

Annex B



DH HR Framework

Assessing the impact on equalities

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Prepared by: HR Change Team

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Summary of transition

The new direction for health and social care set out by the Secretary of State requires some fundamental changes to functions right across the health and care system, the Department and its arm's length bodies (ALBs).

We know that by 2015:

- existing NHS functions will either move to other bodies or will no longer be undertaken at a national level
- the Department will manage a new Public Health Service – Public Health England - and will integrate and streamline existing health improvement and protection organisations and their functions
- the Department will retain responsibility for adult social care policy
- we will have significantly reduced the number of arm's length bodies.

The Department's overall Transition Programme will design and implement the new Department of Health, including the public health service, and oversee the implementation of the arm's length body review. In addition, it will oversee the implementation of health and well-being boards - sitting within local authorities – which will be an integral part of the local delivery chain and have close links with the public health service.

The Department of Health's HR Framework – effective from mid-May 2011 - forms part of the DH and ALB component of the Transition Programme and is designed to both support the Department's delivery of the Transition Programme, as well as the delivery of the Department's efficiencies agenda.

Equality Act 2010 and transition

The Equality Act 2010 is relevant to all functions and activity carried out within, or on behalf of, DH. More specifically, the public sector Equality Duty created by section 149 of the Equality Act 2010 applies to *how* DH develops and delivers functions, policy, programmes and practices.

The Equality 'General' Duty requires those exercising a function to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not, and
- foster good relations between persons who share a relevant protected characteristic and persons who do not.

The relevant protected characteristics (or groups) for the purpose of the duty are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and marriage or civil partnership.

Evidence and analysis

In carrying out this Assessment for the Impact on Equalities, we have taken into account a wide range of data and research findings. Specifically:

- insights gained from specific consultation on the framework and the wider transition agenda, and
- existing information and analysis carried out to support the equalities agenda.

Evidence and analysis: DH HR Framework – summary of engagement and consultation

Communications Plan

The draft HR Framework was published on Delphi on 17 December 2010. Reference to the HR Framework has been included in all corporate channels since November, including Delphi, the SCS Bulletin, Managers' Briefing, and the Permanent Secretary's fortnightly message to all staff.

Early engagement with staff has been specifically around shaping the HR Framework in a number of areas. Following publication of the draft Framework, there has been further engagement with staff before the final product was launched. This engagement has actively helped to shape the final DH HR Framework.

The principal mechanisms for two-way communications with staff were:

- staff engagement and feedback through 'Your Say' – an intranet based forum for registering views, asking questions and on-line discussion¹
- a meeting with Staff Groups in December 2010
- Director General led face-to-face briefings during December 2010 and January 2011²
- the SCS Forum.

¹ A total of 1609 staff, out of 2643, provided feedback on the draft HR Framework. The returned feedback forms covered all areas of the Department, including staff based in Leeds and London, the regional offices and MHRA (Medicines & Healthcare products Regulatory Agency).

² The Permanent Secretary asked Directors General to discuss the content with staff and to gather feedback in special face-to-face meetings. Discussions were based on specific areas of each chapter.

'Your Say'

The 'Your Say' discussion forum was used from the middle to the end of November 2010 to seek staff feedback on three specific questions:

- what support opportunities have you had experience of that have really worked³?
- alternatives to redundancy, in particular flexible working arrangements, job sharing and part-time working⁴.
- streamlined processes - How should posts be advertised? How should suitability for posts be managed?

A total of 57 responses were received. Around two-thirds of these responses related to flexible working with suggestions for additional ways that this might work in the Department. Although financial considerations were the main impediment to consideration of part-time/reduced hours working, some cited lack of opportunities for flexible working, others viewed cultural barriers⁵ and IT unreliability as key concerns. This may point to a wider issue regarding the retention of women at all levels in the organisation, and possibly ties into the different perceptions of work-life balance in DH between women who are carers and women who are not (see below - Evidence and analysis – existing data and information).

'Your Say' has also carried a discussion thread for people to raise their worries and concerns about any other aspect of the Framework. Topics have covered the newly launched compensation scheme, requests for a timeline of activities as well as further clarification on some elements of the draft.

SCS Forum

On 7 December 2010, the SCS Forum provided senior staff with an opportunity to have early sight of the emerging framework. The main discussion area was around the organisational design chapter.

Director General led discussions

The Permanent Secretary issued a message to all staff on 15 December 2010, which also launched the draft HR Framework. The draft HR Framework was published on the HR pages on Delphi. The Permanent Secretary announced that Directors General would be leading face-to-face feedback discussions within their Directorates. The closing date for feedback on these discussions was 17 January 2011. Feedback was discussed with the DTUS and a report on the feedback was published on Delphi at the same time as the final HR Framework.

³ Eg HR surgeries, CoreCare - employee assistance provision, including personal counselling and legal and financial advice.

⁴ Interest; barriers; other options.

⁵ That is, narrow mindsets. This has been explored as part of the 'Carers' project. This research highlighted that flexibility *on both sides* (ie managers and job-holders) was key to successful arrangements.

Direction setting event

On 26 January 2011, a direction-setting event was held for all staff with the Permanent Secretary and Lord Earl Howe. The focus of the event was business planning, but there was also an opportunity for staff to put forward any questions on the HR Framework. The responses to these questions can be found on [Delphi](#).

DH staff groups

DH has a wide range of staff networks, all of whom play an active role in developing and reviewing HR and other corporate policies.

All of these groups were invited to meet with the Director of HR and a member of the HR Change team on 10 December 2010. There was staff group representation from:

- Faith and Belief (FAB) group
- Prism
- EnABLE
- Christian Network Group (CNG)

Key themes from consultation with staff groups⁶

Organisation design

- the knock on effects on diversity if some grades are affected more than others (e.g. moving towards a less top-heavy structure could have an impact on the proportion of women in the organisation – currently representing 53% of the workforce).
- redesign of jobs should include consideration of individual preferences from the equality angle
- the process of redesigning jobs should include an element of flexibility to be able to accommodate reasonable adjustments.

Restructuring and selection

- reassurance needed on controls to ensure that there is no unintended discrimination
- quick process needed to address any unintended discrimination
- need to ensure that the local cost of reasonable adjustments does not affect selection decisions with a perception of some candidates being 'expensive' to appoint.

Employee support

- training needs to be in place for managers if de-layering means people will have more staff to manage. This will be important for managing disabled staff
- Project Bank staff will need a consistent manager to handle disability/health issues, which relies on a trusted ongoing line manager relationship.

⁶ As described by those who participated.

Other issues

- the EQIA diversity monitoring needs to be more than just data gathering - it needs to be regular and robust enough to take action from
- the diversity statistics are not always reflective when self-declared eg an individual may not consider themselves disabled, but have a condition which does fall under the legislation
- a call for more religion/belief categories to be added to diversity monitoring to encourage completion and raise interest.

Unions

Management Side and DTUS have worked in Partnership to develop the detailed HR Framework and supporting processes. From the outset, the goal was to achieve the best and fairest deal for staff, within the parameters set by the Cabinet Office. The negotiations have taken place over several months, with regular, formal meetings dealing with substantive issues and the framework itself chapter by chapter, and some drafting and finer details agreed by correspondence.

The main areas of agreement were that the Framework needed to deliver fair outcomes, reduce uncertainty for individuals and involve less bureaucratic processes where possible. Both sides agreed that the Framework had to be developed in the context of a rolling programme of change taking place in the Department and the wider health and care system, raising the complexity of restructuring and redeployment processes.

During the negotiations, concessions were made on both sides in working towards agreement. In particular, Management Side agreed to include increased levels of governance arrangements for selection processes, and DTUS agreed to opening up all new or substantially changed posts to competition across the Department following slot-ins and limited competitions.

Ongoing communications and engagement

There will be ongoing communication and engagement with staff throughout the period of transition - using a variety of media, including a dedicated hub.

Evidence and analysis – existing data and information

There is a wealth of diversity monitoring data which is routinely gathered and analysed as part of the wider diversity agenda. Specifically:

- workforce demographics and monitoring data
- DH Staff Survey results
- diversity demographics analysis - DH Staff Survey
- qualitative research data.

This information enables us to pinpoint the relevant considerations for this EqIA.

Workforce demographics and monitoring data⁷

Current position:

- two thirds of staff are based in London
- the average age is 42
- over half (53%) of the DH workforce are women
- DH continues to exceed Cabinet Office targets for the proportions of women, BAME (black, asian or minority ethnic) and disabled staff in the senior civil service
- the representation of women in senior grades (grade 7 to SCS) is broadly in line with those in the total workforce (grade 7: 53%, grade 6: 49%, SCS: 40%)
- 84% of part-time workers are women
- 16% of the workforce are from black, asian or minority ethnic (BAME) backgrounds. The proportion of BAME staff decreases as the grade increases (36% at the administrative officer grade to 7% in the senior civil service)
- 6.5% of staff have declared a disability. The proportion of disabled staff decreases as the grade increases (8.1% at the administrative officer grade to 5.1% in the senior civil service), with the exception of those in the Fast Stream (high potential) grade, whose numbers increased to 12.1% in 2010
- 39% of the workforce has caring responsibilities⁸ - of which, 60.3% are women and 39.7% are men
- 36% of staff have a religion or belief, 24% stated that they did not.

Staff survey results

This is the Department's main mechanism for gauging the level of employee engagement (EE). We know that a number of general barriers to engagement are directly linked to a lack of equality and inclusive environments⁹.

⁷ 'Snapshot picture' of position at time of producing this report.

⁸ 26.2%(children); 2.2% (disabled adults/children); 8.4% (elderly); 2.2% (other).

⁹ Engaging for Success: Enhancing performance through employee engagement, MacLeod and Clarke, BIS, 2009.

General trends

In 2010, there was a marked decline in the key employee engagement themes. The Department's overall employee engagement (EE) index dropped 5 percentage points from 60% to 55%.

A number of the EE themes have seen a sharp drop since 2009, particularly 'Learning and development', 'Organisational objectives and purpose' and 'Leadership and managing change'.

As we move into transition, the Department will pay particular attention to these areas, for the benefit of all staff but, more pertinently in this context, because they underpin a diversity friendly work environment.

Diversity demographics analysis – 2009 & 2010

In 2009, the staff survey results were analysed by four main diversity characteristics - age, gender, ethnicity and disability. For sexual orientation and religion or belief, the sample sizes were too small to draw meaningful and significant conclusions. There was little significant difference in the results for gender; however, ethnicity and disability emerged as material factors in the trends in the statistics. Specifically:

- 68% of respondents believed equal opportunity was actively practised in DH, but this declined with age. The overall positive response rate for this statement was 53% for BAME staff and 50% for disabled staff
- 86% of respondents agreed that they were treated fairly at work, but, again, this declined with age. At 76%, the positive response rate for BAME staff was considerably lower than DH rate overall
- 68% reported they received regular feedback on their performance. At 62%, the positive response rate for BAME staff was lower than the DH rate. The positive response rate for disabled staff, 57%, was lower too
- 67% of respondents reported they could access the right learning and development opportunities when needed and this increased with age. At 62%, the positive response rate for BAME staff was lower than the overall percentage. Disabled staff, too, had a lower positive response at 57%.

Other findings

- 62% of women reported they had an acceptable workload. Those with caring responsibilities had a lower positive response rate than those without.
- 67% of women reported they achieved a good balance between their work and private life. Women with caring responsibilities had a lower positive response rate than those without.

For 2010, there was less in-depth analysis; however, the high-level findings were:

- less contrast between the ratings of BAME and non-BAME staff
- results by gender, sexual orientation and religion/belief showed little variation

- the only statistically significant difference was for disabled staff. Disabled employees tended to have lower levels of engagement – particularly for the ‘say’ and ‘strive’¹⁰ questions.

A review of the comments highlighted the key theme of lack of transparency in selection processes and allocation of high profile projects. Career progression support/opportunities emerged as a neglected area - particularly for ethnic minority staff.

Qualitative research projects

We have carried out a number of exercises with staff in the diversity groups to help identify what makes a difference. To date, these projects have looked at the positive and less positive experiences of women, BAME, disabled and lesbian, gay and bi-sexual staff. The headlines from this research were used to promote and build on good practice in the following areas:

- the line manager is key – his/her attitude, support and behaviours have the biggest impact on the experience of staff in the protected groups, and more widely
- mentoring comes a close second (to the line manager role) - particularly for job selection processes and career progression
- supporting flexible working – a key consideration for women (particularly at grade 7 and above) - including thinking more creatively about role design
- ‘reasonable adjustments’ provision for disabled staff
- career progression support and initiatives (at an organisational level).

Other information

There may be insights to be gained from smaller-scale projects. For example:

- EQiA before, during and after promotion gateways exercises has aided fairer, transparent and more accountable decision making.
Recommendation: carry forward the approach and processes to decision-making committees in the transition programme.
- some groups of staff are less likely to apply for internal talent programmes.
Recommendation: These staff may need extra encouragement and support in competitive exercises.
- there may be inconsistency in the way line managers interpret and apply HR policies. Sometimes, staff may have unrealistic expectations¹¹.
Recommendation: include awareness raising for all, of relevant policies and guidance, as part of the briefings/tool-kit.

¹⁰ Say: proud when I tell others I am part of the Department; recommend the Department as a great place to work. Strive: the Department inspires me to do the best in my job; the Department motivates me to help it achieve its objectives.

¹¹ Derived from internal research exploring the experiences of staff with caring responsibilities.

- lessons learned – from a previous, smaller-scale restructuring exercise. The key issues were lack of fairness and transparency and (perceived) less favourable treatment in respect of communication and engagement (a view expressed particularly by BAME staff).
Recommendation: continue the comprehensive communications and engagement programme, throughout the period of transition.

Evidence and analysis - overall conclusions and recommendations

In the main, the analyses, from all sources, point to a number of key themes and mandates for action:

- ongoing monitoring critical – keep checking out EqIA before, during and after all major activities¹²
- themes for those in the protected groups broadly correspond with those for all staff. Get it right for everyone and less targeted action is needed
- reinforce good practice – based on what we know we are currently doing well¹³
- we have a truly diverse workforce - need to raise awareness about the full scope of the Equality Act ie groups covered, and the requirements of the general duty
- educate and support managers - we have a devolved HR Model that de-emphasises the role of HR and emphasises the role of the line manager. Therefore, need policies that support line managers, supplemented with learning and development programmes that focus on compliance and behavioural change¹⁴
- committees/panels - raise awareness at critical decision-making points (activities as described in above bullet point, plus training in ‘unconscious bias’ concepts and ‘self-regulating’ techniques and practices¹⁵)
- openness and transparency are key. Continue with the comprehensive communications and engagement programme – communicating the ‘why’ and ‘how’ as well as the ‘what’
- ongoing dialogue and engagement with all staff – put extra effort into those who may feel less connected with the organisation. Continue to use staff networks to access the hard-to-reach/seldom heard
- employee engagement – invest equal or more in protected groups, otherwise risk higher proportion applying for voluntary schemes/ not applying for suitable posts/ lower self-esteem, resulting in poor performance in selection processes
- mentoring, career progression/choices support are even more critical during transition.

¹² Disability – self-declaration may not present complete picture. Awareness raising material (for all) will emphasise this point, including *indicators* of a condition that could fall within the scope of the disability provisions in the Equality Act eg OH reports, high levels of sick leave.

¹³ As evidenced by the positive ratings in the staff survey results, the equality indicators in the liP review, and Stonewall Workplace Equality Index assessment.

¹⁴ Work already underway – a rolling programme of ‘Managing Change’ workshops for managers.

¹⁵ This was a recommendation in the PRP diversity analysis paper – endorsed by the HR Senior Management Team. Also links to point in Restructuring and selection re ‘unintended discrimination’.

DH HR Framework – what we have done/will do

HR Framework – principles

The principles underpinning the DH HR Framework are designed to address many of the issues highlighted by the evidence and analysis.

Principles:

- transparency, pace and fairness of all our people processes
- honesty and respect in how we treat and support our people
- consistent, with flexibility where needed, and remaining compliant with employment legislation
- regular monitoring to assess the impact of the framework in delivering intended outcomes (including equality related outcomes)
- early engagement with staff and Unions to enable effective and sustainable change
- enabling great career opportunities within the Department, Civil Service and health sector.

HR framework – specific chapters

The DH HR framework details the HR policies and processes for the Transition Programme. It includes specific chapters on organisation design, restructuring and selection, transfers, displacement and redeployment, leaving the Department and employee support.

The framework of HR policies has been developed in line with nationally agreed principles to support the delivery of the Department's Transition Programme and meet the coalition government's efficiencies agenda. It aligns with similar frameworks for our arm's length bodies and the NHS, which will be available on the DH website.

Meeting the Equality Duty

The Equality Duty places three responsibilities on public sector organisations:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who shared a relevant protected characteristic and persons who do not, and
- foster good relations between persons who share a relevant protected characteristic and persons who do not.

The protected characteristics, often referred to as the strands, are:

- age
- disability
- gender reassignment
- marriage and civil partnership

- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

For each aspect of the Framework, the potential to deliver positive impact and the actions to mitigate negative impact have been set out below. These are high-level actions, which will be tested (and revised if appropriate) as we implement each element – seeking feedback throughout.

HR Framework - chapters

Organisation design

The Department of Health's vision is to create a Department that delivers its core objectives of better health, better care and better value in a more efficient and effective manner. We have committed to de-layer in order to make people's accountabilities transparent, to enable decisions to be taken at the right level and to widen spans of support to managers.

The organisation design work is intended to deliver two outcomes. Firstly, to deliver a reshaped Department at reduced running costs. Secondly, to deliver better-designed job roles and organisational structures, which will improve the Department's capability to meet our new business challenges.

Positive impact:

- embedded within the guidance is a requirement to move away from a traditional organisational structure in which full-time, 9-5 working patterns are the norm, and all other arrangements the exception. To quote: 'There will be scope for creative solutions in how jobs are designed, to maximise, for example, opportunities for flexible working'. This will help to address the concerns cited in 'Your Say'.
- de-layering will provide career development and career enhancing opportunities for all and not just, as perceived by some, a select few.
- re-balancing the grades will provide more opportunities in lower to middle ranking grades (EO – SEO). This has the potential to improve the position for BAME staff –current position is 36% at AO level, dropping to 16% in the SEO grade
- one of the principal aims of 'better designed jobs' is to increase 'empowerment', at all levels. This will be an integral part of sustaining and improving employee engagement for all staff, as well those in the diversity groups.
- directorates will be guided by the E&D resource pack: website guidance, policies, e-learning (Equality Act and unconscious bias) and case studies/research reports showing examples of good practice based on internal and external research.

Minimising adverse impact:

- re-balancing the grades will reduce numbers at senior levels (grade 7 to SCS payband 3). This could have an impact on the proportions of women, BAME and disabled staff in these grades; and also our position in relation to the SCS targets for these groups. Directorates will carry out an impact assessment of 'before' and 'after' workforce profiles before implementing new structures. At an organisational level, DH will monitor impact against the baseline position at 31 December 2010
- directorates will be guided by the E&D resource pack: website guidance, policies, e-learning (Equality Act and unconscious bias) and case studies/research reports showing examples of good practice based on internal and external research
- HR Business Partnering – ongoing advice and support.

Restructuring and selection

The key principles that apply to restructuring are:

- consult and communicate with staff early and in an honest and transparent way
- involve Unions in line with our partnership agreement
- provide evidenced feedback to candidates
- follow the process contained in the Restructuring and selection chapter.

The aim is to treat staff fairly when selecting people to fill new posts, and in a downsizing situation, to make sure that we retain key skills and talented staff. As part of the recruitment process, recruiting managers will be made aware that the Department may be vulnerable to claims of discrimination at an employment tribunal if detrimental treatment or victimisation can be proved. Members of staff may challenge a decision if they feel they have been unfairly treated.

Positive impact:

- one of the over-riding principles is to retain key skills and talented staff. We will use existing competence based, selection processes to achieve this
- new posts will be open to all staff across the Department
- Guaranteed Interview Scheme for staff with disabilities
- recruiting managers and selection panels will receive equality briefing packs, including a requirement to complete the e-learning tools (Equality Act and unconscious bias)
- full written, evidenced feedback will be provided to unsuccessful candidates, to aid ongoing development
- during restructuring, the Department will establish a flexible resourcing team - the 'Project Bank' - which will undertake stretching projects within DH¹⁶.

¹⁶ A positive step, given that some staff (particularly BAME) expressed concerns about career progression opportunities (see Staff survey results).

Minimising adverse impact:

- candidates can draw on past and present experience and achievements (including non-work examples) in the statement of suitability. The 'career history' section also allows the candidate to demonstrate their previous track record – going back at least three years and up to ten
- full written, evidenced feedback will be provided to unsuccessful candidates, who can revise and update the statement of suitability throughout the process
- selection panels will include an independent manager and an HR representative
- countersigning managers involved in endorsement process¹⁷
- fast-track appeals process.
- EqIA throughout process – monitoring the impact on all protected groups, plus part-time working
- if statistical data shows adverse impact, processes will be scrutinised before redundancy notices issued
- EqIA data used to inform whole picture for each protected group across all aspects of HR framework
- special provisions for women on maternity leave
- equal treatment for staff on long-term sick leave
- 'keep-in touch' arrangements will be in place
- 'Project Bank' - HR Co-ordinator will advise on HR and equality dimensions¹⁸.

Transfers

The application of Transfer of Undertakings Protection of Employment Regulations 2006 (TUPE) will vary across the individual DH Transition work-stream projects and depend upon the nature of the change taking place.

While TUPE will apply to some transfers, there may be transfers where TUPE does not apply because the transfer is of administrative and regulatory functions, rather than functions that are of a more 'commercial/private sector' nature. Where this is the case, the Department will apply the Cabinet Office Statement of Practice on staff transfers (COSOP), as well as the complementary guidance on pensions, 'A Fair Deal for Staff Pensions'.

Positive impact:

- ultimately, the transfers of functions (in and out) may offer increased opportunities for staff in particular grades, specialisms, work units. This will become apparent as the design and structure of the new organisations starts to take shape.

¹⁷ Strengthening the role of countersigning managers (as a way of mitigating adverse impact) was a key recommendation in the PRP(performance related pay) diversity analysis paper.

¹⁸ See Employee support – concern re support for staff with disabilities in the Project Bank.

Minimising adverse impact:

- DH will apply the Cabinet Office principles (COSOP) which go beyond the legislative duties. This includes pension rights and pension provision, which will mitigate the potential adverse impact for those in the upper age bracket
- DH will consult staff in all areas where it has the freedom to offer more than one option eg pension schemes.

Displacement and redeployment

The Department aims to redeploy displaced staff into permanent posts at their substantive grade within the Department or the wider Civil Service. The Department has put in place processes to fulfil the duty to reduce compulsory redundancies.

When a member of staff becomes displaced, the Department is committed to providing support and time-limited redeployment activity and offering priority consideration for posts to all those who have been served with notices of redundancy. Displaced staff are registered with the Transition Pool and will be allocated a named key manager (usually the last line manager) and a named HR advisor and be entitled to specific staff support. Whilst registered with the Transition Pool, Departmental policies around performance and conduct will continue to apply.

Positive impact:

- registration with the Transition Pool brings entitlement of specific staff support – equipping people with job-search skills¹⁹ that will serve them well in their career progression aspirations, whether or not they remain in DH
- re-training and re-skilling will be provided, where needed; thus broadening the individual's longer-term marketability
- key managers and named HR advisors will receive equality briefing packs, including a requirement to complete the e-learning tools (Equality Act and unconscious bias).

Minimising adverse impact:

- staff 'under notice of redundancy' will receive priority consideration for posts
- key managers and named HR advisors will receive equality briefing packs, including a requirement to complete the e-learning tools (Equality Act and unconscious bias)
- regular EqIA of transition pool composition and activity.

Leaving the Department

In developing our strategy for departures, the Department will offer a fair approach for staff, together with business efficiency safeguards. No member of staff will be made compulsorily redundant without having had the opportunity of redeployment activity and the opportunity to apply to leave on voluntary terms.

¹⁹ A key enabler for staff in the diversity groups

Positive impact:

The Department has opened up the option for a redundancy package to *all* staff via a voluntary exit scheme – this approach enabled those with work-life balance commitments to apply if it suited their personal circumstances.

Minimising adverse impact:

There is a comprehensive and robust set of measures in place to ensure fair and consistent treatment, and to mitigate adverse impact for all diversity groups. These include:

- temporary suspension of DH Promotion Gateways
- recruitment control panels in place since November 2009
- temporary promotions across the Department will be reviewed, freeing up permanent roles for those in the substantive grade
- permanent posts held by agency workers, consultants and temporary staff will be reviewed to establish if these would be suitable for permanent staff who are 'at risk' of redundancy
- posting displaced staff into vacancies if, following a competition, a post remains unfilled
- considering flexible working options, for example part-time working and job shares
- launching a voluntary exit scheme
- continuing to offer opportunities for displaced staff to leave voluntarily.

Employee support

Support will be provided to put the health and well-being of all staff at the centre of everything that is done during the Transition Programme. The Department recognises that change can have an impact on everyone and that some individuals or teams may benefit from support even if their roles have remained the same. Resources have therefore been identified to help build and sustain resilience and offer support through the transition period. Employee wellbeing measures have been agreed and will be tracked through annual and quarterly staff surveys – and analysed by diversity demographics where appropriate.

Each direct line manager and senior team leader will be at the forefront of supporting staff within their business area. They will do this by ensuring that all members of their teams are treated in line with the Department of Health values:

- we value people
- we value purpose
- we value accountability
- we value working together.

Positive impact:

- registration with the Transition Pool brings entitlement of specific staff support – equipping people with job-search skills²⁰ that will serve them well in their career progression aspirations
- where possible, career advice and support will be made available to all staff
- Directorates and managers will be guided by the Equality and diversity resource pack: website guidance, policies, e-learning (Equality Act and unconscious bias) and case studies/research reports showing examples of good practice based on internal and external research.

Minimising adverse impact:

- directorates and managers will be guided by the E&D resource pack: website guidance; policies; e-learning (Equality Act and unconscious bias); and case studies/research reports showing examples of good practice based on internal and external research
- staff survey data (annual and quarterly) will be used to track Directorates' performance in this area
- as part of ongoing monitoring of the health and well-being agenda, DH will be tracking a number of indicators, including sickness absence in general, and, specifically, the incidence of mental health related absence. This will be used to gauge the impact of the transition programme on the health and well-being of all staff, particularly as the longer-term impact could give rise to conditions that may fall within the coverage of the disability provisions in the Equality Act.

²⁰ A key enabler for staff in the diversity groups.

Resources, policies and activities - what we have done/ will do

Mainstream Diversity Agenda

At present, equality and diversity is embedded in all HR activity. This is supplemented with specific policies and initiatives:

- dedicated equality pages on intranet, with resources, signposting etc.
- full suite of flexible working policies
- Anti-bullying and harassment policy
- Carers policy
- Mental health policy
- Reasonable adjustments policy
- Guaranteed Interview Scheme
- Gender re-assignment policy and guidance
- 'No retirement age' policy
- Partial retirement guidance
- Performance management – supplementary guidance for managers (supporting part-time workers and disabled staff)
- diversity awareness programmes
- external benchmarking: Investors in People and Stonewall Workplace Equality Index (WEI)
- EqIA - all HR policies, initiatives and high impact activities.
- annual diversity data refresh exercises
- diversity monitoring reports
- regular and ongoing advice and support from external expert bodies (Stonewall, Opportunity Now, Race for Opportunity (RFO)).

Planned Resources, policies and activities

We aim to provide a comprehensive package of support throughout the period of transition, and beyond. This will include:

- policies to ensure compliance with the Equality Act, and education and awareness raising (via intranet, face-to-face briefings and e-learning tool)
- unconscious bias training - raising awareness at the point of decision making
- ongoing data capture and workforce monitoring, as population changes over time
- real-time EQIA of all activities (eg exit schemes, selection processes, restructuring).
- positive action measures eg building portfolios of evidence
- Managing Change workshops (line managers and individuals)
- HR surgeries
- job-search support
- ongoing employee assistance programme (including financial and legal advice and counselling)
- Occupational Health and Right Care – services will be promoted and scaled up
- Health and wellbeing intranet site updated. Local Wellbeing champions established

- Training on Assessment for the Impact on Equalities (AIEs) has been made available for all staff involved in business planning, and a new template was issued in early January for planning purposes.