

## Equality Impact Assessment

3.1	<b>Title of Proposal:</b>	Dignity & Respect Policy
3.1b	<b>What is it?</b>	A new Policy/Strategy/Practice <input type="checkbox"/> A revised Policy/Strategy/Practice ✓
3.2	<b>Service Area: Department:</b>	Chief Executive Human Resources
3.3	<b>Description:</b>	<p>This assessment is a requirement due to the review of the Dignity and Respect Policy (“the Policy”) which has been undertaken to ensure that the Policy remains fit for purpose mirroring good practice and current legislation. The Assessment also considers the equality impact with reference to each individual protected characteristic in terms of the Equality Act 2010.</p> <p>As a preliminary point, (and to avoid repetition) it should be noted that the practices and processes included with in this Policy should positively impact on <u>all</u> equality groups.</p> <p>Furthermore the Policy is available on the intranet and consequently available in different fonts, text size and through assisted technology.</p> <p>The Policy highlights Scottish Borders Council’s (“the Council’s”) approach on the prevention and appropriate management of allegations of bullying, harassment and victimisation. The Policy also provides examples of the types of behaviour which can constitute bullying and harassment. Furthermore the Policy provides guidance on staff responsibility, and advises employees on remedies.</p>

		<p>The Policy applies to all staff working within the organisation and to all employees working off the premises. It also applies to elected members. It extends to include non-permanent workers such as secondees, contractors, agency, temporary staff, consultants and any other workers. Additionally the Policy covers the behaviour of staff outside working hours which may impact upon work or working relationships.</p> <p>Ultimately the Policy promotes dignity and respect with the aim of eliminating bullying and harassment, creating an environment in which individuals are welcomed, respected, valued and supported to meet the commitment to the Council's ethos.</p>
--	--	---

3.4	<b>Impact Assessment</b>					
	<b>Equality Characteristic</b>	<b>Impact</b>			<b>Description</b>	<b>Mitigation &amp; Recommendations</b>
		<b>No Impact</b>	<b>Positive Impact</b>	<b>Negative Impact</b>		
	<b>Age</b> (Older or younger people or a specific age grouping)		X		This Policy should result in a positive impact on all age groups. Negative stereotypes about particular age groups exist and this Policy should reduce the risk that bullying and /or harassment happens on the grounds of age. It is anticipated that this Policy will promote dignity and respect in the workplace and that this will positively impact on all staff who share protected characteristics, including those from different age groups.	
	<b>Disability</b> e.g. Effects on people with mental,		X		This Policy should result in a positive impact on people with a disability. Evidence from the Equality and Human Rights Commission has shown that people with a disability are more likely to suffer	

	physical, sensory impairment, learning disability, visible/invisible, progressive or recurring				<p>harassment or discrimination than non-disabled people. The Commission note that low-level instances of disability harassment can be prevalent and it is anticipated that this Policy, if successfully implemented, should reduce the risk of harassment or discrimination occurring.</p> <p>The Policy raises awareness of the impact of bullying and harassment on an individual. This can include ill-health or suffering stress. People with underlying health conditions or disabilities can be more vulnerable to stress, and it is therefore important that strategies such as this are developed to ensure a safe and tolerant working environment.</p> <p>The Policy provides specific examples of disability associated harassment which includes any hostile or offensive action directed towards the ability of disabled people, or jokes, remarks or abuse. This raises awareness of unacceptable behaviour and should positively impact on this group.</p>	
	<b>Gender</b> (Males, Females, Transgender or Transsexual people)		X		<p>It is anticipated that this Policy will have a positive impact on men, women and transgender staff. The Policy has been developed to ensure a tolerant workplace where people are treated with dignity and respect. In particular, it should ensure that staff who are undergoing or have undergone the process of gender reassignment will be treated sensitively by other members of staff.</p>	

	<b>Race Groups:</b> including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)		X		<p>This Policy should have a positive impact on people who share the protected characteristic of race. The Council's commitment to a zero tolerance approach to racism should reduce the risk of racism occurring in the workplace.</p> <p>The Policy provides examples of what may constitute racial harassment, which can range from violent physical assault to jokes, remarks, threats or abuse. The Policy notes that harassment can include encouraging others to commit racist acts. This is a good practice approach which recognises that racist acts can be committed by groups of people.</p>	
	<b>People with Religious or other Beliefs:</b> different beliefs, customs (including atheists and those with no aligned belief)		X		<p>This Policy should reduce the risk that religious groups (or atheists/agnostics) suffer harassment or discrimination. The Policy states that all people's views should be respected equally and this should result in a tolerant working environment.</p>	
	<b>Pregnancy and Maternity</b> (refers to the period after the birth, and is linked to <b>maternity</b> leave in the employment)		X		<p>The Policy applies to all including a woman who is pregnant or on maternity leave. It classifies characteristics protected from unlawful harassment and gives examples of behaviour which would constitute bullying and harassment.</p>	

	context. In the non-work context, <b>protection</b> against <b>maternity</b> discrimination is for 26 weeks after giving birth),					
	<b>Sexual Orientation</b> , e.g. Lesbian, Gay, Bisexual, Heterosexual		X		Lesbian, gay and bisexual people are more likely to suffer harassment or teasing connected with their sexual orientation. This Policy should enable the Council to effectively deal with any incidents, and raising awareness of the importance of dignity and respect in the workplace should reduce the likelihood of harassment occurring.	
	<b>Carers</b> (those who have caring responsibilities for someone with an equality Characteristic)		X		The potential impact of this Policy is not directly relevant to these groups, and there is no likelihood that differential or adverse treatment will occur on this basis	
	<b>Employees</b> (those employed by the Council including full time, part time and temporary)		X			

	<b>Poverty</b> (people who are on a low income including benefits claimants, people experiencing fuel poverty, isolated rural communities etc)		X		The potential impact of this Policy is not directly relevant to this group, and there is no likelihood that differential or adverse treatment will occur on this basis. Consideration on this ground is more relevant with Council public facing services as opposed to internal HR policies.	
--	---	--	---	--	---	--

3.5	<b>Relevance to the Equality Duty in Summary:</b>	
	<b>What impact will your proposal have on the following :</b>	
	<b>Equality Duty</b>	<b>Reasoning:</b>
	<b>Elimination of discrimination (both direct &amp; indirect), victimisation and harassment.</b>	Maintaining a tolerant workplace environment in which all individuals feel safe and are respected should positively impact all staff and work towards the elimination of discrimination, victimisation and harassment.
	<b>Promotion of equality of opportunity?</b>	The Policy sets out managers' and staff responsibilities which should enable implementation of the overall strategy. Reference is made to the Council's range of policies which support this Policy. In particular, reference is made to the Disciplinary Procedure, Grievance Procedure, and the Attendance

		Management Policy. These policies and procedures have been impact assessed by the Council and actions have been proposed to ensure that the risk of negative impact is mitigated.
	<b>Foster good relations?</b>	Raising awareness of unacceptable behaviour within this Policy should assist the Council in the advancement of equality and the prevention of discrimination for all people who share protected characteristics. It should also assist in fostering good relations between different equality groups.

3.6	<b>Recommendations &amp; Mitigation</b>		
	<b>Characteristic</b>	<b>Mitigation/Recommendation</b>	<b>Approved Yes/No</b>
	<b>All</b>	A review of the Policy has established that the Policy is relevant and fit for purpose. Additionally, no negative impacts have been identified in this assessment. However to ensure this remains the case the Council will:- <ul style="list-style-type: none"> <li>Continue to monitor any grievances raised about matters related to dignity and respect in the workplace.</li> </ul>	
		<ul style="list-style-type: none"> <li>Continue to monitor when disciplinary action is taken in respect of alleged instances of bullying, harassment or other unacceptable behaviour</li> </ul>	
		<ul style="list-style-type: none"> <li>Continue to raise awareness of the Policy as described within the Policy</li> </ul>	
		<ul style="list-style-type: none"> <li>Records (Section 9) of the Policy extended to include examples of how allegations, incidents or concerns may be raised.</li> </ul>	
<ul style="list-style-type: none"> <li>Review the Policy in two years from the date of publication of the revised Policy (July 2017) or as a requirement due to legislative changes.</li> </ul>			

<b>EIA Completed By</b>			
Name/Post	Iain Davidson Senior Employment Solicitor	Service /Directorate.	Human Resources
	Simone Doyle Equality & Diversity Officer (HR)		
	Emily Elder – Student Human Resources	Date:13 <sup>th</sup> July 2017	

<b>Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)</b>			
Name:	Clair Hepburn	Directorate:	Chief Executive
Post:	Human Resources Service Director	Date:	19/09/2017