

Senior Civil Servants selection exercises

Equality impact assessment

May 2011

Equality impact assessment for Senior Civil Servants selection exercises.

Introduction

The Department for Work and Pensions has carried out an equality impact assessment on updates to the Workforce Management Policy (WMP) in February 2011. The WMP was designed to assess all staff between AA and Grade 6. Updates to the policy have been made for Senior Civil Servants (SCS), assessing the proposal in line with the current public sector equality duties.

This impact assessment focuses on the Selection Criteria section of the Workforce Management Policy. It is important to note that some of our other policies are interdependent. Related policies/tools are:

- Attendance management
- People performance
- PSG competencies
- Selection.

This process will help to ensure that the Department has paid due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

The equality impact assessment will show how the Department has demonstrated it has paid due regard when developing new services or processes to on the grounds of the protected characteristics. These are; race, disability, gender, age, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief and marriage and civil partnerships (in terms of eliminating unlawful discrimination only).

SCS selection exercise

The Department is committed to ensuring that there is a fair, objective, consistent and non-discriminatory selection mechanism in place. The selection criteria identify

employees who will be retained or released (through 'selecting in' for jobs or 'selecting out' via voluntary exit schemes).

This selection exercise aims to manage the downsizing agenda in the most cost effective manner possible, whilst preserving the right mix of skills and abilities to support effective delivery of the Department's business. The guidance covers all SCS staff within the Department and its Businesses. The Selection Criteria is designed to retain the most capable people for the work of the Department whilst affording sufficient flexibility to meet the different needs of businesses across the Department.

There are a number of principles that apply to the SCS selection process:

- The DWP SCS selection exercises are workforce management selection exercises, not vacancy filling ones. The intention is to fill as many posts as possible from within the selection pools. The aim is to ensure that the process is fair, open and transparent.
- There will be a single selection pool for SCS PB2s and a single selection pool for SCS PB1s.
- All SCS PB2s and PB1s in HR and CIT (specialist areas), will **not** be included in the SCS selection exercises, as recent restructuring and selection exercises have already delivered substantial reductions..
- All other DWP SCS PB2s and PB1s will be assessed as part of the SCS selection exercises with the following exceptions: Those on maternity/adoption leave will not be assessed but will have a post ringfenced for their return. Those on secondment, loan, carers leave or career breaks are not obliged to participate in the selection exercises and will only be assessed if they wish to be included – see the special circumstances section for more details.

Selection Criteria

The Selection Criteria are used where jobs are unchanged or similar, but there is a reduced number available. Individuals are scored against set criteria and ranked to determine who has been selected in for posts or selected out for redeployment or the voluntary exit scheme.

The SCS selection criteria follows the key elements of the Workforce Management (WfM) Selection Criteria, however amendments were made to the competencies used, adopting the six Professional Skills for Government (PSG) core skills and Leadership, which is weighted 4 times more than other competencies. The key elements for scoring individuals are:

- Performance;
- Competencies; and
- Attendance.

Performance

Scoring will operate as detailed in the current Cabinet Office managing performance in the SCS guidance. The calculation of the performance score will take into account

the last two operational years (09/10 and 10/11). A line manager assessment of in-year performance remains a key feature as the 10/11 performance mark will be used.

Competencies

The six Professional Skills for Government (PSG) core skills and Leadership competencies will be used to ensure a more rounded assessment of skills and behaviours.

Attendance

Attendance will be scored as detailed in the previous WFM selection criteria. Only individuals who are within a formal warning period will receive a lower score this forms part of the attendance management policy to ensure it is not discriminatory.

The Attendance Management Policy was impact assessed in 2006, and has since been reassessed in line with minor amendments.

Scoring processes will be discussed at a standard setting meeting which line managers and counter signing managers must take part in to ensure consistency and fairness in the scoring process.

The merit lists for SCS PB1 and PB2 will be reviewed and validated by ET at a meeting facilitated by a HR Director. An independent person from outside the Department will be present in the validation meeting to ensure objectivity and fairness. Any changes at this stage must be discussed with the line manager.

Individuals are provided with a copy of the completed Assessment Form and verbally informed of their personal scores (for performance, competencies, attendance and their overall score) by their line manager. Any issues around the scores awarded should be resolved either informally or formally (using the DWP grievance procedures) before the posting meeting.

Implementation

The audience for the policy changes and associated guidance includes Human Resource Teams, Human Resource Business Partners, line managers and SCS employees throughout DWP.

Implementation of the selection criteria will be the responsibility of line managers through the use of selection exercises. Relevant communications will be sent to employees, line managers, HR Business Partners and Human Resource Directors. The HR Business Partner network will provide support and advice where appropriate.

Consultation and involvement

Full consultation has taken place throughout the development of this process during 2011 with Departmental stakeholders including business representatives, the HR Community, and the Departmental Trade Union Side.

Internal stakeholders

A number of internal stakeholders have been consulted when developing our SCS Selection Criteria:

- Consultation with HR ET reviewing the current selection criteria and how it should be adopted in the SCS selection exercise.
- Workshops facilitated by ET members for SCS.

In addition the Department held regular meetings with Departmental Trade Union Side throughout the decision making process. These meetings are detailed below and will continue to be held on a fortnightly basis:

09/03/11 – Consultation Meeting

23/03/11 – Consultation Meeting

07/04/11 – Consultation Meeting

19/04/11 – Consultation Meeting

06/05/11 – Consultation Meeting

13/05/11 – Consultation Meeting

External stakeholders

Consultation with external stakeholders is not required for this policy change.

Impact of the SCS selection exercise

It is the aim of the Department to ensure that it has shown due regard to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- ensure steps are taken to meet the needs of a person who is disabled as they are different from the needs of those who are not disabled.

There is no initial indication that the SCS selection exercise will have a disproportionate negative impact on persons of different racial groups, ages, religious beliefs, disabilities, genders and groups of individuals with other protected characteristics.

Impact on Protected Characteristics

Disability – The scoring of attendance could be seen to unduly disadvantage those individuals who have a disability and may require time off work. The Attendance Management policy has been separately impact assessed. It is thought that the procedures relating to this policy effectively mitigate this risk, so that those individuals who score less than full marks for attendance should only be those whose poor attendance is not in any way related to their protected characteristic.

The Attendance Management Guidance states that ‘If it has been established that an employee is likely to incur a certain level of absence as a direct consequence of their disability/underlying health condition, the manager may agree a reasonable level of

absence which can be supported due to that disability or condition'. This means that we can reasonably assume that adherence to the attendance policy will mitigate the risk of people with protected characteristics being negatively scored for attendance.

Race – There is no evidence that there has been a disproportionately negative consequence on race.

Gender – There is no evidence that there has been a disproportionately negative consequence on gender.

Age – There is no evidence that there has been a disproportionately negative consequence on age.

Gender reassignment – There is no evidence that there has been a disproportionately negative consequence on gender reassignment.

Pregnancy and maternity – There is no evidence that there has been a disproportionately negative consequence on pregnancy and maternity as those on maternity/adoption leave had a post ring fenced for their return.

Religion or belief – There is no evidence that there has been a disproportionately negative consequence on religion or belief.

Sexual orientation - There is no evidence that there has been a disproportionately negative consequence on sexual orientation.

Monitoring and evaluation

We intend to monitor the policy once the selecting in and out exercise has completed in July 2011. This monitoring will ensure that we identify any negative impact of the policy on individuals with protected characteristics.

Next steps

The policy will be implemented on the 9th May 2011. Following this implementation, monitoring of selection exercises will occur, and equality data, broken down into each of the protected characteristics will be collected to identify and mitigate negative impacts and to gather further data to support the assessment.

The EIA will be reviewed a year after publication and any negative impacts that have been identified from the monitoring process will be addressed in order to improve the positive and promotion parts of the policy. This timescale will allow for sufficient data to be generated in order to thoroughly assess the policy.

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