BCH01/008

Fairness at Work Procedure
# TABLE OF CONTENTS

1. PROCEDURE AIM........................................................................................................3
2. APPLICABILITY........................................................................................................3
2.1 Inclusions.............................................................................................................3
2.2 Exclusions.............................................................................................................3
3. PROCEDURE DETAIL .............................................................................................3
Appendix A: Process to raise a complaint or concern.............................................14
Appendix B: Process flow charts............................................................................15
4. TRAINING AND ACCREDITATION REQUIREMENTS ...........................................17
5. ASSOCIATED DOCUMENTATION .........................................................................17
5.1 Legislation/ National Guidance .........................................................................17
5.2 Strategy/ Plan .....................................................................................................17
5.3 Policies ...............................................................................................................17
5.4 Procedures .........................................................................................................17
5.5 Forms (National/ Local)....................................................................................17
6. WHO TO CONTACT ABOUT THIS PROCEDURE .............................................17
7. EQUALITY ANALYSIS..........................................................................................18
1.  **PROCEDURE AIM**

1.1 Concerns, problems or complaints will arise as part of ordinary working life in any organisation. It is important that when they do they are highlighted promptly and resolved quickly through dialogue locally and informally to avoid more formal and potentially protracted discussions. If however resolution cannot be achieved through local informal discussion this structured procedure aims to give individuals a fair and transparent process to address their issues and seek resolution without fear of recrimination, to propose a resolution, explore solutions, and to receive a timely response to their concern.

2.  **APPLICABILITY**

2.1 **Inclusions**

2.1.1 The Fairness at Work procedure is applicable to all police officers, the Special Constabulary, volunteers, Cadets and police staff, including temporary and fixed term employees and those in their probationary period.

2.2 **Exclusions**

2.2.1 The Fairness at Work procedure does not apply to disagreement between a force(s) and Unison on collective matters where discussion at a local level has been exhausted and not reached a satisfactory resolution, these being covered by the Disputes Procedure; nor does it apply to disagreement between the forces(s) and the Federation or Superintendents Association.

2.2.2 Unless a fundamental issue is identified, the Fairness at Work procedure cannot be used to raise a complaint about policy or procedure. Its use may however be appropriate to complain about potential flawed application of policy or procedure when it is believed that this has led to an unfair outcome.

2.2.3 The Fairness at Work procedure cannot be used to appeal a decision made under a policy or procedure which has its own appeals process (either as an alternative to or in addition to that appeals process). An individual may however raise a complaint where it is believed that there has been flawed application of that appeals process which has in turn led to an unfair outcome.
3. **PROCEDURE DETAIL**

3.1 **INFORMAL PROCEDURE**

3.1.1 It is anticipated that most complaints or concerns can be addressed informally and promptly with the immediate line manager. A complaint or concern should therefore be dealt with under the informal stage of the procedure unless the matter is so serious that it is fitting that it progress directly to the formal process; or, after appropriate consideration by management, following consultation with the individual raising the complaint, it is concluded that the matter would not be dealt with successfully under the informal procedure.

3.1.2 Individuals should initially advise their line manager of the nature of their complaint and discuss how the situation can be improved to their satisfaction. Where an individual feels unable to approach the line manager directly, he/she should approach the second line manager or a member of the HR team, Unison/Federation, staff association or staff support group who will discuss ways of dealing with the matter.

3.1.3 If appropriate to the nature of the complaint, the line manager may discuss workplace mediation opportunities. Mediation can be an effective tool for sorting out disagreements, or issues, between co-workers. Mediation can take place at any stage of the procedure, including at this informal stage, as part of the resolution or to rebuild relationships after the matter has been concluded. All parties must agree to mediation and it cannot be imposed. Local HR managers can provide information about mediation.

3.1.4 If, following appropriate discussion, it is not possible to resolve a problem informally, the individual should raise it formally in writing and without unreasonable delay (see Appendix - Process to raise a complaint or concern) in order that the matter can dealt with under the formal procedure (see below and Appendix B).

3.1.5 Where an individual raises a complaint during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the matter. Where the two issues are related it may be appropriate to deal with both issues concurrently.

**FORMAL PROCEDURE**

**STAGE ONE**
3.2 **Appointment of manager to deal with the issue**

3.2.1 As the immediate line manager will normally have already sought to resolve the complaint or concern at the informal stage of the procedure, a suitable independent manager will be appointed to deal with the matter. This appointment will be made by HR. This appointment will ideally be made within 7 calendar days of receipt of the formal complaint.

3.2.2 The individual who raised the complaint or concern will be advised who has been appointed to deal with the matter and provided with the opportunity to raise any concerns they may have with regard to the appointment.

3.3 **Preliminary meeting with the individual raising the complaint**

3.3.1 The manager appointed to deal with the matter will normally hold a preliminary meeting with the individual who raised the complaint or concern in order to ascertain all the relevant facts, clarify points raised in the written submission and to determine what the individual considers to be a reasonable outcome in order to reach a satisfactory resolution. This meeting should ideally take place within 7 calendar days of the complaint having been allocated to the manager. If they wish, the individual may be accompanied at this meeting by a trade union representative, a recognised staff association, internal support group or work colleague. The companion will be allowed to address the meeting to put and sum up the employee’s case, respond on behalf of the employee to any views expressed and confer with the employee. The companion will not, however, have the right to answer questions on the employee’s behalf.

3.3.2 If the complaint or concern is about a colleague, the manager will inform the named colleague at the earliest opportunity and advise them of the process to be followed. The manager should be mindful of any support they may need.

3.3.3 If not already identified at the time the complaint was raised, the manager should consider at this stage (and throughout the management of the case) whether the complaint:

- is potentially a hate crime and should therefore be addressed in accordance with force procedure that deals with such matters; or

- may warrant a disciplinary investigation or has criminal implications. Where this is the case, he/she must contact HR or Professional Standards as appropriate and consider suspending the fact finding exercise whilst the disciplinary aspects are progressed.
Individuals affected should be kept up to date in either of the above cases.

3.3.4 Where an individual raises a complaint during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the matter. Where the two issues are related it may be appropriate to deal with both issues concurrently.

3.4 Fact finding

3.4.1 The manager will be responsible for undertaking a proportionate exploration of the issues, gathering all the relevant details and, where appropriate, meeting concerned parties. As part of this fact finding the manager may review similar complaints and the resolution(s) provided to see if this may indicate an organisational view on the matter.

3.4.2 Individuals who are the subject of a complaint may be accompanied at any meeting by a trade union representative, a recognised staff association, internal support group or work colleague. The companion will be allowed to address the meeting to put and sum up the employee's case, respond on behalf of the employee to any views expressed and confer with the employee. The companion will not, however, have the right to answer questions on the employee's behalf.

3.4.3 The manager should aim to complete the fact finding exercise within 21 calendar days but where this is not possible, he/she should ensure that the individual who submitted the complaint is kept up to date regarding process and timelines.

3.4.4 Where the manager is considered to not be progressing the fact finding exercise in an expedient fashion, the individual who raised the matter can raise their concerns with more senior manager or HR who will take steps to accelerate progress if at all possible.

3.5 Formal Meeting

3.5.1 Once the manager has completed appropriate enquiries a formal meeting will be convened with the individual to discuss the findings and proposed resolution. This meeting should be within 14 calendar days of completing the investigation and the manager should ensure that the individual is provided with 7 calendar days' notice of the intended meeting date.

3.5.2 The meeting will be held at a reasonable time and place and be chaired by the manager who undertook the investigation. Unless the individual who raised the complaint has an objection, a member of HR and/or a note taker may attend as deemed appropriate. If they wish, the individual may be
accompanied at this meeting by a trade union representative, a recognised staff association, internal support group or work colleague. The companion will be allowed to address the meeting to put and sum up the employee’s case, respond on behalf of the employee to any views expressed and confer with the employee. The companion will not, however, have the right to answer questions on the employee’s behalf.

3.5.3 A fairness at work meeting is not the same as a disciplinary hearing. Discussion and dialogue will take place with the aim of identifying an amicable outcome.

3.5.4 The manager will chair the meeting with the aim of exploring options for finding a satisfactory resolution. The results of the fact finding exercise will be discussed at the meeting and the manager may ask questions of the individual for clarification. The individual should raise any further relevant information at this stage. If appropriate to the nature of the complaint, the manager may discuss workplace mediation opportunities. Mediation can be an effective tool for sorting out disagreements, or issues, between co-workers. Mediation can take place at any stage of the procedure as part of the resolution or to rebuild relationships after the matter has been concluded. All parties must agree to mediation and it cannot be imposed. Accordingly, no adverse inference should be taken against any party who does not wish to attend mediation.

3.5.5 As a result of the discussions in the formal meeting, the manager may decide that further enquiries are needed or advice needs to be taken. Where this is the case, the meeting can be adjourned for a reasonable period of time (as agreed with the individual who raised the complaint or concern) in order to obtain the necessary facts. Those present will be advised on the date and time for the reconvened meeting which should be at the earliest opportunity to ensure no unreasonable delays occur.

3.6 Outcome of Formal Meeting

3.6.1 A decision on a proposed outcome of the complaint will be taken as soon as is reasonably practicable after the meeting. In making the decision, the manager should ensure that what they are proposing is both within their authority to propose and, within collaborated units, will not have unreasonable implications for the other two forces. Where a manager is in doubt on either count, he/she should seek advice from an appropriate member of HR.

3.6.2 The individual who raised the complaint will be advised of the outcome either on the day or at a later time but without unreasonable delay. This will initially be verbally as part of a reconvened Formal Meeting after the adjournment to fully consider the case. Written confirmation of the outcome
will follow as soon as practicable and within 7 calendar days. The letter will include any action that is to be taken and will detail the individual's right of appeal. Appropriate notes from the meeting can also be provided as applicable.

3.6.3 Once presented with the outcome in writing, the individual who raised the complaint will be required to confirm in writing that they are:

- Satisfied and that the issue(s) has been resolved;
- Not satisfied but do not wish to proceed to appeal;
- Not satisfied and wish to appeal the outcome.

3.6.4 Where the individual is not satisfied and wishes to appeal the outcome, the matter will be progressed in accordance with Stage 2 detailed within 3.7 below. Where the individual is not satisfied but does not wish to proceed to appeal, they should be requested (but are not required) to detail the reasons why.

3.7 STAGE 2: APPEAL

Right of Appeal

3.7.1 An individual has the right to have the original decision and any resultant action reviewed. The appeal meeting will only address the specific point(s) of appeal. Whilst not an exhaustive list, the appeal will normally be on one or more of the following:

- new evidence fundamental to the issue;
- a fundamental procedural error;
- reasonableness of the decision/outcome, to include inconsistency in comparison to other cases;
- the complaint not being satisfactorily resolved.

Exercising the Right of Appeal

3.7.2 In exercising their right to appeal, the person submitting the appeal must clearly state in writing on what grounds they are appealing and provide a brief outline of the basis of this appeal. This will be the specific area(s) that will be explored at the appeal meeting. These written grounds for appeal
should be submitted to the head of HR within 7 calendar days of receiving written confirmation of the original decision.

3.7.3 Within 7 calendar days of receiving the appeal letter, the head of HR will:

- acknowledge receipt of the appeal;
- advise who will deal with the appeal (Appeal Manager);
- advise the management representative for the appeal process (the person who chaired the original meeting) that an appeal has been submitted and the basis of this appeal.

Appeal Manager

3.7.4 The manager who will hear the appeal should be at least one level of seniority above the management representative and will have had no previous involvement in the matter.

HR Support/Contact

3.7.5 Appropriate support will be provided by HR in order that the appeal is addressed in good time, documents are received by all parties etc.

Statement of appeal

3.7.6 A full statement of appeal (including a full set of documents to be presented at the meeting) must be provided to HR within 14 calendar days of submission of the initial appeal. This will detail the reason(s) for the appeal, duly noting the grounds on which the initial appeal has been made.

3.7.7 New evidence within the submission should be identified to HR in order to determine whether further investigation, information and/or clarification is required, which in turn may require a suspension of the process to allow this to be undertaken.

3.7.8 HR will ensure that a copy is provided to the management representative without delay.

Management Statement

3.7.9 This statement will be provided by the management representative and should include both a summary of the case and appropriate comment on the points and evidence of appeal. This must be
submitted to HR within 7 calendar days of receipt of the employee statement along with a full set of documents to be presented at the meeting.

3.7.10 HR will ensure that a copy is provided to the employee without delay.

Additional evidence

3.7.11 If, following full disclosure, either side determines that it wishes to produce additional documentation, this must be provided to both HR and the other party without delay. Where necessary, the date of the meeting may have to be amended to ensure that the recipient party has received the additional information 5 calendar days before the appeal meeting.

Arrangement of Appeal Meeting

3.7.12 An appeal meeting will be held without unreasonable delay but noting the timetable for production and distribution of documents. HR will arrange the appeal meeting, to include notifying all parties in writing of the date, time and location of the meeting and who will be in attendance. Where the individual is to be accompanied by a trade union representative, a recognised staff association or internal support group, the meeting should be arranged in conjunction with that representative.

3.7.13 Parties should be given at least 14 calendar days’ notice of the appeal meeting.

Distribution of Documents

3.7.14 Copies of statements and documents submitted by both parties will be distributed to the Appeal Manager and the HR adviser to the appeal meeting by HR at least 7 calendar days in advance of the appeal meeting.

Witnesses

3.7.15 It would not usually be necessary to recall witnesses to the appeal meeting unless they need to be questioned on aspects that relate to the specific point(s) of appeal.

Companion

3.7.16 If they wish, the individual may be accompanied by a trade union representative, a recognised staff association, internal support group or a workplace colleague. The individual is responsible for making these arrangements. This person will be referred to as their companion. If the companion
cannot attend on the proposed date the meeting may be deferred and re-arranged for an alternative date, normally within 7 calendar days of the original meeting date. The companion will be allowed to address the meeting to put and sum up the individual's case, respond on behalf of the individual to any views expressed and confer with the individual during the meeting. The companion will not, however, have the right to answer questions on the individual's behalf, address the meeting if the individual does not wish it or prevent the individual from explaining their case.

**HR Role at the Meeting**

3.7.17 An objective HR specialist who will not have been involved in the case to date will act as the HR adviser to the appeal meeting. As well as advising on the application of procedure etc, the HR adviser can ask questions in order to determine points of clarity on substance or procedural issues in order that a fully considered decision is made.

**Meeting Purpose**

3.7.18 Unless the grounds of appeal warrant it, the appeal meeting will not be a re-hearing of the original meeting. It will address only the specific point(s) of appeal and, dependent upon the stated basis of the appeal, consider the following questions:

- Does any new evidence alter the facts of the case and the fairness or appropriateness of the action?
- Did the manager act reasonably in the circumstances?
- Was procedure followed?
- If there was a breach of procedure, was this breach sufficiently significant to call into question the fairness of the action?
- Was the decision made consistent with that made in comparison to other cases?

**Procedure at the Appeal Meeting**

3.7.19 The Appeal Manager will chair the meeting with the aim of exploring options for finding a satisfactory resolution. This will include determining the process of the meeting in order to give particular attention to any new evidence fundamental to the issue or any procedural error cited as part of the appeal. The results of the fact finding exercise and the original meeting may be discussed but the main aim will be to explore the issues which the individual has cited within their appeal.
Appeal Outcome

3.7.20 The Appeal Manager will consider the evidence and seek to make a decision on the appeal, taking into account the questions within the section on Meeting Purpose above.

3.7.21 The Appeal Manager will deliberate in private along with the HR adviser, recalling parties only to clarify points of uncertainty on evidence already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point in question.

3.7.22 The decision on the outcome of the appeal will be taken as soon as is reasonably practicable after the meeting. The Appeal Manager may either dismiss or allow the appeal and, in the latter case, may impose an appropriate alternative resolution. In making the decision, the manager should ensure that what they are determining is within their authority. Where a manager is in doubt, he/she should seek advice from HR.

Advising of the Appeal Outcome

3.7.23 The Appeal Manager will inform the individual of the results of the appeal and the reasons for the decision as soon as possible, duly confirming this in writing within 7 calendar days. The decision of the Appeal Manager is final and there is no further right of internal appeal.

3.8 TIMESCALES

3.8.1 All timescales indicated in the steps above will be adhered to unless exceptional circumstances prohibit this or there is agreement with the individual who raised the complaint to shorten or extend a timescale. This may include, for example, police officer/staff absence through illness or differences in shift patterns, etc. In these circumstances revised timescales may be agreed between parties. Every endeavour should be taken to ensure that the procedure is completed as soon as reasonably practicable.

3.8.2 If an individual or their representative member of a staff association, trade union, support network or work colleague cannot attend a meeting, and the reason was unforeseeable, for example due to illness, the meeting will be rearranged within a reasonable time period so that they may attend. If the same individual is unavailable for the rearranged meeting, due to unforeseeable reasons, the meeting may proceed in their absence.
3.8.3 Where the aggrieved is repeatedly unable to attend or refuses to participate, the manager may determine that the FAW process is concluded and record the matter as not progressed by the officer/staff member. If there are genuine extenuating circumstances the matter may be held in abeyance.

3.9 **Retaining of Records**

3.9.1 Written records will be kept and should include:-

- The nature of the complaint or concern;
- Outcome and actions taken;
- Reason for action;
- Details of appeal;
- Outcome of appeal;
- Subsequent development;
- Organisational learning.

3.9.2 Records will be treated as confidential and will be kept in accordance with the Data Protection Act 1998.

3.10 **Monitoring**

3.10.1 Monitoring will be in accordance with local force procedures.
APPENDIX A: Process to raise a complaint or concern

Currently each force has differing approaches in order that an individual can formally raise a concern or complaint. These are as follows:

**Bedfordshire Police:**

In writing to HR (Workforce Relations) detailing the points of concern and what they are seeking to achieve through use of the Fairness At Work procedure.

**Cambridgeshire Constabulary:**

Completion of electronic form on the Fairness at Work database (Lotus Notes) which will then be progressed in accordance with this procedure.

**Hertfordshire Constabulary:**

Using the forms on HertsNet, Fairness at Work pages.
APPENDIX B: Formal Process Stage One

Individual raises concerns formally to HR using appropriate channel (see appendix A).
HR allocate FAW to a suitable manager for investigation within 7 calendar days of date FAW is received

Preliminary Meeting
Manager ideally meets with individual (within 7 calendar days of being allocated FAW)

Fact Finding Stage
Manager carries out investigations (within 21 calendar days of Preliminary Meeting)

Formal Meeting
Within 14 calendar days of completing the investigation, the manager will meet with individual to discuss findings and proposed resolution. Except where there is adjournment for further investigation, the outcome will be verbally advised as part of reconvened meeting; and in writing within 7 calendar days.

Individual satisfied that the issue has been resolved; or not satisfied but does not wish to appeal
Individual not satisfied with the outcome and wishes to utilise the appeal process – appeal submitted to head of HR within 14 calendar days
APPENDIX B: Formal Process Stage Two

Initial Appeal
Individual writes to the Head of HR detailing their initial grounds for appeal (see 3.7.1) within 7 calendar days of the date they receive the outcome in writing.

Within 7 calendar days of receipt the Head of HR will:
- acknowledge receipt of the appeal;
- advise who will deal with the appeal (Appeal Manager and HR Support);
- advise the management representative that an appeal has been submitted and the basis for the appeal.

Statement of Appeal
Individual submits a full statement of appeal to the HR contact within 14 calendar days of the date they submitted their initial appeal.

Management Statement
The management representative submits a Management Statement to the HR contact within 7 calendar days of the submission of the full statement of appeal.

Appeal Meeting
The HR contact will arrange the Appeal Meeting no earlier than 28 calendar days and no later than 35 calendar days following receipt of the initial appeal.

Outcome of Appeal
The individual will be informed of the outcome of the appeal along with the reasons for the decision as soon as possible after the meeting with written confirmation being received within 7 calendar days of the appeal meeting.
4. **TRAINING AND ACCREDITATION REQUIREMENTS**

4.1 All those responsible for using and operating the fairness at work procedure will receive coaching, training or informal guidance in the process as appropriate. Any mediator will be qualified to facilitate resolution of workplace disputes.

5. **ASSOCIATED DOCUMENTATION**

5.1 **Legislation/ National Guidance**
   - Data Protection Act 1998
   - ACAS Code of Practice on Discipline and Grievance
   - Discipline and Grievances At Work: The ACAS Guide
   - Equality Act 2010

5.2 **Strategy/ Plan**
   - Not applicable

5.3 **Policies**
   - Bullying and Harassment Policy

5.4 **Procedures**
   - Mediation

5.5 **Forms (National/ Local)**
   - Forms in use within each force will be used as appropriate.

6. **WHO TO CONTACT ABOUT THIS PROCEDURE**

6.1 Questions regarding this procedure and its operation should initially be referred to your local HR advisor.
# 7. EQUALITY ANALYSIS

## EQUALITY IMPACT ASSESSMENT

<table>
<thead>
<tr>
<th>Name of Sponsor</th>
<th>Principal HR Adviser/HRAG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Author</td>
<td>Jeanette Leem-Bruggen/Julie Foster</td>
</tr>
<tr>
<td>Description of proposal being analysed</td>
<td>Fairness at Work Procedure – This procedure aims to deal with complaints or concerns quickly but fairly and recognises the importance of a thorough and impartial investigation of each and every case regardless of an individuals’ protected characteristic.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date EIA started</th>
<th>27/03/12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date EIA finished</td>
<td>16/01/13</td>
</tr>
</tbody>
</table>

This Equality Impact Assessment is being undertaken as a result of:

*Delete as appropriate*

- A new or updated policy or procedure.

**Note** – For ease of use of this document, we will refer to all of the above as "proposal"
STEP 1 – Relevance

The general duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the Equality Duty must have **DUE REGARD** to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Authors have a statutory requirement to have **DUE REGARD** to the relevant protected characteristics shown below, whilst taking a common sense approach

- age
- disability
- gender reassignment
- marriage & civil partnership*
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

*marriage and civil partnership – the analysis applies only to the elimination of unlawful discrimination, harassment and victimisation.

Section 23 of the Equality Act 2006 allows the Equality and Human Rights Commission (EHRC) to enter into a formal agreement with an organisation if it believes the organisation has committed an unlawful act.

Under section 31 of the Equality Act 2006, the EHRC can carry out a formal assessment to establish to what extent, or the manner, in which a public authority has compiled with the duty.

Additional guidance can be found by accessing the EHRC website: http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/
<table>
<thead>
<tr>
<th>Does this proposal have a direct impact on people who:</th>
<th>a) are any part of the Police workforce (including volunteers)?</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b) reside in any part of England and Wales</td>
<td>YES</td>
</tr>
</tbody>
</table>

| If NO to both questions | Explain why and give rational | No Further Action and Return to Sponsor for Authorisation |

| If Yes to either question | | Continue through to Step 2 |

**STEP 2 – Consultation / Engagement**

You should engage with those people who have an interest in how you carry out your work generally, or in a particular proposal. This may include former, current and potential service users, staff, staff equality groups, trade unions, equality organisations and the wider community. In deciding who to engage, you should consider the nature of the proposal and the groups who are most likely to be affected by it.

The proposal owner (Sponsor/Author) must be satisfied that consultation / engagement will take place with the relevant business lead and stakeholders.

This **MUST** include engagement with the following relevant groups:

- Equality and Diversity Specialist
- Staff Associations
- Staff Support Groups
- Relevant community groups and members of the public

In addition, consider who else should you consult with internally and externally?
Who might be affected?

Does what you are considering further the aims of the general duty, to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Identify the risks and benefits where applicable, according to the different characteristics.

<table>
<thead>
<tr>
<th>Positive Impact or Benefits</th>
<th>Negative Impact or Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age</strong> <em>(Consider elderly or young people)</em></td>
<td>Positive impact is that we encourage all staff no matter their age to raise concerns through this procedure and therefore meet the requirements of the duty.</td>
</tr>
<tr>
<td><strong>Disability Groups</strong> <em>(Consider physical, sensory, cognitive, mental health issues or learning difficulties)</em></td>
<td>By considering the provision of reasonable adjustments e.g documents in different forms, holding meetings in accessible rooms, using sign language interpreters, changing the process to give more breaks to provide explanations to be given will ensure a disabled worker can participate in the procedure, as far as is reasonable, to the same standard as a non-disabled worker.</td>
</tr>
<tr>
<td><strong>Gender Reassignment</strong> <em>(Consider transgender,</em></td>
<td></td>
</tr>
</tbody>
</table>

14/01/2015 12:37:29
<table>
<thead>
<tr>
<th><strong>Transsexual, Intersex)</strong></th>
<th><strong>undergone gender reassignment.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Marriage &amp; Civil Partnership</strong></td>
<td><strong>It is recognised that individuals may have childcare responsibilities and these should be considered when arranging meetings.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>We should ensure the process is accessible while on maternity leave as a person could have a grievance regarding their return to work arrangements. If not this would be a negative impact.</strong></td>
</tr>
<tr>
<td><strong>Pregnancy and Maternity</strong></td>
<td><strong>Discrimination can be avoided by ensuring the Fairness at work procedure is applied fairly and consistently.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>When deciding when to hold investigatory and other meetings the period of compulsory maternity leave must be avoided.</strong></td>
</tr>
<tr>
<td><strong>Race and Ethnic origin – includes gypsies and travellers. (Consider language and cultural factors)</strong></td>
<td><strong>Discrimination can be avoided by ensuring the Fairness at Work procedure is applied fairly and consistently across all ethnicities – this will be monitored via the Employment Monitoring Report.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>It is not anticipated there will be any differential impact for staff of different ethnicities.</strong></td>
</tr>
<tr>
<td><strong>Religious / Faith groups or Philosophical belief (Consider practices of worship, religious or cultural observance including non belief)</strong></td>
<td><strong>By using multi faith calendars to avoid requiring staff to attend meetings on an identified key religious date will avoid any complaints or indirect discrimination.</strong></td>
</tr>
<tr>
<td></td>
<td>** Whilst it is not anticipated there will be any specific differential impact due to religion and belief or non-belief there may be an adverse impact where a member of staff is required to attend a meeting on day that is of significant religious importance. Staff from some religious groups may be required to undertake religious acts at certain times e.g. Muslim Staff – Fridays.**</td>
</tr>
<tr>
<td><strong>Sex (Male, Female)</strong></td>
<td><strong>Discrimination can be avoided by ensuring the</strong></td>
</tr>
<tr>
<td></td>
<td><strong>It should be recognised that when arranging</strong></td>
</tr>
</tbody>
</table>
Fairness at Work procedure is applied fairly and consistently across all sexes – this will be monitored via the Employment Monitoring Report.

meetings with minimal notice this could have an adverse impact on some people. Females represent the greater overall proportion of staff and women are still the primary carers of children in our society. 70% of adult care is also delivered by women.

Monitoring this process through the employment monitoring report will show if this has a disproportional impact on either of the sexes.

Sexual orientation
(Consider known or perceived orientation, lesbian, gay or bisexual)

It is not anticipated there will be any differential impact for staff or different sexual orientations.

<table>
<thead>
<tr>
<th>Positive Impact or Benefits</th>
<th>Negative Impact or Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have you considered how this decision might affect work life balance? (Consider caring issues re: childcare &amp; disability, safeguarding issues, environmental issues, socio economic disadvantage, and low income families.)</td>
<td></td>
</tr>
</tbody>
</table>

STEP 3 – Assessment

Complete the EIA by analysing the effect of your proposal and detail the outcomes. What were the main findings from any consultation carried out?
What feedback has been received?

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Using the information you have gathered and consultation that you have undertaken answer the following questions. This will help you to understand the effect on equality your proposal might have.</td>
<td></td>
</tr>
<tr>
<td>Has the feedback indicated any problems that need to be addressed?</td>
<td>No</td>
</tr>
<tr>
<td>Describe and evidence any part of the proposal which could discriminate</td>
<td>None identified</td>
</tr>
<tr>
<td>Can the adverse impact identified be justified as being appropriate and necessary?</td>
<td></td>
</tr>
<tr>
<td>If so, state what the business case is:</td>
<td></td>
</tr>
<tr>
<td>Where impact and feedback identified, what, if anything can be done?</td>
<td>There could be a possible differential impact on protected characteristics through inconsistent application of the procedure by managers. This can be avoided by ensuring sufficient training on the policy to emphasise fairness, equity and consistent application across all groups.</td>
</tr>
<tr>
<td>What outcome will be achieved that demonstrates a positive impact on people?</td>
<td>The FAW process provides individuals with the opportunity to have any concerns properly addressed by the organisation.</td>
</tr>
</tbody>
</table>

STEP 4 - Monitoring and Review

Equality analysis is an ongoing process that does not end once a document has been produced.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>What monitoring mechanisms do you have in place to assess the actual impact of your proposal?</td>
<td>Fairness at work cases are reviewed on an on-going basis and decisions in previous cases should also be taken into account when making subsequent determinations.</td>
</tr>
<tr>
<td>Review Date: First review must be no later than one year.</td>
<td>March 2014</td>
</tr>
</tbody>
</table>
STEP 5 - Sign Off

Once the Equality Impact Assessment is complete it should be signed off by the Proposal Sponsor. This sign off is confirmation that the analysis is accurate, proportionate and relevant and actions will be delivered as required.

<table>
<thead>
<tr>
<th>Approved by Senior Officer / Proposal lead</th>
<th>Having considered the potential or actual effect of this proposal on equality, our assessment demonstrates that the proposal is robust and the evidence of our screening shows no potential for unlawful discrimination. We have taken all appropriate opportunities to advance equality and foster good relations between groups.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date: 20 February 2013 Name: ACO Vince Hislop</td>
</tr>
</tbody>
</table>