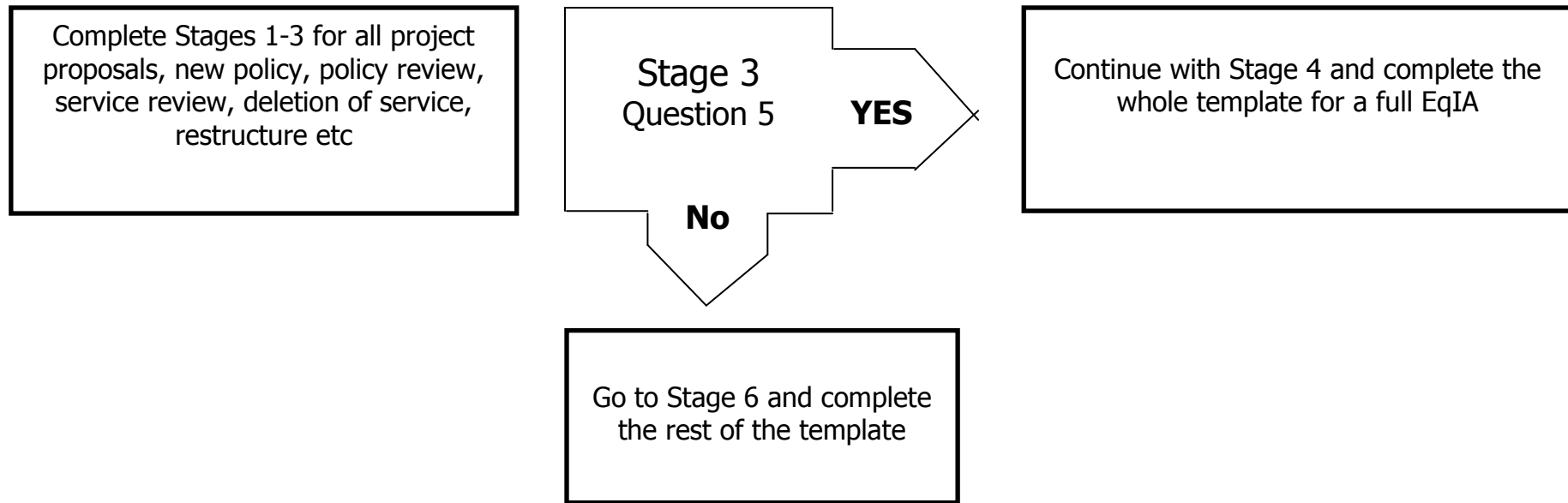


Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process (EqIA). There is now just one Template. Lead Officers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



- In order to complete this assessment, it is important that you have read the Corporate Guidelines on EqIAs and preferably completed the EqIA E-learning Module.
- You are also encouraged to refer to the EqIA Template with Guidance Notes to assist you in completing this template.
- SIGN OFF: All EqIAs need to be signed off by your Directorate Equality Task Groups.
- Legal will NOT accept any report without a fully completed, Quality Assured and signed off EqIA.
- The EqIA Guidance, Template and sign off process is available on the Hub under Equality and Diversity

Equality Impact Assessment (EqIA) Template

Type of Decision: Tick ✓	<input type="checkbox"/> Cabinet	<input type="checkbox"/> Portfolio Holder	<input checked="" type="checkbox"/> x	<input type="checkbox"/> Other (explain)	<input type="checkbox"/> Corporate Director
Date decision to be taken:	1 August 2016				
Value of savings to be made (if applicable):	n/a				
Title of Project:	MODEL POLICY ON LEAVE OF ABSENCE FOR SCHOOL EMPLOYEES (incl. teachers)				
Directorate / Service responsible:	People Services				
Name and job title of Lead Officer:	Prodromos Mavridis				
Name & contact details of the other persons involved in the assessment:	Teresa Hennessy, Chris Spencer, Jon Turner				
Date of assessment (including review dates):	It is recommended that this Model Policy is reviewed no less that every 3 years.				

Stage 1: Overview

<p>1. What are you trying to do?</p> <p>(Explain your proposals here e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc)</p>	<p>To replace existing, outdated Model policy on leave of absence for School employees who are on contracts that do not allow annual leave or flexible hours of work (e.g term time only employees who have fixed hours due to classroom commitments).</p> <p>The purpose of the policy is to provide school staff with an understanding of the options relating to paid and unpaid leave of absence that may be available to them during term time.</p> <p>At the request of Harrow’s Head teachers a reference group was set up in February 2016 to review the current Model Policy on leave of absence for school employees. The group consisted of Darren Althorpe – Headteacher Elmgrove Primary School, Paddy O’Dwyer, Divisional Director – Educational Services and Marie-Louise Nolan Chair of Governors of Weald Rise Primary School with support and advice from HR. The policy was reviewed to manage non-statutory special leave requests as the existing policy was enacted in 1997 and the context for the policy has changed since that time.</p> <p>It is important to note this is a Model School Policy to which each Harrow School can consider and adopt in own context. As part of this process it is recommended that the Governing Bodies undertake their own EqIA to the policy in order to reflect their school and community profile and needs. The data available to inform this EqIA is representative for the whole local authority and does not reflect the context of individual schools.</p>
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2. Who are the main groups / Protected Characteristics that may be affected by your proposals? (✓ all that apply)	Residents / Service Users		Partners		Stakeholders	
	Staff	✓	Age	✓	Disability	
	Gender Reassignment		Marriage and Civil Partnership		Pregnancy and Maternity	
	Race	✓	Religion or Belief	✓	Sex	✓
	Sexual Orientation		Other			

3. Is the responsibility shared with another directorate, authority or organisation? If so: <ul style="list-style-type: none"> Who are the partners? Who has the overall responsibility? How have they been involved in the assessment? 	<p>Responsibility for adopting the Policy rests with the Governing Bodies of maintained Schools in the London Borough of Harrow. Headteachers and union representatives have been consulted on the proposed policy.</p> <p>This is a model policy for each school to consider and adopt or modify according to local needs. It is recommended that schools complete an EqlA as part of this process to provide specific information relevant to their school community.</p>
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Stage 2: Evidence & Data Analysis

4. What evidence is available to assess the potential impact of your proposals? This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys, press reports, letters from residents and complaints etc. Where possible include data on the nine Protected Characteristics.

(Where you have gaps (data is not available/being collated for any Protected Characteristic), you should include this as an action to address in your Improvement Action Plan at Stage 6)

Protected Characteristic	Evidence (Proportion of staff self-reporting protected characteristics; data as of 31.03.2015 ¹)		Analysis & Impact
Age (including carers of young/older people)	16 to 24	5.57%	It is not envisaged that an individual's age will have an impact on the way in which any part of the model policy is applied to their employment. While maternity/paternity/adoption arrangements are not covered by this policy, parents/guardians of young children could be more likely to be making use of the facility to request leave due to breakdown of care arrangements arising from the children falling ill or having an accident.
	25 to 34	20.10%	
	35 to 44	24.63%	
	45 to 54	30.42%	
	55 to 64	17.42%	

¹ The data concern school employees. We are aware of the issue of a substantial proportion of staff not reporting certain protected characteristics, for a number of reasons which include privacy issues.

	65+ 1.86%	It is expected that significant proportion of parents of young children to belong to the 25-34 and 35-44 groups. Given that most absences will only last one or two days, and that the majority of staff belong to other age groups, it is not considered that there would be a noticeable adverse impact on any age group.
Disability (including carers of disabled people)	Not informed/unknown 99.61% Has a disability (or previously had one) 0.39%	It is not envisaged that an individual's disability status will have an impact on the way in which any part of the new policy is applied to their employment. Carers will be able to make use of the provisions to request emergency leave in case of a breakdown of care arrangements. Absence related to sickness and disability is covered under a separate policy.
Gender Reassignment	Unknown 100%	No employees have reported having undergone gender reassignment. It is not expect an individual's gender reassignment status to have an impact on the way in which any part of the new policy is applied to their employment. The option to request unpaid leave personal reasons is included in the policy.
Marriage / Civil Partnership		
Pregnancy and Maternity	(proportion of employees taking m. leave between 01.04.13 and 31.03.15) No 96.57% Yes 3.43%	It is not expected that an individual's maternity/pregnancy status to have an impact on the way in which any part of the new policy is applied to their employment. Pregnancy- and maternity-related absences are covered by different policies.
Race	BAME 40.49% White 52.52% Unknown 7.00%	It is not expected that an individual's race or ethnic origin to have an impact on the way in which any part of the new policy is applied to their employment. Comments from trade unions who claim that the change in time off for religious observance leave [from paid to unpaid] could be construed as indirect discrimination against BAME employees due to the higher likelihood of them belonging to a religion whose festivals will often fall on days on which schools are open. While we have every confidence that those comments have been made in good faith, we believe them to be misplaced and disproportionate. Our disagreement with the logic in the Unison argument can be illustrated by the fact that the same line of logic could be applied in an attempt to argue that, by granting paid leave for religious observance, current policy discriminates against white employees as they are less likely to be able to use the facility due to the higher probability of them being atheist (no religious holidays) or Christian (most major religious holidays falling on days on which schools are closed).
Religion and Belief	Christianity 5.82% Hinduism 3.03%	We do not expect an individual's religion or beliefs to have an impact on the way in which any part of the new policy is applied to their

	<table border="0"> <tr><td>Islam</td><td>0.54%</td></tr> <tr><td>Judaism</td><td>0.25%</td></tr> <tr><td>Jainism</td><td>0.39%</td></tr> <tr><td>Sikh</td><td>0.25%</td></tr> <tr><td>Buddhism</td><td>0.11%</td></tr> <tr><td>Zoroastrian</td><td>0.04%</td></tr> <tr><td>Other</td><td>0.54%</td></tr> <tr><td>No Religion/Atheist</td><td>0.89%</td></tr> <tr><td>Unknown</td><td>88.15%</td></tr> </table>	Islam	0.54%	Judaism	0.25%	Jainism	0.39%	Sikh	0.25%	Buddhism	0.11%	Zoroastrian	0.04%	Other	0.54%	No Religion/Atheist	0.89%	Unknown	88.15%	<p>employment, with the exception of requests under section 5.15 which covers leave for religious observance.</p> <p>While there is no automatic statutory right to paid or unpaid time off for religious observance, the policy ensures that staff are not prevented from participating in activities relating to their belief systems, therefore employees have the ability to request leave. However these requests will need to be balanced with the needs of the school and pupils learning. So for example, it may not be possible to accommodate multiple staff requesting leave on the same day because of a major religious celebration.</p> <p>Approval of any requests is at the discretion of the Headteacher/Governing Body - the policy does not seek to pre-empt any such decisions.</p> <p>Comments from trade unions indicated their disagreement with the religious observance leave being granted on an unpaid basis. It is acknowledged that the previous policy did provide for paid leave and therefore it is noted that there is potential impact on staff who have in the past had paid leave for religious reasons. Within the former policy the facility was restricted to employees practising an organised religion, giving them potentially more paid leave. This could potentially and consequently directly discriminate against, those not practising an organised religion. In consideration of this point, the model policy includes the facility for employees to request unpaid leave for personal (this could include spiritual) reasons without providing comprehensive details (section 4.3 of the Policy).</p> <p>It should be noted that within the setting of school term dates Governing bodies may agree to up to 3 Occasional Days additional closure days to take account of the need to observe Non-Christian religious festivals. To that end, we have provided additional clarification in section 5.15 of the Policy.</p>
Islam	0.54%																			
Judaism	0.25%																			
Jainism	0.39%																			
Sikh	0.25%																			
Buddhism	0.11%																			
Zoroastrian	0.04%																			
Other	0.54%																			
No Religion/Atheist	0.89%																			
Unknown	88.15%																			
Sex / Gender	<table border="0"> <tr><td>Male</td><td>9.68%</td></tr> <tr><td>Female</td><td>90.32%</td></tr> </table>	Male	9.68%	Female	90.32%	<p>It is not expected that an individual's gender to have an impact on the way in which any part of the new policy is applied to their employment. Comments have been received from trade unions indicating their belief that our omission to explicitly refer to emergencies relating to childcare (e.g. sudden illness) could indirectly disadvantage female staff who make up a high proportion of school workforce. There is agreement with the union assumption that it is more likely that women to be primary carers for children, and consequently this point has been incorporated into the policy and within the model policy there is clear</p>														
Male	9.68%																			
Female	90.32%																			

		reference to childcare.
Sexual Orientation	Heterosexual 9.64% Gay Woman/Lesbian 0.04% Gay Man 0.04% Bi-sexual 0.04% Prefer not to say 0.68% Other 0.07% Unknown 89.50%	We do not expect an individual's sexual orientation to have an impact on the way in which any part of the new policy is applied to their employment.

Stage 3: Assessing Potential Disproportionate Impact

5. Based on the evidence you have considered so far, is there a risk that your proposals could potentially have a disproportionate adverse impact on any of the Protected Characteristics?

	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No	✓	✓	✓	✓	✓	✓	✓	✓	✓

YES - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, complete a FULL EqIA.

- **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA
- It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.
- **NO** - If you have ticked 'No' to all of the above, then go to **Stage 6**
- Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 6

Stage 4: Further Consultation / Additional Evidence

6. What further consultation have you undertaken on your proposals as a result of your analysis at **Stage 3**?

Who was consulted? What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? E.g. revising your proposals
<p>On 07.01.2016, a headteachers' cluster meeting took place where the requirement for a new special leave policy was first discussed. At the request of a number of Head teachers a reference group was set up in February 2016 to review the current Model Policy on leave of absence for school employees. The group consists of Darren Althorpe – Headteacher Elmgrove Primary School, Paddy O'Dwyer, Divisional Director – Educational Services and Marie-Louise Nolan Chair of Governors of Weald Rise Primary School. The draft policy was sent by e-mail to the trade Unions for teachers and school support staff, as well as the association of Headteachers on 13.05.2016, and comments were invited from all of them. The policy was then formally presented at the DJC meeting on 24.05.2016, and further comments invited at that point.</p>	<p>Minor concerns raised by one union on lack of reference to leave for sick children.</p> <p>One union believes that there is the potential for religious discrimination</p>	<p>Reworded policy to take the suggestion onboard and explicitly clarify provisions.</p> <p>Expanded 4.3 to include leave for personal reasons and therefore extend it to people who do not practise an organised religion.</p>

Stage 5: Assessing Impact

7. What does your evidence tell you about the impact on the different Protected Characteristics? Consider whether the evidence shows potential for differential impact, if so state whether this is a positive or an adverse impact? If adverse, is it a minor or major impact?

Protected Characteristic	Positive Impact	Adverse Impact	Explain what this impact is, how likely it is to happen and the extent of impact if it was to	What measures can you take to mitigate the impact or advance equality of opportunity?

	✓	Minor ✓	Major ✓	occur. Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 7	E.g. further consultation, research, implement equality monitoring etc (Also Include these in the Improvement Action Plan at Stage 6)
Age (including carers of young/older people)	✓			The Model Policy establishes a mechanism for all staff to request unpaid leave of absence for religious, childcare or personal reasons. This was not an option within the previous Policy.	
Disability (including carers of disabled people)	✓			As above	
Gender Reassignment	✓			As above	
Marriage and Civil Partnership	✓			As above	
Pregnancy and Maternity	✓			As above	
Race	✓			As above	

Religion or Belief		✓		As above	
Sex	✓			As above	
Sexual orientation	✓			As above	

8. Cumulative Impact – Considering what else is happening within the Council and Harrow as a whole, could your proposals have a cumulative impact on a particular Protected Characteristic? If yes, which Protected Characteristics could be affected and what is the potential impact?	Yes		No	✓
9. Any Other Impact – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion? If yes, what is the potential impact and how likely is it to happen?	Yes		No	✓

Stage 6 – Improvement Action Plan

List below any actions you plan to take as a result of this Impact Assessment. These should include:

- Proposals to mitigate any adverse impact identified
- Positive action to advance equality of opportunity
- Monitoring the impact of the proposals/changes once they have been implemented

- Any monitoring measures which need to be introduced to ensure effective monitoring of your proposals? How often will you do this?

Area of potential adverse impact e.g. Race, Disability	Proposal to mitigate adverse impact	How will you know this has been achieved? E.g. Performance Measure / Target	Lead Officer/Team	Target Date
The protected characteristic of Religion was identified as a potential concern raised by the trade unions	<ul style="list-style-type: none"> Data on requests for leave to be collated and analysed. Model Special Leave Policy (schools) to be reviewed every 3 years Recommendation for each school to complete an EqlA to meet their particular school needs as part of the Governing Body process to adopt the policy Schools are able to consider 3 Occasional Days for religious festivals. 	Annual Survey to be conducted with the Schools to monitor impact	HR	1 November 2017

Stage 7: Public Sector Equality Duty

<p>10. How do your proposals meet the Public Sector Equality Duty (PSED) to:</p> <ol style="list-style-type: none"> Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 Advance equality of opportunity between people from different groups Foster good relations between people from different groups 	<ul style="list-style-type: none"> The model policy provides a framework for all school staff to apply for leave of absence. It provides for requests for leave for a range of reasons including religious days and personal reasons on days that fall within school term time. The policy allows employees to request leave for religious reasons but on an unpaid basis, which is in line with non-religious employees who would be entitled to request leave for other personal reasons (see 4.3). The policy also recognises the needs of carers who are able to request time off in case of breakdown of care arrangements. We have encouraged the participation of employees in community activities by introducing the possibility to request leave for public service, witness duties, and service in non-regular forces.
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Stage 8: Recommendation

11. Which of the following statements best describes the outcome of your EqIA (✓ tick one box only)

Outcome 1 – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality of opportunity are being addressed.	✓
Outcome 2 – Minor Impact: Minor adjustments to remove / mitigate adverse impact or advance equality of opportunity have been identified by the EqIA and these are included in the Action Plan to be addressed.	
Outcome 3 – Major Impact: Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality of opportunity. In this case, the justification needs to be included in the EqIA and should be in line with the PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse impact and/or plans to monitor the impact. (Explain this in Q12 below)	
12. If your EqIA is assessed as outcome 3 explain your justification with full reasoning to continue with your proposals.	

Stage 9 - Organisational sign Off			
13. Which group or committee considered, reviewed and agreed the EqIA and the Improvement Action Plan?	DETG meeting on 19 th July. Version circulated for further comment 3 rd August for comment by 8 th August.		
Signed: (Lead officer completing EqIA)	Prodromos Mavridis	Signed: (Chair of DETG)	Johanna Morgan
Date:	12.08.2016	Date:	12 August 2016
Date EqIA presented at Cabinet Briefing (if required)		Signature of DETG Chair (following Cabinet Briefing if relevant)	NA