in the group of carers at 52%. Other impacts are unknown.

GENDER REASSIGNMENT
Details of impacts identified

Approx. 1% of employees are not the same gender assigned at birth. Impacts are unknown.

MARRIAGE & CIVIL PARTNERSHIP
Details of impacts identified

56% of employees (for whom we have this information) are married or are in a civil partnership. Impacts are unknown.

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

It is considered that any serious negative impacts which employees face can be managed via the flexible working policy on a case by case basis. The move to working in the 'office' for 3 days a week etc is based on business needs but may bring other benefits.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Engagement will take place for managers who will need to manage any issues arising from the change in policy and with employees to make them aware of the support available on implementation of this policy.

5. Please detail any areas identified as requiring further data or detailed analysis.

N/A.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

We are reverting to ways of working before the covid pandemic and so have previously experienced the types of impacts which employees may have. However, whilst there are business benefits of employees working at their place of work, changes in circumstances since employees were required to work remotely has meant that the impact on some employees will be greater.

Numbers of some potentially affected groups is relatively small and any further impacts are speculative. However, the Council's Flexible Working Procedure is in place to deal with requests for flexible working on a case by case basis to reduce the impacts of the change for employees whose needs are great. These will be considered in light of any service needs. The Council will also continue to ensure, where possible, that the working environment is fit for purpose and clean and will strive to make reasonable adjustments where required. This includes continuing to provide quiet office spaces, for example, the Wellbeing Lounge in the Civic Centre.

The Council, where possible, is committed to providing employees with the support they need to comply with this policy and will be providing managers with the guidance they need to deal with issues that arise. The employee assistance programme is available as a support where employees wish to access it. In addition, the main changes to the policy are being implemented on a phased basis and this will provide all employees with time to make the necessary arrangements.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The policy and its impacts will be reviewed periodically by the Council's CMT and by HR, for example by looking at staff turnover, sickness, staff engagement and performance.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The policy implementation will go ahead with the provision that any impacts can be managed via flexible working requests. with further reviews of the policy as above. This will be with sufficient transparency of the proposed plans for a phased change and with sufficient support for managers and employees.

SECTION D – RESULT

Please select one of the following options. Mark with an "X".

A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	

D	STOP OR ABANDON THE POLICY/PROPOSAL	
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SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
N/A			

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Meeta Lakhani 11.10.23
REVIEWING OFFICER:	
HEAD OF SERVICE / Director:	Sue Evans 11.10.23