

Scottish Borders Council

Equality Impact Assessment

3.1	Title of Proposal:	Managing Employee Transfers to New Structures
3.2	Service Area: Department:	Human Resources
3.3	Description:	<p>This Policy and its associated procedures (procedures) apply to all employees, whether on full-time or part-time contracts, with the exception of the Chief Executive, Directors, Heads of Service and Teachers. Employees on temporary or fixed term contracts are also included if they have been employed continuously for a minimum of one year.</p> <p>The procedures excludes Agency staff, freelance or semi-employed people and anyone else who is not directly employed by the Council under a contract of employment.</p> <p>The procedures deal with the handling of employee transfers from an existing organisational structure to a new structure.</p> <p>The purpose of these procedures is to :</p> <ul style="list-style-type: none"> • Ensure business continuity • Ensure employees are treated fairly and consistently to minimise uncertainty and anxiety during periods of organisational change. • Support organisational change and disruption • Fill posts in new structures efficiently and fairly, following consistent procedures.

		<p>These procedures should be read in conjunction with the following policies :</p> <ul style="list-style-type: none"> • Retention and Redeployment Policy • Redundancy Policy <p>There is also an Appeal process contained within the Policy for any employee to use, should they feel the Policy has not been applied fairly.</p>
--	--	---

3.4	<p>Impact Assessment</p> <p>Note:</p> <p>Overall these procedures are seen as positive in that it has a clear and fair mechanism and process for handling changes to organisational structure. There is clear guidance to enable managers to apply the process fairly.</p> <p>Any employee who may be pregnant, on maternity or adoption leave or long term sickness leave would be contacted and included in any staff consultation and in the pool of staff for selection (section 7.35).</p> <p>In instances where the new structure requires fewer specific posts than the old structure, and therefore a staffing surplus is identified, consideration would be given to selection criteria being identified. Guidance on selection criteria is contained in the Redundancy Policy.</p> <p>This potentially is the only subjective aspect of these procedures. However the establishment of criteria for interview and interview selection must follow the guidance contained in the Recruitment & Selection Policy (section 7.18 – 7.20).</p> <p>Priority would be given to permanent employees over temporary employees with over 1 years’ service.</p>					
	Equality Characteristic	Impact			Description	Mitigation & Recommendations
		No Impact	Positive Impact	Negative Impact		

	<p>All protected characteristics including: Age Disability Gender Race Groups Religious or Belief Pregnancy and Maternity Sexual Orientation, Gender Reassignment and the associated themes of Carers poverty and employees.</p>	X		<p>This Policy is intended to ensure fair treatment for all employees of SBC regardless of their protected characteristic who may be subject to transfer to new structures. The impacts are likely to be fair.</p> <p>This Policy is consistent in its approach to Transferring staff to new structures regardless of the employee’s shared characteristics.</p> <p>Furthermore this Policy is not relevant to the General Equality Duty, namely the advancement of equality, elimination of discrimination and promoting good relations. There is no likelihood that this Policy will affect people who share protected characteristics differently from other people. The eligibility criteria which is used in the Policy is objective and the entitlement limits are fixed. The documentation used is accessible and in clear and plain English.</p> <p>We do not currently collect data specifically regarding employees who may be subject to being transferred into new structures, however, in order to assess the effectiveness of this Policy, SBC will monitor equality data about transferred employees.</p>
--	---	---	--	--

3.5	Recommendations & Mitigation		
	Characteristic	Mitigation/Recommendation	Approved Yes/No
	Employees	<p>Council’s commitment to equalities is communicated to all employees. Guidance on related policies to be referred to in body of the Policy, especially on guidance on selection criteria from the Redundancy Policy, and guidance on selection through competitive</p>	<p>Yes Yes</p>

		interviews from the Recruitment & Selection Policy.	
	Promotion	Training for managers in the operation of the Policy.	Yes
	General	Amend Policy to include: <ul style="list-style-type: none"> • accessible format strapline and version control matrix • list of associated policies 	Yes
		Formulate a process to collate, monitor and analysis equality data for transferring employees	Yes
		The outcomes of these procedures will be reviewed at least every two years. If any trends emerge these will be analysed and appropriate steps taken, potentially including a full review of the Policy and its associated procedures.	Yes

Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)			
Name:	Clair Hepburn	Directorate:	Chief Executive
Post:	Chief Officer HR	Date:	07/02/17

EIA Completed By			
Name	Iain Davidson	Service Area.	Chief Executive - Human Resources
Post	Employee Relations Manager	Date	25th January 2017
Name	Simone Doyle	Service Area	Chief Executive - Human Resources
Post	Equality & Diversity Officer (HR)	Date	25th January 2017
Name	Dee Maclean	Service Area	Chief Executive - Human Resources
Post	HR Business Partner	Date	25th January 2017

