



Department
for Business
Innovation & Skills

BIS ATTENDANCE MANAGEMENT

Equality Impact Analysis

FEBRUARY 2014

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Introduction

BIS has carried out an equality analysis as part of the introduction of the new Attendance Management policy, which is being implemented from November 2013 onwards, assessing the proposals in line with the current public sector equality duties.

This process will help to ensure that:

- the Department complies with its duties under the Equality Act 2010 to:
 - eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act from its strategies policies and services
 - advance equality of opportunity and foster good relations between people who share a particular protected characteristic and people who do not share it
- due regard is given to equality in decision making and subsequent processes

Scope of this assessment

The equality impact assessment will show how BIS has demonstrated it has paid due regard when developing new policies or processes to 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).

Brief outline of the policy

The objectives of the Attendance Management policy are to:

- set out a clear end to end process from reporting sickness to managing unsatisfactory attendance so that:
 - attendance is managed fairly and effectively in a clear and transparent way and
 - action is taken in a supportive and sensitive way when health and wellbeing are at risk or when absence levels are unsatisfactory
- promote a culture where employees feel valued, supported and committed to the business and their colleagues
- place the focus of attendance discussions on what the employee can do rather than what they cannot, enabling them to remain at work wherever possible instead of taking sickness absence
- clarify individual roles and responsibilities
- improve line manager capability and confidence to enable them to consistently and effectively manage sickness absence
- allow employees a reasonable length of time and help to improve their attendance
- bring consistency by having a single BIS policy where currently we have 2 legacy policies which treat people differently dependent on their terms and conditions of employment
- allow flexibility in considering action based on individual circumstances

The proposed policy will affect all employees within the department.

Main differences between the new policy and the legacy policies

New Policy	Legacy Policies
One end to end process for sickness management and unsatisfactory attendance, with all supporting documents on one Intranet page	Separate policies (in different areas of the Intranet) for managing sickness and separate for managing unsatisfactory attendance
<p>One set of simplified trigger points (the point when absence becomes unsatisfactory) of:</p> <p>14 days or,</p> <p>7 spells of absence in a rolling 12 month period</p>	<p>Ex DIUS 14 days in a rolling 12 month period</p> <p>Ex Berr:</p> <p>14 days of self-certificated absence in the preceding 12 months.</p> <p>22 days total absence (self-certificated or certificated) in the preceding 12 months.</p> <p>7 or more separate occasions (self-certificated or certificated) in the preceding 12 months.</p> <p>42 days total absence in the preceding 24 months.</p> <p>60 days total absence in the preceding 36 months.</p>
Structured keep in touch process for continuous absence	No structured approach to keeping in touch for continuous absence
All day hospital appointments (where an employee otherwise fit for work) treated as special leave with pay, part day as flexi leave	Hospital appointments treated as sickness absence.

All other aspects of the new policy compared with legacy policies can be considered the same or comparable.

Consultation and involvement

CSEP developed the end to end process and their consultation and involvement as part of this development phase is captured in the CSEP high level EIA (July 2012).

The HR policy team have led the implementation of the CSEP policy in BIS.

HR Business Advisers have presented the views of case practitioners.

The policy team has been involved in cross-government workshops to ensure consistency of approach with other departments where appropriate.

The policy team has engaged with CSEP to develop products and documents, and seek clarifications.

DTUS has been consulted while developing the policy. TUS and the diversity networks will be consulted about the equality impact assessment and this document will be updated accordingly.

Supplementary BIS policies on Disability Leave, Stress management and Injury leave have been drafted to replace legacy policies and to complement the new Attendance Management policy, DAG and DTUS has been consulted on the Disability Leave policy (this was not a new policy but a refresh of existing policy). DTUS have been consulted on the Injury Leave policy (this was not a new policy but a refresh of existing policy). DTUS are being consulted on the stress management policy. We will also consult DAG on this.

Impact of the Attendance Management policy

Workforce diversity data has been included at Annex A.

The new Attendance Management policy will apply to all staff.

To ensure that the process is free from discrimination there will be;

- Clear intranet guidance and supporting documents available to all employees
- A transparent decision making and appeals process
- Up-skilling workshops for HR Business Partners and line managers
- Central collation of MI and scrutiny of data

Having considered the policy before, and throughout, its development, BIS does not anticipate any negative impact on the protected characteristic groups set out below:

Age

BIS data on sickness absence does mirror the general Civil Service trend in that older workers tend to take more sickness absence than younger workers and it tends to be slightly longer term.

SUMMARY	DAYS LOST (SHORT TERM)	DAYS LOST (LONG TERM)	TOTAL DAYS LOST (12 month period)	TOTAL STAFF YEARS	AWDL	TOTAL STAFF EMPLOYED IN PERIOD (HEADCOUNT)	TOTAL STAFF EMPLOYED IN PERIOD WITH NO ABSENCE (HEADCOUNT)	% STAFF WITH NO SICK LEAVE
AGE								
16-24	26	0	26	59.9	0.4	138	125	91%
25-29	240	439	679	239.2	2.8	303	245	81%
30-34	618	1005	1623	339.2	4.8	407	275	68%
35-39	569	616	1185	315.3	3.8	354	246	69%
40-44	934	1004	1938	427.9	4.5	477	283	59%
45-49	1538	1784	3322	594.9	5.6	640	365	57%
50-54	1058	1597	2655	523.4	5.1	556	329	59%
55-59	853	1917	2770	315.8	8.8	337	207	61%
60-64	280	1169	1449	138.9	10.4	167	112	67%
65+	173	423	596	47.9	12.4	58	38	66%
Unknown	0	0	0	0.0			0	
TOTAL	6289	9954	16243	3002.3	5.4	3437	2225	65%

In terms of age breakdown of the department BIS tends to have a slightly lower percentage of staff in the 50-59 year old bracket and a slightly higher percentage in the under 40s age groups than the civil service as a whole.

The new policy will help managers manage sickness absence in a fairer and consistent manner and encourages an approach which focuses on supporting employees to remain at work where possible and back to work as soon as they are able through the use of reasonable adjustments or temporary adaptations.

Flexibility in the policy allows managers discretion in how to handle unsatisfactory attendance depending on circumstances.

Therefore introduction of the policy should not have a detrimental effect on older workers.

BIS will assess the impact of the policy and procedure on older workers following implementation.

Disability

BIS has the following arrangements in place to support the management of sickness absence for disabled staff:

- Disability leave policy
- Flexitime working and special leave policies which allow paid credit for hospital treatment and doctors appointments
- Guidance on making temporary adaptations and reasonable adjustments (including adjustments to trigger points) for disabled employees
- Guidance on planning for a return to work
- Refreshed guidance on stress management

The policy highlights a manager's responsibility to take reasonable adjustments into account throughout the Attendance Management procedures. Flexibility in the policy allows managers discretion in how to handle unsatisfactory attendance depending on circumstances.

Therefore introduction of the policy should not have a detrimental impact on disabled employees.

BIS will assess the impact of the policy and procedures on disabled employees following implementation. MI should be available through the reports from the new HR System.

Race

Although it is appreciated that some illnesses are more prevalent through genetic disposition we have no statistical evidence to suggest that race has an impact on absence levels in the department.

Flexibility in the policy allows managers discretion in how to handle unsatisfactory attendance depending on circumstances.

Therefore this Attendance Management policy is unlikely to have any adverse impact relating to race.

BIS will assess the impact of the policy and procedures following implementation. MI should be available through the reports from the new HR System.

Gender Reassignment

Absences for gender reassignment operations and treatment are covered by the special leave with pay policy. This Attendance Management policy is therefore unlikely to have an equality impact relating to gender reassignment.

Marriage and Civil Partnership

We have no evidence to suggest that marriage or civil partnership has an impact on sickness levels. Therefore this attendance management policy is unlikely to have any specific impact relating to marriage or civil partnership.

Pregnancy and Maternity

Pregnancy related sickness absences do not count for attendance management purposes or towards sick pay calculations, therefore we do not anticipate that the attendance management policy will have an impact on pregnancy or maternity related absence.

Religion or Belief

We have no evidence to suggest that religion or belief has any specific impact on sickness absence levels. Therefore the attendance management policy is not likely to have an equality impact relating specifically to religion or belief.

Sex (Gender)

The gender breakdown of the department shows an almost even ratio of men to women, however sickness absence statistics from BIS show that women are more likely to take sickness absence than men.

SUMMARY	DAYS LOST (SHORT TERM)	DAYS LOST (LONG TERM)	TOTAL DAYS LOST (12 month period)	TOTAL STAFF YEARS	AWDL	TOTAL STAFF EMPLOYED IN PERIOD (HEADCOUNT)	TOTAL STAFF EMPLOYED IN PERIOD WITH NO ABSENCE (HEADCOUNT)	% STAFF WITH NO SICK LEAVE
GENDER								
Male	2412	4472	6884	1588.6	4.3	1776	1234	69%
Female	3877	5482	9359	1413.8	6.6	1661	991	60%
Unknown			0					
TOTAL	6289	9954	16243	3002.3	5.4	3437	2225	65%

The Attendance Management policy and procedures will help managers manage sickness absence in a fairer and consistent manner and encourages an approach of working together with employees and supporting them to remain at work where possible and back to work as soon as they are able through the use of reasonable adjustments or temporary adaptations.

Flexibility in the policy allows managers discretion in how to handle unsatisfactory attendance depending on circumstances. In addition the department does have a wealth of family friendly policies (flexible working, special leave, parental leave) to enable working families to manage their work-life balance. The policy encourages increased emphasis on managers and employees working together to discuss options in reducing sickness absence.

Therefore the attendance management policy is not likely to have an equality impact relating specifically to gender. BIS will assess the impact of the policy on gender following its implementation.

Sexual Orientation

We have no evidence to suggest that sexual orientation has any specific impact on sickness levels. Therefore the attendance management policy is not likely to have an equality impact relating specifically to sexual orientation.

Monitoring and Evaluation

Formal evaluation of this policy will be undertaken in due course. If the MI shows that specific groups are being disadvantaged by the changes, the HR Policy team and Groups/Directorates will be responsible for ensuring that necessary adjustments resulting from local factors are undertaken.

Data currently prepared for Cabinet Office on sickness absence does not include an analysis of race or disability. Data for the CO report is compiled from several separate legacy reports and it is not possible to re-interrogate this information to include race or disability.

In future as we move to a new HR system we plan to include race and disability in our sickness absence analysis.

Next Steps

The equality analysis has formed part of the design of the policy and will inform the implementation and evaluation of the changes to the Attendance Management policy.

Contact Details

If you require further information, please contact: Jane Asher, HR Policy Team:
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ANNEX A: Workforce Diversity Data

Diversity data for total staff in BIS

BIS total staff count: 3104

Diversity strand		Departmental headcount figure against diversity strand	% of staff
Working pattern	Full time	2752	89%
	Part time	352	11%
Gender	Male	1598	51%
	Female	1506	49%
Age	25 and under	124	4%
	26 – 35	675	22%
	36 – 45	818	26%
	46 - 55	1098	35%
	56 – 65	355	11%
	over 65	34	1%
Disability	Yes	190	6%
	No	1942	63%
	Not declared	972	31%
Ethnicity	BME	337	11%
	White	1190	38%
	Not Declared	1577	51%
Sexual orientation	Heterosexual	735	24%
	LGB	44	1%
	Not declared	2325	75%
Religion	Declared	798	26%
	Not declared	2306	74%

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