

Equality Impact Assessment Guidance Uniform and Dress Code Policy

Directorate: Workforce, Organisational Development and Estates

Date Impact Assessment completed: 7 August 2008

Is this a new or existing policy, service or function? **New**

Aim and purpose of this section of the guidance

Having decided that an Impact Assessment is needed the next step is to determine the scope of the impact assessment. Answering the questions in the box below will help decide what time, resource and expertise you will need and who should be involved. For instance, a proposed policy where the risk or potential for negative effects on equality is small may require only a documentation review or a workshop with the main interested parties to clarify what the risk is, identify mitigating action and decide what monitoring to do in the future. A service/policy/function area where the potential is assessed as high, may need an extended period during which research is commissioned and a large number of people are engaged in discussion about potential risks and how they may be mitigated.

Names and roles of the people carrying out the Impact Assessment
<ol style="list-style-type: none">1. Melanie O'Brien – HR Employment Policy Advisor2. Marie Harrison – Secretary to HR Senior Business Partners3. Rachel Higgins – Workforce Development Facilitator4. Karen Austin – Equality and Diversity Manager

Signature:
Job title:
Date:

Equality Impact Assessment of Impact Template

Uniform and Dress Code Policy

Testing of disproportionate or adverse impact

NOTE: Adverse impact means significant difference in patterns of service take up, experience, representation or outcomes between different ethnic groups and which are disadvantageous to one or more groups.

On which equality strands/target groups is this Impact Assessment being carried out?

Please indicate:

Race	x
Age	
Religion or Belief	x
Disability	
Gender	x
Sexual Orientation	
Health status	

It is only necessary to complete the sections on the strands that you have identified above.

Race - Testing of disproportionate or adverse impact

Does this affect the policy, service or function? **Yes**

If NO please continue to next section

How are different racial groups reflected in the take up of the service or in benefitting from the policy, service or function?

There are only a small number (4%) of staff in the PCT who are non-White British

From the evidence does the policy, service or function affect (or have the potential to affect) racial groups differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect (include information on adverse impact between different racial groups)?

No; however people from different races may have different expectations around dress, such as cultural but non-religious dress e.g. sari.

This would be unlikely to be a problem in areas of non-uniform as the policy clearly states that the Trust welcomes cultural expression; however these expectations may clash in areas where uniform must be worn. In those occasions, we would expect managers to be as flexible as possible within the constraints of health and safety and infection control.

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one racial group; or for another legitimate reason)?

No

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

Health and Safety legislation could affect decisions on clothing in areas where infection control or manual handling are an issue.

How does the policy, service or function help to promote race equality i.e. how does it help to:

- Eliminate unlawful racial discrimination
- Promote equal opportunities
- Promote good relations between people of different racial groups?

The policy clearly states that the Trust encourages cultural expression through dress.

Religion or belief - Testing of disproportionate or adverse impact

Does this affect the policy, service or function? **Yes**

If NO please continue to next section

How are different religious/belief groups reflected in the take up of the service or in benefitting from the policy, service or function?

The Trust does not currently monitor staff by religion/belief; however this will be changing in the future.

From the evidence does the policy, service or function affect (or have the potential to affect) religious or belief groups differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect (include information on adverse impact between different racial groups)?

Yes. The policy states that full-face veils may not be worn in some therapeutic situations but may be worn at other times. In addition, uniforms have short sleeves – staff may wear a long-sleeved top under their uniform but would have to roll the sleeves up when working directly with patients.

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one racial group; or for another legitimate reason)?

The removal of veils a justifiable expectation based on evidence of the importance of non-verbal communication.

‘Bare below the elbows’ is justifiable under infection control procedures.

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

Health and Safety at Work Act 1979 (and, as amended, 1999)

How does the policy, service or function help to promote equality of religion or belief?

The policy clearly states that the Trust encourages religious expression through dress.

Disability - Testing of disproportionate or adverse impact

Does this affect the policy, service or function?

No

If NO please continue to next section

How are disabled people reflected in the take up of or in benefitting from the policy, service or function?

From the evidence does the policy, service or function affect (or have the potential to affect) disabled people differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect (include information on adverse impact between different racial groups)?

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one racial group; or for another legitimate reason)?

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

How does the policy, service or function help to promote disability i.e. how does it help to:

- Eliminate discrimination that is unlawful under the Acts
- Eliminate harassment of disabled persons that is related to disabilities
- Promote equality o opportunity between disabled persons and other persons
- Under the Disability Discrimination Acts of 1997 and 2005, it is the duty of public bodies to promote disability equality as follows:
 - Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably that other persons
 - Promote positive attitudes towards disabled persons and
 - Encourage participation by disabled persons in public life

Gender - Testing of disproportionate or adverse impact

Does this affect the policy, service or function?

Yes

If NO please continue to next section

How are different gender groups (men, women or transgendered) reflected in the take up of the service or in benefitting from the policy, service or function?

The Trust has a high proportion of female staff. We have not knowledge of any transgendered people in the current workforce.

From the evidence does the policy, service or function affect (or have the potential to affect) gender groups differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect.

No; however transgendered individuals may have different expectations of the uniform and dress code policy. Future revisions of the policy should include the right of transgendered people to dress as their chosen gender, including any uniform.

Training on the policy will include this.

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one gender group; or for another legitimate reason)?

N/A

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

N/A

How does the policy, service or function help to promote gender equality i.e how does it help to:

- Eliminate unlawful sex discrimination
- Promote equal opportunities
- Eliminate harassment of transgendered people

The training on this policy will raise awareness of transgendered people.

Age - Testing of disproportionate or adverse impact

Does this affect the policy, service or function?

No

If NO please continue to next section

How are young and old people reflected in the take up of the service or in benefitting from the policy, service or function?

From the evidence does the policy, service or function affect (or have the potential to affect) age groups differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect (include information on adverse impact between different racial groups)?

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one age group; or for another legitimate reason)?

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

How does the policy, service or function help to promote age equality?

Sexual orientation - Testing of disproportionate or adverse impact

Does this affect the policy, service or function? **No**

But see section on gender for transgender issues

If NO please continue to next section

How are lesbian, gay, bisexual or transgender groups reflected in the take up of the service or in benefitting from the policy, service or function?

From the evidence does the policy, service or function affect (or have the potential to affect) lesbian, gay, bisexual or transgender groups differently; and if so, do any of the differences amount to an adverse impact or unjustifiable discrimination, direct or indirect (include information on adverse impact between different racial groups)?

If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for one group; or for another legitimate reason)?

If the policy, service or function could discriminate directly or indirectly, is it justifiable under any legislation?

How does the policy, service or function help to promote lesbian, gay, bisexual or transgender equality?

Health status - Testing of disproportionate or adverse impact

Does this affect the policy, service or function?

No

If NO please continue to next section

Identify the effect if the policy, service or function on physical or mental health of service users and the wider community from any information that is available.

This might include an increased risk to health for some groups in the community which, although not intended, may still have occurred. The impact on health might include:

- Increased mental stress
- Greater risk of accident or injury
- Reduced opportunities to have a equality diet
- Reduced opportunity for physical exercise, or greater incidence of disease such as heart disease and diabetes.

From the evidence does the policy, service or function affect (or have the potential to affect) the health of groups differently?

If so, which groups and how does the impact occur?

Does the policy, function or service area affect a large number of people (for instance it covers service provision such as primary care) No

Have risks or potential risks attached to its implementation/delivery in relation to equality, because for instance it relates to:

- Strategies or services specific to a particular group like older people, pregnant women or mental health services for deaf people
- Or to a disease or service area where a disproportionate number of some population groups are affected such as CHD, HIV or ophthalmic services).

What is the probability of adverse or beneficial effects?

- Risk of adverse effects on equality (indicate one)?

Highly likely to have adverse effect on equality
High Risk

May possibly have adverse effect
Moderate Risk

Probably will not have adverse effect
Low Risk

- Potential for benefit? (indicate one)

Highly likely to promote equality of opportunity and good relations
High Potential
(low risk)

May have the potential to promote equality and good relations
Moderate potential
(moderate risk)

Probably will not promote equality or good relations
Low potential
(high risk)

Lots of people from different groups may be affected to some extent

A few people may be affected but the effect on them will be highly adverse