



**EQUALITY IMPACT ASSESSMENT
PRELIMINARY SCREENING**

School/ Department	Human Resources
Date	March 2013

Name of Policy*
Guidelines for Undertaking Reviews

What are the aims, objectives & projected outcomes?	
The guidelines are designed to ensure that the restructure process is dealt with in a fair and sensitive manner with clear processes explained and detailed information provided regarding the various stages that would be involved in the review or restructure of a department.	
This is a new policy	N
This is a change to an existing policy <i>(Check whether original policy was equality impact assessed. If so, review and update Action Plan).</i>	N
This is an existing policy	Y

Will the policy have an impact on students, staff or members of the public?	Y
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy?	Y
Are there any aspects of the policy that could contribute to equality or inequality?	N

If you answer **YES** to any of these questions, go on to the full EIA.
If you answer **NO** to all of these questions, please provide appropriate evidence and sign off.

* The term 'policy' incorporates all Conservatoire procedures, processes and guidance documents

This policy was screened for impact on equalities. The following evidence has been considered. No full equality impact assessment is required.	
<i>[Insert evidence]</i>	
Senior Manager sign-off	N/A
Date	

Please return the completed form to Roz Caplan, Conservatoire Equality and Diversity Officer either by internal mail or by email to: r.caplan@rcs.ac.uk

FULL EQUALITY IMPACT ASSESSMENT TEMPLATE

School/ Department	Human Resources
Date	3rd April 2013

Name of Policy
Guidelines for Undertaking Reviews

What are the aims, objectives & projected outcomes?
The guidelines are designed to ensure that the restructure process is dealt with in a fair and sensitive manner with clear processes explained and detailed information provided regarding the various stages that would be involved in the review or restructure of a department.

1 SCOPING THE EIA

1.1 Scope of the EIA work

The guidelines were amended in August 2011.

These guidelines have the potential to apply to all staff regardless of their characteristics as any department/school within the Conservatoire could find itself subject to review

These guidelines are designed to ensure that the restructure process is dealt with in a fair and sensitive manner with clear processes explained and detailed information provided regarding the various stages that would be involved in the review or restructure of a department.

Approved by the Consultative Forum and were most recently discussed in September 2011.

Information on consultation meetings, SRBs etc are held by the HR department for the appropriate amount of time in accordance with data retention legislation and principles

2 COLLECTING DATA

2.1 What relevant quantitative and qualitative data do you have?

This may include national research, surveys or reports, or research done by colleagues in similar areas of work.

Please list any evidence in the boxes below (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational activity.

<p>Race</p>	<p>The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of race. There have been no reports of discriminatory treatment during the selection decision to date.</p>
<p>Religion or belief & non-belief</p>	<p>The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of religion or belief & non-belief. There have been no reports of discriminatory treatment during the selection decision to date.</p>
<p>Disability</p>	<p>The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of disability. There have been no reports of discriminatory treatment during the selection decision to date.</p>
<p>Gender</p>	<p>The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of gender. There have been no reports of discriminatory treatment during the selection decision to date.</p>
<p>Gender Identity</p>	<p>The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of gender identity. There have been no reports of discriminatory treatment during the selection decision to date.</p>

Sexual Orientation	The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of sexual orientation. There have been no reports of discriminatory treatment during the selection decision to date.
Age	The guidelines involve a selection decision where there are two individuals who deem a post to be suitable alternative employment or where an individual identifies a position as suitable alternative employment which is on a higher grade than their own. It is important that this selection decision does not allow for discrimination on the basis of age. Redundancy will impact different age groups differently as the level of redundancy payment is linked to age and length-of-service, which may also be age related. There have been no reports of discriminatory treatment during the selection decision to date.

2.2 What are the overall trends/patterns in this data?

This policy does not make reference to a voluntary redundancy policy, and so it is very important that a fair and transparent selection decision is made.

Though redundancy will impact differently on different age groups, this is not used as a factor when a selection decision is made.

2.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?

It needs to be established that the selection criteria for redundancy do not allow for any discrimination based on any of the protected characteristics.

It needs to be established how much age should be taken into account when making an employee redundant, as this can impact on the resulting redundancy payment.

Recommended resources to consult:

- Initial feedback from the Consultative Forum needs to be reviewed
- Questions and Queries from employees involved in past restructures need to be reviewed
- This EIA needs to be cross-referenced with the EIA for the Recruitment and Selection Policy as there will be interviews involved where two candidates are equally matched for a position.
- Review external information for information on best practice in selection decisions

3 INVOLVING AND CONSULTING STAKEHOLDERS

In this section, describe the data you have gathered through stakeholder involvement and engagement.

3.1 Internal consultation and involvement:

(e.g. with other Departments, Staff (including support groups), Students etc

Review of feedback from past reviews

An initial review of feedback/queries from past reviews does not indicate any issues raised regarding potential discrimination or different treatment on the basis of protected characteristics.

Review feedback from Consultative Forum

This policy was introduced in January 2011 discussed in-depth by the Consultative Forum in February 2011. It was seen as a clear policy and was described as being subject to “rigorous scrutiny”

3.2 External consultation and involvement:

(Strand-specific organisations e.g. charities, local community groups, third sector)

CIPD in their Redundancy FAQ note that there may be a finding of indirect age discrimination where “Last in, first out” or other measures related to length of service are used as a selection criterion for redundancy. They review the case of *Rolls Royce plc v Unite* advise that “Length of service can therefore be used as a criterion for redundancy selection, but not be a sole criterion.....It is still a more careful course of action to avoid LIFO altogether” The Conservatoire’s policy would therefore be seen as following best practice by avoiding age as a selection criterion for redundancy.

CIPD advise that absence levels etc. should be used wisely to make sure they do not discriminate against pregnant or disabled employees. They advise that All criteria should be completely objective and the overall test is one of reasonableness.

The Equality and Human Rights Commission advises whether there is unlawful discrimination will depend on there being a link between the impact of the criterion and the protected characteristic of the person being made redundant but outlines the following as areas where there is a potential for discrimination.

- Length of service
- Absence record and working hours
- Training and qualifications

The Conservatoire’s policy suggests interviews as a way of deciding between two equally qualified candidates and is based on the candidate’s skills and current job description.

The CIPD also reminds employers that “If employees who have actually

commenced their maternity leave are selected for redundancy then special provisions apply to them. They must be given first refusal on any available suitable alternative employment. It is very important that employers understand the importance of offering suitable alternative employment.” Currently the policy does not allow for this.

4 ASSESSING IMPACT

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your conclusions, decided on priorities, identified actions and any necessary mitigation.

4.1 Assessment of the impact

A review of the policy against the highlighted criteria indicates that:

- Using interviews as a means of selection is acceptable but this is dependent on an EIA being conducted on the Recruitment and Selection Policy.
- The policy needs to be amended to allow for first refusal for employees on maternity leave.

Now complete the EIA Action Plan.

5 ACTION PLANNING AND SIGN OFF

5.1 Sign-off

Now submit your EIA and related evidence for clearance.

Date of completion of EIA	April 2013
Compiled by	Julia Murphy, HR Advisor
Senior Manager sign-off	Jackie Russell, Director of HR
Date to Equality + Diversity Officer	April 2013
Date of publication of EIA Report	April 2013
Review date	April 2014

5.3 Publication and Review

Ensure that the EIA including the Action Plan are published alongside your policy/guidance/operational activity.

IMPORTANT - Review, revise and update annually!

Action Plan Following EIA on Guidelines for Undertaking Reviews

ACTION / ACTIVITY	OWNER AND INTERESTED STAKEHOLDERS	DEPENDENCIES / RISKS / CONSTRAINTS	COMPLETION DATE	PROGRESS UPDATE
Amend the policy to allow for first refusal for employees on maternity leave	HR Pregnant / new mothers Advise Consultive Forum.	Need to re-write and present to Consultative Forum	October 2013	
EIA to be conducted on Recruitment and Selection Policy	HR HoDs for Departments Under Review All staff whose roles are subject to review	Currently being completed	April 2013.	