

Equality Impact Assessment - Dignity at Work

Description of Policy

The Council has reviewed its Grievance and Harassment (Renamed Dignity at Work) policy. This policy was identified corporately as having significant impact upon equality across the Council. The aim was to achieve a revised harassment and grievance procedure that eliminates and takes corrective action against employees who bully, discriminate and harass whilst making sure that management capacity is used efficiently to remedy problems as close to the point of origin as possible. The procedure also provides a vehicle for employees to make complaints against their employer. The policy is a corporate policy and applies to all SMBC employees (excluding school based employees who have a similar policy within schools.) the policy is seen as a key policy for the demonstration of Equality across the Council.

How the policy has been assessed.

The old grievance and harassment policy has been in operation for approximately 2 years. During this time we have been monitoring its effectiveness. The last monitoring period ending March 2005 the Council had received 30 cases of harassment and bullying resulting in 3 Employment Tribunal cases. As this represents less than one half a percent of the total workforce (15,500 employees) the data is not statistically significant. As part of the process these cases were reviewed to enable lessons to be learnt. It is important to regularly monitor the Council's performance as part of the Council's commitment to equality and the ongoing implementation of the new policy.

Stakeholder organisations have been consulted. These include Trade Union, ACAS, Sandwell Homes, Sandwell Leisure Trust and others. An initial draft policy was developed by the strategic personnel unit, drawing upon ACAS guidance, lessons learnt from Employment Appeals/Tribunal, lessons learnt from the operation of the existing process, and by reference to HR best practice. A series of working groups were held with stakeholders across a 12 month period where the policy and guidance was further refined based upon stakeholder feedback. Culminating in the policy being agreed by the Council in April 2006 with full implementation being September 2006. We have developed an action plan, for the implementation of the new policy, which deals with any adverse impact the policy may have.

Key data in the assessment was collected from the council's corporate investigation team, who have investigated on behalf of the Council grievance and harassment complaints. The main conclusion that could be drawn from this data was that managers need to handle the initial complaints properly in a timely manner before they the complaint grows into a much larger problem. This highlighted a development / training issue for managers.

What we have achieved.

We have managed to achieve a fully supported partnership approach to handling Grievances and Harassment, which has been developed with all major stakeholders to the process. The revised process has timescales, they will ensure that the process is undertaken within an acceptable time and complaints / problems are dealt with as close to the point of origin as possible.

By working with external partners e.g. ACAS the Council has been able to develop a policy, that is best practice.

An action plan has been developed which deals with the implementation and any negative impact the policy has upon equality. This enables resources to be targeted at the areas of implementation, training, monitoring and evaluation to prevent negative impact.

An initial equality impact assessment has been developed which considers the new policy and specifically the impact the policy will have upon equality across the Council. From this an Enhanced ongoing monitoring will enable the Council to review the implementation and performance of the new policy and enable relevant review to be undertaken.

The Full Impact Assessment will be published both internally and externally in accordance with the equality standard. Ongoing monitoring data will also be published periodically.

The New policy will apply to all SMBC employees (excluding School Based employees who have a similar process) . It will also apply to major partners e.g. Sandwell Homes and Leisure Trust ensuring a standard process across the whole workforce.

The Findings

The assessment and consultation identified that whilst the policy is legally robust and does deal with cases equitably there are concerns about how managers will implement the policy across the Council. The policy is designed to impact positively upon the way we deal with grievance /harassment but has the potential if implemented incorrectly of having a negative effect on equality resulting in an increase of complaints and legal litigation against the Council at Employment Tribunal.

As a result of this assessment, to ensure that the policy is correctly implemented and that it achieves a positive impact. The Council will:-

- Undertake training for all managers involved in the process. (Complete Sept 2006)
- Have an intranet based advice / good practice guide for managers. (Complete Sept 2006)
- Regularly monitor both the implementation and outcomes of the process. This analysis in the form of performance indicators will be reported to Senior Management on a Quarterly basis. (Ongoing from Dec 2006)
- The new policy contains timescales which will reduce the amount of time taken to deal with complaints.
- Report the annual performance and assessment to the appropriate Council Meeting. (May 2007)
- Undertake further consultation to assess impact after 12 months of operation. (September 2007)
- The Councils public image is damaged by publicity caused by a breakdown in this and other HR processes especially where complaints are submitted to external

- tribunal. It is essential that all such cases are dealt with correctly through the process to maintain legality and so minimise criticism.
- Employee Satisfaction Survey will continue to collect data from employees regarding harassment.
- The Council as a major employer in the area will continue to be an exemplar of good practice.

How we will continue to improve.

An Integral part of the review and Equality Assessment will be the monitoring of both the implementation and the effectiveness of the policy. This will be done on a quarterly basis.

Regular monitoring reports (Quarterly) detailing different levels of information will be published to senior management, elected members and on the Council website.

Strategic personnel / legal will analyse cases to extract any lessons learnt and these will be used to change training for managers, review the policy impact assessment, as well as informing ongoing policy review.

Monitoring of timescales will be reported on a quarterly basis to senior management to ensure that cases are being dealt with efficiently and in accordance with best practice. Blockages will be highlighted to senior management.(Quarterly)

Overall we will develop local performance targets for managers (with effect from December 2006) which reduces the amount of resource required for this function by dealing with complaints quicker and more efficiently.

Details of the policy will be regularly published through payslips, new starter information, e mail and notice board to ensure that employees know about the scheme.

Refresher training and regular training courses will be available for new or promoted managers.

Electronic training package will be available on the Councils Intranet to act as a refresher for managers who need to administer this process.

We will work with stakeholders to obtain feedback and annually review the policy.

The Council will continue to collect and publish details of harassment and discrimination lodged with the Council.

A corporate implementation plan has been drawn up as part of the assessment and will be updated regularly.

Implementation Action Plan
Equality Impact Assessment – Dignity at Work

Ref	Action	Responsible Officer	Actioned BY DATE	Monitoring	Progress
1)	Publication of revised policy				
1.1	Agreed Policy to be advertised, A) Payslips for Employees B) Posters + Flyers. Press release C) Intranet/internet release including EIA D) Discussions/briefing with manager at thematic level E) Ongoing discussion with stakeholders through the year. E.g. Sandwell Homes, SLT's, TU's	L B L B H K/ W B Strategic Personnel Manager A B	Sept 06 Sept 06 Sept 06 Sept 06 Mar 07	Monthly P10 meeting “ “ “ “ “ “ “ “	
2)	Training/E Training				
2.1	Training pack developed for the training/briefing of managers upon the key principles of the policy	S S L B	Sept 06	“ “	
2.2	Development of E training module based upon flash media	S S H K K D			
2.3	Development of ongoing refresher course available as part of (CDP) corporate Development Plan.	S S	Mar 07	Monthly P10 meeting	

Ref	Action	Responsible Officer	Actioned BY DATE	Monitoring	Progress
3)	<u>Application/Implementation of Policy</u>				
3.1	The policy will be launched 1 st September 06. <u>Go live</u>	S S	1/9/06	“ “	
3.2	Thematic operational Personnel teams to support process, support managers + employees ongoing.	Strategic Personnel Managers	Mar 07		
3.3	6 monthly press release via intranet describing success of policy and asking for feedback	L B	Mar 07	“ “	
4)	Monitoring and Evaluation				
4.1	Develop Local Key performance indicators for assessing the success of the policy	H K K D	Dec 06		
4.2	Develop regular quarterly reporting as a local KPI to management and members upon take up/application of the policy.	H K Strategic Personnel Managers	Mar 07	Monthly P10 meeting	
4.3	Develop performance management/Audit regime to establish policy's impact across the organisation by category	H K / Strategic Personnel Manager	Mar 07	“ “	
4.4	Annual reporting of findings to JMT and CAT	H K	Mar 07		
5)	<u>Review of Policy and revised Equality Impact Assessment</u>			“ “	

Ref	Action	Responsible Officer	Actioned BY DATE	Monitoring	Progress
5.1	Establish small working group of stakeholders after 6 months/12 months operation to review feedback	A B S S	Mar 07 Sept 07	“ “	
5.2	At 12 months undertake a review of EIA to ensure impact has been correctly interpreted	Stakeholder Group Lead A B	Sept 07	“ “	