

NATIONAL PROBATION SERVICE HAMPSHIRE AREA

EQUALITY IMPACT ASSESSMENT

Section Two: Full Impact Assessment

This “Equality Impact Assessment” documents the outcome of a full impact assessment on the specified function, policy or procedure, addressing the equalities strands of: Race, Gender, Disability, Sexuality, Faith and Age. It is to be completed, published as specified, and appended to policy and/or strategy documents.

1. Function Name, Policy or Procedure:

Flexible Working Policy

2. Aims and Approach of Function/Policy/Procedure

This policy outlines Hampshire Probation Area’s approach to flexible working for its staff. As such it addresses the framework and protocols for **part-time working, working compressed hours, job share, home working, flexi-time and TOIL.**

The policy is a local modelling of a nationally agreed document, which has been written “with a view to avoiding any adverse impact in terms of race, disability, gender, sexual orientation, age, belief, marital status, caring responsibilities or chosen working pattern.”

The policy also aims to comply with the statutory requirements which allow parents of children (under six), disabled (under 18), or carers of adults the rights to request flexible working.

3. What data/information is available & does it suggest differential impact for any of the groups identified as part of the impact assessment process?

(A range of different data may be used for this section – e.g. internal monitoring data, national reports/research, locally commissioned reports/audits/research, results of previous consultations/workshops, statistical data such as census data, Home Office Statistics)

HPA has a limited amount of data relevant to the flexible working patterns of its staff. Monitoring does show that about 35% of staff work on a part-time basis. Of those part-time staff, 21% are male and 79% are female. 12.6% of part-time staff have disclosed a disability and 2.8% are from minority ethnic backgrounds.

16% of Senior Probation Officer posts are part-time, 29% of all managers, indicating an under-representation of part-time staff in this role. The largest group of staff who work part-time are administrators at 49%.

Further data is needed in order to have a full picture of the profiles of different types of flexible working and of the applications for and those who are and are not successful in this process. This has been written into the framework document, although the systems for this are as yet unclear.

4. What consultation has been undertaken and with whom?

(include information on what was needed from the consultation, how it was carried out and with whom)

Consultation on this Policy has been undertaken with Unison and NAPO and with HPA's Equalities Consultation Panel.

5. What are the main findings of the consultation undertaken (what positive or negative impacts were identified for any of the different groups)?

The main comments of the Equalities Consultation Panel were as follows:

- Concerns were raised about the potential for discrimination in the successful application for flexible working. The Policy makes clear its intent for regular review within a framework of equal opportunities monitoring. It does not however make it clear how this will be achieved and how potentially negative impacts will be identified.
- The rulings on overtime rates (whereby overtime was only payable to Band 3 and below employees), was considered potentially discriminatory and concern was raised as to whether this agreement as part of the NNC Pay and Conditions of Service had been Equality Impact Assessed.

- It was felt that training and development opportunities, especially where so much training is delivered in Eastleigh, can potentially disadvantage some staff on a geographical basis and in relation to caring responsibilities. It was requested that a clear statement was made within the relevant section of the policy (Pg 6 – Training and Development), which stated that there will be flexibility to the start and finish of the training day in order to accommodate people's needs who have some distance to travel.
- It was felt that clear criteria needs to be included on what makes a job suitable for part-time working to aide transparency as to why somebody may not be successful in their request to do their role on a part-time basis. This will assist in ensuring that no group is disadvantaged in this process.
- Concerns were raised about how part year working can negatively impact on men and those who don't have children through lack of adequate cover for those who have a reduced number of weeks working in order to accommodate school holidays.
- It was felt that a policy on home working was particularly beneficial for those members of staff with a disability, as occasional or regular home working can be a very useful adjustment, where operationally viable.
- It was felt that job-share would be particularly of interest to women trying to get into management posts. The policy does not make clear what the recruitment procedures are for posts on a job-share basis, only for a change of work status. Neither does it make clear whether all jobs are open to jobsharer unless specified other wise.
- In the section on flexi-time, it was felt that the ability to only carry over 4 debit hours to the next month may be too rigid in some circumstances e.g. during Ramadan where staff for the period of a month may wish to use the flexi-system quite a lot to accommodate prayers. It was suggested that wording made clear that in specific circumstances with HR agreement this could be adjusted.

6. Does this policy have the potential to cause unlawful discrimination, exclusion of some groups of people from its benefits or lead to negative relations?

There were a number of points, raised above, where further clarity is required in order to ensure that no particular group is disadvantaged in the process of accessing flexible working patterns.

7. What measures have been identified in order for the policy/procedures to achieve its aims without risking any adverse impact?

As identified in section 5

8. What Action is now to be Undertaken?

- Concerns regarding the potential for discrimination will be addressed should any issues be highlighted within statistical data produced. A report will be produced annually. It is likely that the date of this report will be published January 2009 as agreement has not been finalised through JNCC.
- The ruling on overtime rates payable to Band 3 is part of the NNC pay & condition of Service. Clarification has been defined within the policy page 26 – Pay and Leave.
- Clear definitions have been provided on what constitutes part time working and that all part time posts are considered suitable unless the post cannot support their working pattern. (page 7)
- There are clear guidelines for managers to consider as a result of employees requesting part-time and whether this is a suitable arrangement. Page 16.
- Consideration has been given to training being delivered within regional locations and in a flexible format – page 6 of the policy.
- The recruitment procedure for posts on a job share basis is addressed in the Vacancy Management procedure. Page 11 – section 2.8.
- Provisions for Ramadan have been incorporated on page 27.

Many of the concerns identified within 5.0 have already been actioned following the Equalities Meeting in October 2008. However, a paragraph for flexible arrangements during the period of Ramadan has now been included. Contact will be made with the Unions to confirm amendment.

Statistical data will be provided following implementation of the flexible working policy. The process is clear and detailed within the content of this policy – section 5.0.

Employees will apply to alter their pattern of work using Appendix A. These forms must be submitted to HR for processing and will then be used for monitoring purposes.

Job share and Home Working arrangements will be recorded and monitored via the HR Database (PPWin) entries.

All processes within HR have been checked and verified to accommodate the recording of statistical data on specific groups as identified within the equalities impact assessment.

PPWin records identify home workers and employees on job share and will also report anyone taking on these arrangements.

The right to request forms will also act as a trigger to record and monitor part time arrangements, once this is in operation.

Teresa Crowther
18th November 2008

8. Monitoring arrangements and review process

Results will be produced as detailed and submitted to the Equalities Board Meeting on an annual cycle

10. How results will be published
Results will be published through the Diversity Database and the HPA Website
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Signature of Policy Lead

Position

Date