# Bullying and Harassment Policy

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>119</th>
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<tbody>
<tr>
<td>Author &amp; Title:</td>
<td>Katy Coulam, HR Manager &amp; Anne Dye, Deputy Chair of Staff Side</td>
</tr>
<tr>
<td>Responsible Director:</td>
<td>Human Resources</td>
</tr>
<tr>
<td>Review Date:</td>
<td>16 April 2016</td>
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<tr>
<td>Ratified by:</td>
<td>Strategic Workforce Committee</td>
</tr>
<tr>
<td>Date Ratified:</td>
<td>16 April 2013</td>
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<td>Version:</td>
<td>6</td>
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**Related Policies**
- Code of Expectations of Employees
- Raising Concerns
- Grievance
- Appeals
- Managing Conduct
- Managing Organisational Change
- Management of Stress
- Managing Performance
1. Policy Summary

As an equal opportunities employer, the Trust supports a working environment for individuals in which dignity at work is paramount. The purpose of this policy is to support a working environment and culture in which bullying, harassment, victimisation and illegal discrimination are unacceptable and to provide a proper framework in which complaints about these matters can be dealt with.

All employees have the right to be treated with consideration, dignity and respect. Bullying and harassment will not be tolerated by the Trust in any form.

The Trust's Managing Conduct Policy includes serious bullying, discrimination and harassment as examples of gross misconduct, which can result in dismissal without notice.

Many incidents and patterns of behaviour can be dealt with effectively in an informal way and every effort should be made to resolve matters informally before a formal approach is adopted, although this may not always be possible or appropriate.

Allegations raised regarding bullying and harassment will be taken seriously and treated confidentially. The Trust gives an assurance that there will be no victimisation against an employee making a complaint under this policy or against employees who assist or support a colleague in making a complaint. However, disciplinary action may also be taken if a complaint is found to have been made maliciously or in bad faith.

The chart below shows sequence of events; the Trust’s Bullying and Harassment Advisors can be accessed at any stage of the process, alongside support from HR, TU and Employee Assistance Programme.
1.1 Bullying and Harassment Process

The chart below shows the sequence of events; HR, Trade Union representatives and the Employee Assistance Programme can be accessed at any stage of this process, contact numbers are detailed in Appendix 2. In addition to this, if staff wish to raise a concern internally regarding bullying and harassment and do not feel happy using any of the stages in process detailed below, they may approach Moria Brennan or Nigel Sullivan, Non-Executive Directors of the Trust who will act in the capacity of ‘Bullying and Harassment Advisors’, via the Chairman’s office on Ext: -4032.
2. Scope

This policy applies to all employees and other workers in the course of their duties for the Trust, which includes work-related social events and visitors to Trust premises.

The purpose of this policy is to set out the steps to be followed in making a formal or an informal complaint against another member of staff.

3. Purpose

Harassment, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, (including issues relating to gender reassignment or identity), race, disability, religion, sexual orientation, ethnic origin or any personal characteristic of the individual, and may be persistent or an isolated incident. The key element is that the actions or comments are viewed as demeaning and unacceptable to the recipient. The recipient’s view will not, however, constitute the only interpretation as to what is reasonable behaviour and what is not.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour or an abuse of authority through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against an individual, perhaps by someone in a position of authority such as a manager or supervisor, or involve groups of people. A manager may be bullied by a subordinate. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Examples of unacceptable behaviour that can be considered to constitute bullying and harassment:

- Bullying by exclusion - this may take the form of social isolation and/or exclusion from meetings
- The deliberate withholding of information with the intention of affecting a colleague’s performance
- Unfair and destructive criticism
- Undermining an individual’s self-esteem by condescending, patronising or threatening behaviour
- Intimidating behaviour, including physical abuse or the threat of physical abuse
- Verbal abuse, abuse in correspondence and e-mails and the spreading of unfounded rumours
- Humiliation or ridicule
- Coercion for sexual favours
• Setting of unrealistic targets which are unreasonable and/or changed with limited notice or consultation
• Copying memos that are critical about someone to others that do not need to know
• Turning down reasonable requests without a good reason
• Misrepresentation of the views of others

This list is neither exhaustive nor exclusive.

The use of the Trust’s policies and procedures to manage the behaviour, sickness absence and performance of employees will not normally constitute bullying, harassment, victimisation or discrimination, unless the policies are determined to have been applied in an inappropriate or inconsistent manner by an individual manager.

4. Legislation

There is a range of legislation relating to harassment and bullying:

• Equality Act 2010
• Health and Safety at Work Act 1974
• Sex Discrimination Act 1975 (as amended by the Sex Discrimination Act 1986)
• Race Relations Act 1976
• Disability Discrimination Act 1995
• Criminal Justice and Public Disorder Act 1995
• Employment Rights Act 1996
• Protection from Harassment Act 1997
• Crime and Disorder Act 1998
• Race Relations (Amendment) Bill 2000
• Employment Act 2002
• Employment Equality (Sexual Orientation) Regulations 2003
• Employment Equality (Religion or Belief) Regulations 2003

The Race Relations Act 1976, the Disability Discrimination Act 1995, the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Age) Regulations 2006 all contain an express definition of unlawful harassment as a distinct form of unlawful discrimination. This is where, on grounds of race, ethnic or national origins, religion or belief, sexual orientation, or age, person A engages in unwanted conduct that has the purpose or effect of violating person B’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for person B. Conduct shall be regarded as having this effect only if, having regard to all the circumstances, including in particular the perception of B, it should reasonably be considered as having that effect.
The Sex Discrimination Act 1975 sets out two definitions of sexual harassment: one for sexual harassment and one for sex-based harassment. Sex-based harassment happens where unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of that person, or of creating an intimidating, hostile, degrading, humiliating, or offensive environment.

Sexual harassment happens where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, or of creating an intimidating, hostile, degrading, humiliating, or offensive environment. Harassment on grounds of gender reassignment is also prohibited by the Sex Discrimination Act 1975. Where there is no intention to violate the other's dignity or create such an environment, the behaviour is to be regarded as having the effect of doing so only if, having regard to all the circumstances, including in particular the perception of the other person, it should reasonably be considered as having that effect.

5. Duties

5.1 Employees

Each employee has a responsibility for their own behaviour and is responsible for ensuring that their conduct is in line with the standards set out in this policy. Employees are encouraged to report incidents of bullying and harassment to a senior manager, even if they are not the victim.

There are several things individual employees can do:

- Set a positive example by treating others with respect
- Be aware of the policy and comply with it
- Do not make personal comments
- Do not accept behaviour that may be offensive when directed against you or others, and take positive action to ensure that it is challenged and/or reported
- Be supportive of colleagues who may be subject to bullying and/or harassment.

Employees with line management responsibilities have a particular responsibility to challenge and prevent bullying and harassment and to deal with issues and complaints as they arise.
5.2 Managers

All managers have a responsibility to implement this policy and to bring it to the attention of staff in their work area, in order to establish and maintain a work environment free of harassment. They must:

- Treat a complaint seriously and deal with it promptly and confidentially, giving the employee and the alleged perpetrator full support during the whole process;
- Set a positive example by treating others with respect and setting standards of acceptable behaviour;
- Promote a working environment where harassment is unacceptable and not tolerated;
- Tackle, and where possible, resolve incidents of harassment;
- Consult with their HR Manager at any time for advice and support.

5.3 Human Resources

The HR Department has a responsibility to ensure that the policy is followed fairly and consistently. Their duties will involve:

- Advising managers on the application of the policy;
- Advising managers and staff where individuals feel that they are being harassed or bullied in the course of their employment;
- Ensuring the effective implementation of the policy;
- Monitoring incidences of bullying and harassment and initiating appropriate action;
- Reviewing and amending the policy as necessary.

5.4 Trade Unions

In all meetings at which a formal complaint is being considered, the employee has the right to be accompanied by a representative from a trade union or professional association or by a colleague, relative or friend. It is the responsibility of the employee to arrange to be accompanied and to pay any fees levied by any companion.

A companion may address a formal meeting to present and sum up the employee’s case, ask questions and respond on the employee’s behalf to a view presented. However, they may not answer questions asked directly to the employee. The companion will also be allowed time to confer with the employee during the meeting.
6. Procedure

Setting out a complaint in writing is not easy, especially for employees whose first language is not English or who have difficulty expressing themselves on paper. In these circumstances, the employee is advised to seek assistance from a trade union representative or a colleague, friend or relative. Employees unable to formulate a written complaint because of a disability will be given assistance by the Trust and should approach the HR Department if this assistance is required. Guidance on writing a complaint is given in Appendix 3 of this policy.

6.1 Counselling and Occupational Health Support

The Trust provides a confidential information and counselling service for its employees who are experiencing bullying and harassment. The Employee Assistance Programme (EAP) is a free and strictly confidential support service for use by members of staff and their immediate families. EAP can be accessed through Occupational Health.

An employee may also be referred to the Occupational Health Department either as a self-referral or by their manager, for a full assessment of their ability to participate in any aspect of this process and also to identify any underlying health problems.

6.2 Mediation

Mediation may be used to address concerns if considered appropriate by a manager and it is agreed by all parties to the complaint. The usual approach is that a trained external mediator meets both parties individually before advising on next steps of the mediation process, which might include a further meeting between both parties, facilitated by the mediator. At this meeting the complainant will be given the opportunity to explain to the alleged bully or harasser why the identified behaviour is detrimental to their dignity at work. Where possible the matter will be resolved through informal discussion and agreement about future behaviour.

Mediation is not appropriate to all circumstances and works most effectively when both parties are open to an effective and workable resolution to a dispute.
6.3 Informal Procedure

Many incidents of harassment or bullying can be dealt with effectively in an informal way. Often a person is unaware of the effect of their behaviour on others, and once made aware of the distress caused by their actions, the offensive behaviour ceases. Therefore, before the formal procedure is invoked, every effort should be made to use the informal procedure and to resolve issues as soon as possible after they arise.

Actions you can take yourself:

- Keep a diary of all incidents - records of dates, times, any witnesses, your feelings etc. Keep copies of any correspondence that may be relevant, for example reports, letters, memos, notes of any meetings that relate to you.

- In many instances it is possible for the matter to be resolved quickly by explaining directly to the harasser the effect their behaviour is having and that you want it to stop.

- You should always make it clear that if the behaviour continues you will make a formal complaint.

If the behaviour of a person is aggressive when you speak to them it may be necessary to walk away making it clear you do not wish to be spoken to in that way.

If you do not feel able to raise your concerns with the person directly, you could write to them stating that you feel harassed, state where and when this occurred and how you wish to be treated. Always keep a copy of the letter sent.

In circumstances where an employee finds this difficult to do on their own, they can normally seek support from their line manager, a colleague or union representative. In certain circumstances mediation may be appropriate in an attempt to resolve the situation.

Should the unwanted conduct persist or the informal approach is not considered appropriate for any reason, the formal procedure should be followed.
6.4 Formal Procedure

Prior to the formal bullying and harassment procedure being invoked the employee will need to meet with an independent HR Manager in order to agree the best approach to managing the issues and to also to understand the resolution the employee is seeking.

An employee who feels they are being subjected to harassment, bullying or victimisation and wishes to raise a formal complaint should do so in writing to their manager in the first instance, outlining the nature of the offensive behaviour. In cases where the alleged perpetrator is the line manager or is a very senior employee, the complaint should be made in writing to that manager’s manager. The manager receiving the complaint will arrange a meeting as soon as possible in consultation with the employee. The written confirmation of the meeting will remind the employee of the right to be accompanied at the meeting.

The employee should take all reasonable steps to attend the meeting.

If the employee’s companion cannot attend on the date proposed, the employee may suggest an alternative and time, as long as it is reasonable and not more than five working days after the date proposed by the manager. This five day time limit may be extended by mutual agreement.

The meeting will normally be chaired by the manager listening to the complaint. The employee can be accompanied by his or her companion. A Human Resources Advisor and / or a note taker may also be present.

At the meeting, the employee will be asked to explain the complaint and say how they think it should be resolved. This will normally require a formal investigation, unless an alternative resolution, such as mediation, is agreed and attempted.

Following this meeting, if a formal investigation is to be undertaken, the alleged perpetrator will be contacted and a copy of the complaint and allegations made given to them. The alleged perpetrator will also have the right to be accompanied by a Trade Union representative or companion and have access to Occupational Health and EAP services throughout the investigation.

It is also acknowledged for the alleged perpetrator that these matters in some circumstances can be very stressful. Therefore it is recommended that they should seek support from their HR Manager alongside EAP during this process.
The manager will keep both employees informed of progress during the investigation. Once this is completed, separate meetings will be arranged as set out above, to report on the findings and whether the complaint has been upheld in full or in part and what action or next steps are being recommended.

The manager will confirm the outcome in writing within fourteen days of the meeting, this will include a summary of findings to both the employee who raised the complaint and the employee whom they made the complaint against. If this is not possible, the employee will be kept informed in writing about the reason for the delay and when a response can be expected.

6.5 Harassment Advisors

If staff wish to raise a concern internally regarding bullying and harassment, but do not feel happy following the processes detailed above, they may approach Moria Brennan or Nigel Sullivan, Non-Executive Directors of the Trust who will act in the capacity of 'Bullying and Harassment Advisors’, via the Chairman’s office on Ext:- 4032.

6.6 Timescales

Whilst there is no formal internal period during which a complaint should be submitted, it is expected that complaints would normally be submitted within six weeks of an incident or the manifestation of what the employee considers to be an inappropriate pattern of behaviour. This is to ensure that issues are addressed as soon as possible in the interests of all concerned and to allow for a proper and fair investigation whilst the events are still fresh in people’s minds.

Investigations of complaints can be lengthy and involved, especially when there are several people to be interviewed and complicated allegations. However, it is in everyone’s interests that investigations are concluded as soon as possible and so the Trust will take all reasonable steps to ensure that they are concluded within two months of their being commissioned if at all possible. This will require employees to make themselves available for meetings and may mean that an alternative companion has to be identified to allow meetings to proceed without unnecessary delays.
6.7 Separation of Employees

In certain circumstances, it may be necessary to remove one or more of the parties from the working environment during the investigation or whilst a decision is being made. Managers may consider options such as:

- Removing individuals from the department, moving one or both to a different end of the department or from one area to another.
- Paid leave - in line with the Managing Conduct Policy. (It should be made clear that suspension is not a disciplinary measure and does not imply guilt or misconduct.)

There should be no automatic assumption about who should be moved or placed on paid leave. In making this decision, the operational needs of the organisation and practical arrangements will be considered. Should a legitimate complainant have to be the one to be removed and should this become permanent, the individual would become entitled to the appropriate provisions of the Trust’s Managing Organisational Change Policy.

6.8 Action following an upheld complaint

Should an investigation conclude that harassment or bullying has taken place, the matter will be treated as a disciplinary offence under the Trust’s Managing Conduct Policy. A disciplinary sanction may be applied when appropriate, which may include dismissal.

Disciplinary action will not normally be taken against someone where the behaviour has clearly been unintentional AND would not in itself constitute serious or gross misconduct AND/OR has not specifically been brought to their attention in line with the informal stage of the procedure. In making a decision about whether formal disciplinary action should or should not take place, the manager investigating should take into account the following:

- Whether there was an intention to violate the dignity of the employee or create such an environment.
- Whether the environment in which the individuals were working contributed to the behaviours.
- The perception of the person raising the complaint
- The circumstances in which the incident(s) or behaviour happened

It may be appropriate to require a perpetrator to undergo training or counselling, which may be compulsory. This may be at the informal
stage, as part of a disciplinary outcome or, where appropriate, instead of disciplinary action.

Disciplinary decision-makers may also require individuals or groups to engage in facilitated conflict resolution activities which may include mediation and/or conciliation.

Vindictive, malicious allegations of harassment or bullying will be treated as a disciplinary offence and disciplinary action may be taken where appropriate and may include dismissal. Investigations will routinely consider whether complaints have been made in good faith.

**6.9 Right of Appeal**

An employee can appeal the outcome of a formal investigation on the basis that they do not agree that the allegation has or has not been found. They can also appeal on a point of process (i.e. the procedure has not been followed). An employee cannot appeal the recommendations of an investigation. For example a complaint may be upheld and a period of retraining, coaching and mediation may be suggested as a resolution to the complaint as opposed to disciplinary action under the conduct policy.

Any appeal process will be managed in line with the Trust’s Appeal Policy.

**6.10 Harassment and Bullying involving external parties**

Where the alleged harassment or bullying involves an external party, managers will take all reasonable steps to address the complaint in line with the principles of this policy, in consultation with the employee making the complaint. These steps may include reporting the incident to the individual’s manager, reviewing or terminating a contract with the external organisation, or assigning the work to another member of the team.
7. Training

Managers are responsible for ensuring all their staff receive the type of initial and refresher training that is commensurate with their role(s).

Staff must refer to the Mandatory Training Profiles, available on the intranet to identify what training in relation to (insert subject here) is relevant for their role. The Mandatory Training Profile identifies when training needs to be undertaken, the method of delivery and frequency of the training.

The Mandatory Training Policy identifies how training non-attendance will be followed up and managed and is available on the intranet.

Training statistics for mandatory training subjects are collated by the Learning & Development team, are reported to the Strategic Workforce Committee.

Staff must keep a record of all training in their portfolio.

8. Equality Analysis

An Equality Analysis has been carried out on the content of this policy and can be found in appendix 4.

9. Monitoring Compliance with the Policy

The HR department is responsible for monitoring harassment and bullying cases on an on-going basis, to ensure that the practice within the Trust is in compliance with the policy. As part of this monitoring, the HR Department will run and review reports showing the activity within the Trust in this area.

Anonymised and aggregated information on cases and outcomes will be reviewed by the HR Department and reported on a bi monthly basis to the Strategic Workforce Committee, in order to identify trends and key risks to the organisation.

The HR Department will report on an annual basis to the Trust Equality and Diversity Committee (E&DC) on the outcomes of all formal processes in relation to this policy, against ethnicity, age, gender and other protected characteristics. The E&DC will review the report, assess compliance and identify any required further actions.

All formal allegations of bullying and harassment received by the HR department will be reported on an anonymised basis to the Trust Board annually as part of the Equality & Diversity Monitoring Report.
10. Review

This policy will be subject to a planned review every 3 years as part of the Trust’s Policy Review Process. It is recognised however that there may be updates required in the interim, arising from amendments or release of new regulations, Codes of Practice or statutory provisions or guidance from the Department of Health or professional bodies. These updates will be made as soon as practicable to reflect and inform the Trust’s revised policy and practise.
Appendix 1: Support available within the Trust

Human Resources Department:
HR Secretary: 01225 821142

Trade Union Representatives:
Chair of Staff Side 01225 824906
UNISON 01225 824993
Royal College of Nursing 01225 824906

Employee Assistance Programme (EAP):
EAP offers a completely confidential counselling, support and mediation service for staff and their immediate families, which can help develop communication and assertiveness skills and offer emotional support to employees involved in harassment and bullying cases either as the claimant or the alleged perpetrator.

The telephone number for the confidential direct line is 01225 824484
Appendix 2: Guidance on raising a bullying and harassment complaint

1. Type or write clearly in black ink - your document will need to be copied and read by several people.

2. Make it clear whether or not you are making a formal complaint.

3. Discuss your document with a friend or colleague or a representative of a trade union or professional association if you are a member.

4. Keep your comments focused on the specific issues you wish to raise - if you raise too many issues, you may hide the crucial ones.

5. Don’t use your submission as a chance to complain about other issues, which are less important than the complaint itself.

6. If there is one key issue, identify it as such.

7. Try and keep the document to one or two sides of A4.

8. Don’t exaggerate the issues - it makes for a much more effective investigation if the issues are outlined in a clear and straightforward manner.

9. Describe what happened and provide specific details of dates, names and circumstances.

10. Explain any steps, if any, you have taken to address the issues informally.

11. Outline what outcome you would like to see - but remember to be reasonable and realistic in your expectations, even if you don’t think that the other parties have been.

12. Remember to sign and date your statement.
Ratification Assurance Statement

Dear Lynn

Please review the following information to support the ratification of the below named document.

Name of document: Bullying and Harassment (Reference)

Name of author: Katy Coulam Anne Dye

Job Title: HR Manager Deputy Chair of Staff Side

I, the above named author confirm that:

• The Policy presented for ratification meets all legislative, best practice and other guidance issued and known to me at the time of development of the Policy;

• I am not aware of any omissions to the Policy, and I will bring to the attention of the Executive Director any information which may affect the validity of the Policy presented as soon as this becomes known;

• The Policy meets the requirements as outlined in the document entitled Trust-wide Policy for the Development and Management of Policies (v4.0);

• The Policy meets the requirements of the NHSLA Risk Management Standards to achieve as a minimum level 2 compliance, where applicable;

• I have undertaken appropriate and thorough consultation on this Policy and I have documented the names of those individuals who responded as part of the consultation within the document. I have also fed back to responders to the consultation on the changes made to the Policy following consultation;

• I will send the Policy and signed ratification checklist to the Policy Coordinator for publication at my earliest opportunity following ratification;

• I will keep this Policy under review and ensure that it is reviewed prior to the review date.

Signature of Author: ____________________________ Date: 16 April 2013

Name of Person Ratifying this policy: Lynn Vaughan

Job Title: Director of Human Resources

Signature: ____________________________ Date: 16 April 2013

To the person approving this policy:

Please ensure this page has been completed correctly, then print, sign and post this page only to: The Policy Coordinator, John Apley Building.

The whole policy must be sent electronically to: ruh-tr.policies@nhs.net
## Consultation Schedule

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<thead>
<tr>
<th>Name and Title of Individual</th>
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<td>Management, Staff Side and HR representatives</td>
<td>Oct 2012</td>
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The following people have submitted responses to the consultation process:

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<thead>
<tr>
<th>Name and Title of Individual</th>
<th>Date Responded</th>
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<table>
<thead>
<tr>
<th>Name of Committee/s (if applicable)</th>
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<tr>
<td>TCNC Policy Sub-Group</td>
<td>29 November 2012</td>
</tr>
<tr>
<td>Strategic Workforce Committee</td>
<td>6 December 2012</td>
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Equality Impact: (A) Assessment Screening

To be completed when submitted to the appropriate Executive Director for consideration and approval.

Person responsible for the assessment:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Katy Coulam</th>
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<tbody>
<tr>
<td>Job Title:</td>
<td>HR Manager</td>
</tr>
<tr>
<td>Date:</td>
<td>December 2012</td>
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<tr>
<th>Does the document/guidance affect one group less or more favourably than another on the basis of:</th>
<th>Yes/No</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Race</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>Ethnic origins (including gypsies and travellers)</td>
<td>☑ Yes</td>
<td>No</td>
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<td>Nationality</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>Gender (including gender reassignment)</td>
<td>☑ Yes</td>
<td>No</td>
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<td>Culture</td>
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<td>Religion or belief</td>
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<td>Sexual orientation</td>
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<td>Age</td>
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<td>No</td>
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<td>Disability (learning disabilities, physical disability, sensory impairment and mental health problems)</td>
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<tr>
<td>Is there any evidence that some groups are affected differently?</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>If you have identified potential discrimination, are there any valid exceptions, legal and/or justifiable?</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>Is the impact of the document/guidance likely to be negative?</td>
<td>☑ Yes</td>
<td>No</td>
</tr>
<tr>
<td>If so, can the impact be avoided?</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>What alternative is there to achieving the document/guidance without the impact?</td>
<td>☑ Yes</td>
<td>No</td>
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<tr>
<td>Can we reduce the impact by taking different action?</td>
<td>☑ Yes</td>
<td>No</td>
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If you answered **NO** to all the above questions, the assessment is now complete, and no further action is required.

If you answered **YES** to any of the above please complete the

Equality Impact: (B) Full Analysis
### Equality Impact: (B) Full Analysis

**Note:**

Only complete this section if you answered **YES** to any of the questions in the **Equality Impact: (A) Screening Assessment**

Equality Analysis is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality Analysis can be carried out in relation to service delivery as well as employment policies and strategies.

This template has been developed to use as a framework when carrying out an Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Royal United Hospital, Bath NHS Trust website.

<table>
<thead>
<tr>
<th>1. Identify the aims of the policy or service and how it is implemented.</th>
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<tbody>
<tr>
<td><strong>Key questions</strong></td>
</tr>
<tr>
<td>1.1 Briefly describe purpose of the service/policy including</td>
</tr>
<tr>
<td>• How the service/policy is delivered and by whom</td>
</tr>
<tr>
<td>• If responsibility for its implementation is shared with other departments or organisations</td>
</tr>
<tr>
<td>• Intended outcomes</td>
</tr>
<tr>
<td>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</td>
</tr>
<tr>
<td>• Is it a new service/policy or review of an existing one?</td>
</tr>
<tr>
<td>• Is it a national requirement?</td>
</tr>
<tr>
<td>• How much room for review is there?</td>
</tr>
</tbody>
</table>
1.3 Do the aims of this policy link to or conflict with any other policies of the Trust?

- Code of Expectations Policy
- Raising Concerns Policy
- Grievance Policy
- Appeal Policy
- Managing Conduct Policy
- Managing Organisational Change Policy
- Managing Stress Policy
- Managing Performance Policy

2. Consideration of available data, research and information

Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:

- **Demographic** data and other statistics, including census findings
- Recent research findings (local and national)
- Results from consultation or engagement you have undertaken
- Service user monitoring data (including ethnicity, gender, disability, religion/belief, sexual orientation and age)
- Information from relevant groups or agencies, for example trade unions and voluntary/community organisations
- Analysis of records of enquiries about your service, or complaints or compliments about them
- Recommendations of external inspections or audit reports

<table>
<thead>
<tr>
<th>Key questions</th>
<th>Data, research and information that you can refer to</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 What is the equalities profile of the team delivering the service/policy?</td>
<td>Please refer to annual diversity monitoring report</td>
</tr>
<tr>
<td>2.2 What equalities training have staff received?</td>
<td>KSF level 1 Equality Impact Assessment training</td>
</tr>
<tr>
<td>2.3 What is the equalities profile of service users?</td>
<td>Please refer to annual diversity monitoring report</td>
</tr>
<tr>
<td>2.4 What other data do you have in terms of service users or staff? (e.g., results of customer satisfaction surveys, consultation findings). Are there any gaps?</td>
<td>Staff Survey Results</td>
</tr>
<tr>
<td>Key questions</td>
<td>Data, research and information that you can refer to</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td><strong>2.5</strong></td>
<td>What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</td>
</tr>
<tr>
<td><strong>2.6</strong></td>
<td>If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</td>
</tr>
</tbody>
</table>
3. Assessment of impact: ‘Equality analysis’

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or helps promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups

<table>
<thead>
<tr>
<th>Equalities Group</th>
<th>Examples of what the service has done to promote equality</th>
<th>Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 Gender</td>
<td>This policy is available to all staff irrespective of their gender.</td>
<td>N/A</td>
</tr>
<tr>
<td>3.2 Transgender</td>
<td>This policy is available to all staff irrespective of any transgender issues.</td>
<td>N/A</td>
</tr>
<tr>
<td>3.3 Disability</td>
<td>A disabled person may not be able to access the policy in its current format. HR Dept. to identify what reasonable adjustments should be made to ensure access to this policy other than electronically or in paper copy.</td>
<td></td>
</tr>
<tr>
<td>3.4 Age</td>
<td>This policy is accessible to all staff irrespective of their age.</td>
<td>N/A</td>
</tr>
<tr>
<td>3.5</td>
<td><strong>Race</strong></td>
<td>Identify the impact/potential impact on different black and minority ethnic groups</td>
</tr>
<tr>
<td>3.6</td>
<td><strong>Sexual orientation</strong></td>
<td>Identify the impact/potential impact of the policy on lesbians, gay, bisexual &amp; heterosexual people</td>
</tr>
<tr>
<td>3.7</td>
<td><strong>Religion/belief</strong></td>
<td>Identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.</td>
</tr>
<tr>
<td>3.8</td>
<td><strong>Marriage/Civil Partnership</strong></td>
<td>Identify the impact/potential impact of the policy</td>
</tr>
<tr>
<td>3.9</td>
<td><strong>Pregnancy/Maternity</strong></td>
<td>Identify the impact/potential impact of the policy</td>
</tr>
</tbody>
</table>
### 4. Royal United Hospital, Bath Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

<table>
<thead>
<tr>
<th>Issues identified</th>
<th>Actions required</th>
<th>Progress milestones</th>
<th>Officer responsible</th>
<th>By when</th>
</tr>
</thead>
<tbody>
<tr>
<td>A disabled person may not be able to access the policy in its current format.</td>
<td>HR Dept. to identify what other support is available to access this policy other than electronically or in paper copy.</td>
<td>1. Contact Head of Coms and Head of Patient Experience for comparative information about accessibility of patient information 2. Identify options 3. Discuss options with Equality &amp; Diversity Committee 4. Publish options on Policy site</td>
<td>Policy author</td>
<td>30/06/13</td>
</tr>
<tr>
<td>Someone speaking another language other than English may not be able to access the policy in its current format.</td>
<td>HR Dept. to identify what translation support is available to access this policy other than using English language.</td>
<td>1. Contact Head of Coms and Head of Patient Experience for comparative information about accessibility of patient information 2. Identify options 3. Discuss options with Equality &amp; Diversity Committee 4. Publish options on Policy site</td>
<td>Policy author</td>
<td>30/06/13</td>
</tr>
<tr>
<td>Staff on maternity leave may not be made aware of this new policy.</td>
<td>HR Dept. to work with Coms team to produce HR update sheet for distribution quarterly to all staff on maternity, paternity or adoption leave.</td>
<td>1. Create sample newsletter 2. Pilot 3. Report for Strategic Workforce Committee 4. Launch newsletter</td>
<td>Deputy Director of HR</td>
<td>30/06/13</td>
</tr>
</tbody>
</table>
## 5. Sign off and publishing

Once you have completed this form, it needs to be ‘approved’ by your Line Manager or their nominated officer. Please ensure that it is submitted to the body ratifying your policy or service change with your report/proposal. Keep a copy for your own records.

<table>
<thead>
<tr>
<th>Signed off by:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>