

HDC Due Regard (Equality Analysis)

Due Regard (Equality Analysis) is an on-going proactive process which requires us to consider the effect our decisions are likely to have on local communities, service users and employees, particularly those most vulnerable and at risk of disadvantage.

This template has been designed to assist in the collation of information and evidence required to support the ‘Due Regard’ process when introducing new policies/procedures/functions and services or reviewing existing ones.

Name of policy/procedure/function/service being analysed: Attendance Management Policy

Department and section: Human Resources

Name of lead officer: Ailie Rowlands / Elaine Griffin

Other people involved (assisting or reviewing – including any service users or stakeholder groups etc.): Rebecca Jenner

Date assessment completed: November 2021

Step 1: Defining the policy/procedure/function/service

Is this a new, amended, or reviewed policy? What are the aims, objectives and purpose and how will they be achieved? What are the main activities and which communities are likely to be affected by these activities? What are the expected outcomes?

The purpose of the Attendance Management Policy is to provide a fair and consistent framework for managing attendance, recognising that the success of the Council is dependent upon employees maintaining the required standards of attendance. It provides guidance regarding the handling of short term, intermittent and long-term absence, support for employees, maternity and disability related absence and reasonable adjustments. It sets out processes where employees’ attendance consistently falls below the expected standards, including circumstances when it is necessary to consider dismissal on the grounds of poor attendance.

The policy is relevant to all employees of the Council, particularly those who are unable to fulfil the duties and responsibilities of their post to a satisfactory level due to sickness absence and / or are unable to fulfil their contractual working hours due to an underlying medical condition unsustainable long-term absence or unacceptable levels or patterns of short-term absence.

Step 2: Data collection & evidence

What relevant evidence, research, data, and other information do you have and is there any further research, data, or evidence you need to fill any gaps in your understanding of the potential or known effects of the policy on different communities? Include quantitative data as well as qualitative intelligence such as community input and advice.

We know that absence from work can be caused by a number of causes such as sickness, caring responsibilities, pregnancy, family/personal commitments etc and have written the policy in a way that is not intended to discriminate against employees due to their protected characteristics.

The policy applies to all permanent Council employees and temporary employees who have been employed on successive temporary contracts for more than 12 months, we currently have a total of 209 employees.

Up until now equality monitoring in respect of the impacts of employment policies has been based on staff being sent a link to a survey monkey questionnaire when they have invoked a policy, or they were subject to the formal stages of a policy. Completion of the survey is voluntary and therefore the completion rate has been inconsistent. Unfortunately, this has resulted in little useable data, due to the limited number of responses received, and therefore the accuracy of analysis being flawed. To try and address this, the Human Resources team will now start monitoring policy use against the equality data held on the recently introduced iTrent system. The Human Resources team will continue to encourage the use of the system for recording of equality data and seek for improvements in the recording and monitoring of equality data, particularly, using the iTrent system.

Looking at absence in terms of national equality data:

Sickness Absence

According to ONS research (Sickness absence in the labour market: March 2021):

Gender - Women lost 2.3% of their working hours in 2020 as a result of sickness or injury, in comparison with 1.5% for men.

Age - Sickness absence rates are higher among older workers than younger workers as they are more likely to develop health problems.

Disability - Workers who report having a long-term health condition (that is, those that last 12 months or more) have a higher sickness absence rate than those who do not report having such a condition. The sickness absence rate for those with a long-term health condition was 3.9% in 2020, compared with 1.0% for those without such a condition.

Part Time/Full Time employment - The sickness absence rate for part-time workers has been consistently higher than the rate for full-time workers for the entire data time series. This can be explained in part by higher numbers of women working part-time, and occupations that have a higher proportion of part-time workers, as they also tend to have higher rates of sickness absence.

Department of Health and Social Care report published in July 2019 showed the characteristics of those who had at least one spell of Long-Term Sickness Absence (LTSA):

Gender - 5.2% of women had at least one spell of LTSA in the last 12 months, compared to 3.7% of men.

Age - The likelihood of having at least one spell of LTSA every year increases with age. People aged 55-64 were over 3 times as likely (7%) to have at least one spell of LTSA compared to those under 25 (2%) every year.

Ethnicity - Those who identified as either 'White' or of a 'Mixed' ethnic group were most likely to have at least one spell of LTSA every year (5%) compared to other ethnic groups. Those who identify as 'Asian' were least likely to have a spell of LTSA with only 3% having had one in the last 12 months.

Marital status - Those who were either 'Married' or in a 'Civil partnership' were most likely to have a spell of LTSA (4.6%) compared to those who were 'Single', 'Separated', 'Widowed' or 'Divorced' (4.3%).

Highest qualification - Graduates were the least likely to have a spell of LTSA in the last 12 months. 3.7% of graduates have at least one spell of LTSA in the last 12 months, compared to 5.4% of those who have no qualifications.

Disability status - Disabled people were 5 times more likely to have a spell of LTSA than non-disabled people. 15% of disabled people had at least one spell of LTSA in the last 12 months, compared to 3% of those who are not disabled.

Carers and Absence

- 5 million people in the UK are juggling caring responsibilities with work - that's 1 in 7 of the workforce. However, the significant demands of caring mean that 600 people give up work every day to care for an older or disabled relative.
- 58% of carers are women and 42% are men.
- 72% of carers responding to Carers UK's State of Caring 2018 Survey said they had suffered mental ill health as a result of caring.
- 61% said they had suffered physical ill health as a result of caring.

The policy designed to be gender neutral and an employees protected characteristics should not impact on the likelihood of the formal stages being invoked nor the outcome of the procedure. The policy does ensure that pregnancy and maternity related absence or disability related absence is not counted towards absence triggers.

No employee data is kept regarding socio-economic status of employees but, as HDC's commitment to equality is observed throughout the Attendance Management Procedure, staff are treated fairly and consistently.

The Human Resources team consider that the policy is easy to follow, fair and consistent. Followed correctly, the policy and procedure should not treat any employee favourably than another unless there is justification for doing so.

The breakdown of our current workforce and can be found in our latest [workforce comparison report](#). This document also contains information regarding the equality monitoring statistics of our recruitment process and our workforce equality related objectives.

Step 3: Consultation and involvement

Have you consulted and if so, outline what you did and who you consulted with and why?

Unison, Human Resources Team, Equality and Diversity Officer

Step 4: Potential impact

Considering the evidence from the data collection and feedback from consultation, which communities will be affected and what barriers may these individuals or groups face in relation to Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, current and ex-armed forces personnel (Veterans), deprived or disadvantaged communities and also the potential impact on Community Cohesion. Remember people have multiple characteristics so

the impact of a policy on a particular community may impact people within the community differently. Where possible include numbers likely to be affected.

We believe that there are distinct benefits to maintaining a diverse workforce and it is important that people of all characteristics are represented within our organisation. The aim of this policy is to ensure that the law is applied with regards to attendance management, and if an employee has a particular need due to a relevant protected characteristic, then adjustments will be made accordingly to ensure that the process can be followed appropriately.

Managers, as with all staff, are expected to complete mandatory equality and diversity training every 3 years and also receive information relating to disability and how to make reasonable adjustments.

Copies of the policy are available in an accessible format online and in a printed version from the Human Resources team if required. Reasonable adjustments to the policy are considered by managers with the support of the Human Resources.

Harborough District Council's commitment to equality is observed throughout the attendance management policy and our aim is that staff are treated fairly and consistently regardless of their status.

Step 5: Mitigating and assessing the impact

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs have identified can be addressed.

We do not feel that there is any actual or potential adverse impacts of this policy, but we will use any information from feedback or monitoring to address any concerns which may arise. We also have a robust appeals and grievance structure which should help to highlight any potential disadvantage and bring it to our attention if necessary. We look at our data annually and set equality objectives based on our analysis to try and ensure that any discrepancies are identified at an early stage.

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Harborough District Council's responsibilities in relation to equality, diversity, and human rights. Does it contribute to the achievement of the three aims of the Public Sector Equality Duty – eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity and foster good relations?

We have tried to ensure that the policy is easy to follow, fair and consistent with the aim that if followed correctly no employee will be treated more or less favourably than another unless there is justification for doing so. Therefore, we feel that this policy will help us to show due regard.

Step 7: Monitoring, evaluation & review of your policy/procedure/service change

What monitoring systems will you put in place to promote equality of opportunity, monitor impact and effectiveness, and make positive improvements? How frequently will monitoring take place and who will be responsible?

The Human Resources team will monitor policy use against the equality data held on the recently introduced iTrent system. They will continue to encourage the use of the system for recording of equality data and continue to look for improvements in the recording and monitoring of equality data, particularly through the use of the iTrent system.

Equality Improvement Plan

Equality Objective :

Action: The Human Resources team will monitor policy use against the equality data held on the recently introduced iTrent system. Human Resources will continue to encourage the use of the system for recording of equality data and continue to look for improvements in the recording and monitoring of equality data, particularly through the use of the iTrent system.

Officer Responsible: Elaine Griffin

By when: November 2023

Equality Objective :

Action:

Officer Responsible:

By when:

Signed off by: Rebecca Jenner – HR Manager



Date: 10th January 2022

Once signed off, please forward a copy for publication to Julie Clarke, Equality and Diversity Officer

e-mail: j.clarke@harborough.gov.uk , telephone: 01858 821070.