

## Equality Impact Assessment - Initial screening form for restructuring proposals

Directorate	Specialist Services
Date	10 <sup>th</sup> September 2012
Consultation paper	Consultation document outlining proposals for the transfer of Alison House and Kingsbridge Road Short Break Services (planned and unplanned) to Look Ahead Housing and Care under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006
Purpose	To provide formal notification of the proposed changes to the employment of CLCH Learning Disabilities staff who are currently engaged to provide the Short Breaks Service based at Alison House and Kingsbridge Road as commissioned by the Royal Borough of Kensington & Chelsea and the Borough of Westminster. To provide information on the implications and effects of the TUPE Transfer that will occur due to these proposed changes.
Associated NHS guidance	NHS Employers' guidance document, 'Equity in implementing organisational change'
Who does it affect?	All staff employed in the short breaks services based at Alison House and Kingsbridge Road
Consultation	11 <sup>th</sup> September 2012 – 10 <sup>th</sup> October 2012

### Introduction

The NHS Employers guidance document 'Equity in implementing organizational change' sets out a number of key principles that employers in the NHS should adhere to:

- No employee should receive less favourable treatment on grounds of age, gender, marital status, race, religion, sexual orientation, disability, working patterns, or on the grounds of trade union membership; and
- All decisions on identification of 'at risk' staff and redundancy criteria must be seen to be fair and transparent. As well as meeting the requirements both of equal opportunities legislation and best practice.

### How to undertake the initial screening?

Prior to undertaking a full Equality Impact Assessment using the CLCH form it is advisable to undertake an initial screening of the proposals to transfer staff to a new organisation under the TUPE Regulations (2006).

This initial assessment form allows CLCH to consider the effect of organisational changes on particular groups of staff based upon ethnicity, gender, age and disability within the affected directorates.

If there is a disproportionate number of staff from equality groups who are affected by this change in comparison to the total number of staff then a full Equality Impact Assessment is required. It is recommended that the benchmark is any difference of 20% based upon race, gender or disability (for example, 20% more BME staff are affected compared to the total number of staff).

By undertaking assessing a full Equality Impact Assessment on the process and decision making it will be assessed if the transfer process has a negative impact on particular groups and look at ways to minimize the impact (For example, training, support or redeployment). This will ensure that the process for the transfer is fair and transparent and in line with equal opportunities legislation.

### Analysis and monitoring

Below are the tables that need completing to analyse the comparison between the total number of staff in the directorate and those staff at risk.

Directorate	Total number of staff
Affected staff (affected by TUPE – no staff at risk)	40
Specialist Services	209

### Age

Age band	A. Total number of staff in specialist services Date*: 12 <sup>th</sup> September 2012	B. Number of substantive staff placed affected by the transfer proposals	C - Percentage - To calculate percentage column B divided by A x 100)
16-24	6	1	17%
25-44	108	19	18%
45-65	93	20	22%
<b>Total</b>	<b>209</b>	<b>40</b>	<b>19%</b>

### Gender

Gender	A. Total number of staff in specialist	B. Number of substantive staff	C. Percentage - To calculate percentage
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\* Use data from the beginning of the month the consultation commences.

	<b>services Date*: 12<sup>th</sup> September 2012</b>	<b>placed affected by the transfer proposals</b>	<b>column B divided by A x 100.</b>
Men	43	8	19%
Women	166	32	19%
<b>Total</b>	209	40	0%

### Race

<b>Race</b>	<b>A. Total number of staff in specialist services Date*: 12<sup>th</sup> September 2012</b>	<b>B. Number of substantive staff placed affected by the transfer proposals</b>	<b>C. Percentage - To calculate percentage column B divided by A x 100.</b>
White	112	7	6%
BME*	90	33	37%
Unknown	7	0	0%
<b>Total</b>	202	40	19%

### Disability

<b>Disability status</b>	<b>A. Total number of staff in specialist services Date*: 12<sup>th</sup> September 2012</b>	<b>B. Number of substantive staff placed affected by the transfer proposals</b>	<b>C. Percentage - To calculate percentage column B divided by A x 100.</b>
Disabled	11	1	9%
Not disabled	125	20	16%
Not declared	73	19	26%
<b>Total</b>	<b>209</b>	<b>40</b>	<b>19%</b>

### Outcome

<b>Will the downsizing proposals affect a particular group of staff based upon their age, race, gender or disability?</b>	<b>Yes</b>	<b>No</b>
	High risk. Complete a full EIA.	State below how you have reached this conclusion

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\* BME – Black Minority Ethnic classified as any staff who do not declare themselves as White.

**Conclusion**

This initial Equality Impact Assessment shows that the staff from the age group 45-65 and BME staff are disproportionately affected by the TUPE transfer.

A full Equality Impact Assessment is not necessary as the TUPE transfer is due to contract for the service being tendered and won by Look Ahead Housing and Care rather than CLCH. This decision was taken by The Royal Borough of Kensington and Chelsea.

CLCH have minimised the impact upon all staff by allowed them to have access to the priority vacancy bulletin as they are being transferred outside of the NHS. We have as well as provided access to placements with other services to help experience the different roles available within CLCH. Additionally support has been made available by the recruitment team in regards to application and interview skills.

Date completed:

Name:

Signature:

Date signed by Equality and Diversity team: 14<sup>th</sup> November 2012

Signature: