

MPA Equalities Impact Assessment Proforma

Statutory responsibility for Equality Impact Assessment

The MPA is required, under the Race Relations (Amendment) Act 2000, to assess each proposed and policies for relevance to the Act. This Performa is designed to assist with this process.

Definition of a Policy

The Home Office and the CRE have defined a policy as ‘any practice or written document which sets out a course of action, guiding principles or procedure which is adopted and implemented by the Authority. This includes and decision taken or recommendations made at meetings which may lead to action to implement’. Within the HO and CRE definition, we will therefore need to impact assess those decisions taken or recommendations other than formal written policies. This will require each Unit or Policy Lead taking responsibility for identifying the policies, decisions and recommendations and carrying out the initial assessment to identify whether a full impact assessment needs to be carried out. The process for this is outlined below.

When should an EIA be carried out?

The EIA should be an integral part of policy/decision/ recommendation-making and should therefore begin as soon as a **relevant new or proposed policy/decision or recommendation** has been agreed. This will be the responsibility of each Unit or Policy Lead.

Stage 1 – Initial screening for Equality Impact Assessment

At this stage, the following questions needs to be considered:

Name of Policy: Probation Process			
		Yes	No
1	Is there evidence or reason to believe that there is likely to be higher or lower impact on different groups as a result of this proposed or new policy?	H X	L
2	Is there evidence or other reason to believe that different groups have different needs and experiences that this policy is likely to address in meeting the General or Specific Duty of the Act?	Yes X	No
3	Does the policy propose changes or alterations to a policy that has been known to impact differently on various Racial or Equality Groups?	Yes	No X
4	Has prior consultation take place with organisations, groups or individuals, which indicate a problem that the policy is likely to address?	Yes	No X
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On completion, this form should be forwarded, electronically, to Cynthia Coleman in the Race and Diversity Unit

Date Stage 1 form forwarded to Race and Diversity Unit:

Name of Lead Officer responsible for the EIA: Yvonne Peart

External Quality Assurance

Date External Quality Assurance completed: 16 March 2004

Sign-Off and Publication

Assessment signed off by Clerk _____ Date _____

Date forwarded to Comms for publication: _____

Publication date: _____ (To be agreed with Communications Unit)

Monitoring and Review

Date for reviewing policy: _____ (to be agreed with R&D Unit)

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Stage 2 – FULL IMPACT ASSESSMENT

A full EIA will be needed if the initial assessment has identified the potential for impact. It is suggested that the assessment should be carried out by at least three people and that at least one should be from the CDO Unit, to give any expert advice on the RES process. The completed assessments will be quality assured by a small team to include the SMT, Head of CDO Unit representative from Internal Audit (objective assessment) and Unit responsible for the assessment.

Name of Policy Impact Assessor: Yvonne Peart

Department/Section: Human Resources

Date Impact Assessment completed: 11 March 2004

Date of policy being reviewed: 16 March 2004

Name of Policy: Probation Process

Policy, Aims and Purpose**1. What is the aim and purpose of the policy?**

The probation process is incorporated into the MPA policies on Developing People. The purpose of probation is to allow a period of time (12 months) during which suitability for the position to which the employee has been appointed will be assessed. Probation ensures new staff receive the appropriate training to competently undertake the duties of the post. It also ensures any areas of weaknesses regarding capability can be identified and addressed as soon as possible. The emphasis is on positive development and encouragement of new employees.

A probationary period is a tool of measurement to assess an individual's capability and competence to execute duties outlined in a job description and person specification. The 12 month period is in line with ACAS good practice guidance. Probation interviews are held during the probationary period at 3, 6 and 9 months.

During the probationary period, the new starter will be introduced to the main duties and responsibilities of their post, the performance standards expected of them, the colleagues with whom they will be working most closely and the context of their work within the Authority.

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The process ensures that the new starter is provided with the appropriate support from the outset and on continuing basis throughout the first year of employment

Proper induction complements probationary procedures by providing the new starter with an understanding and appreciation of the requirements of his/her job. Industrial Relations Service (IRS) research and evidence suggests there is strong correlation between a good induction and the retention of staff.

2. Who are the main stakeholders of the Policy or proposed policy? (e.g., MPA, MPS, GLA, HR, Internal Audit etc)

All MPA, HR, MPS employers and employees.

3. Who is the policy or proposed policy intended to benefit?

The process is intended to ensure that the new starter has an understanding and appreciation of the requirements of his/her job and is aware of the targets expected to be achieved and the date these should be met.

It also provides the Authority with evidence that the new starter will fulfil his/her duties and responsibilities according to the job description and person specification.

4. How will the policy or proposed policy be implemented and who will be responsible for monitoring and reviewing it? Please be specific.

The line manager of the new starter is responsible for probation monitoring. The line manager would begin the process by fully explaining the purpose of the job, the job description, person specification and job related objectives. This will be followed up during the probation period with appropriate mentoring, coaching and, most importantly feedback.

A probationary period evaluation form is completed by the line manager at the end of the probation period, and is also signed off by the new starter. The evaluation form is based upon the competences contained in the appraisal form that in turn are linked to the individual's job description and person specification.

The process will be continually reviewed by the HR department for its effectiveness and to ensure that statutory obligations are met. The process will be reviewed every three years or sooner if required by changes to legislation, Authority members or SMT.

5. How does this policy or proposed policy inform and contribute to the overall statutory functions and objectives of the MPA?

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The probation process will assist the Authority in meeting its equal opportunity objectives through its process/procedures. Clearly set equal opportunities performance measures are contained within the process as follows:

Provide a period of time for improvement and further training, i.e. will not dismiss after the first poor assessment

Provide an appeal against dismissal

Act fairly

6. How will this policy inform or influence the MPA governance of the MPS?

The probation process ensures that the new starter is aware of the standard of work expected, as well as the goals, functions and values of the MPS and the MPA.

It provides the Authority with the opportunity to identify individual and team development needs in line with the aims of the organisation.

The process also enables the Authority to assess the current performance and future potential of new starters in meeting the organisational objectives, before confirming their appointment.

Like the MPA, the MPS are in the process of revising their policy in the light of a recent Internal Audit report which will ensure a similar approach.

7. Please give any other comments you wish to make about this policy or proposed policy.

None

Assessing for Impact

8. Is there evidence or reason to believe that some groups could be differently affected by this policy/function (e.g. higher levels of arrests, lower rate of participation)? If so which? If so, what is it? (Please refer to any research, findings, statistics, etc where appropriate and attach it to this Proforma)

a. Would people be differently affected by nature of their **age** (children, young people, older people etc)? (Please explain)

Yes. Age could affect the length of time taken for an individual to adapt to the working environment. For example it could be a young person's first job.

b. Would **people with disabilities** be differently affected by the policy? (Please explain)

Yes. People with disabilities may require extra support to enable them to effectively carry out their role and successfully complete the probation period.

c. Would people of different **faith and or religious** beliefs be differently affected by the policy? (Please explain)

The line manager would have responsibility to ensure that any reasonable request appertaining to an individual's faith or religion is accommodated. For example: the provision of a suitable place to pray.

d. Would people who are **lesbians, gay, bisexual or transgender** be differently affected by the policy? (Please explain)

Yes. The line manager of this individual would have responsibility to ensure that he/she receives support to meet his/her individual needs and that confidentiality and sensitivity is maintained.

e. Would **women** be differently affected by the policy (please explain)

Yes. Women returning to work after a lengthy spell out of paid employment may take longer to adapt to the working environment

Please be aware that discrimination may be compounded and is therefore likely to have more adverse impact on some discriminated than others.

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9. Is there differential impact on particular racial groups in respect of qualitative or quantitative data? *(Please specify with supporting research and data evidence where appropriate)*

Due to the small size of the Authority and the variations in the implementation of the induction process it has not been possible to identify a consistent pattern with regards to qualitative data. The variations in implementation of the process does however result in differential impact. There are no targets set that would provide quantitative data.

10. Is the differential impact an adverse one, and for which groups? *(Please list any research or data evidence to support assessment in reference to the listed equalities groups in section 8)*

There is no evidence of differential impact, however, the variations in implementation could result in an adverse differential impact on all the equality groups. It could mean that some probationers have not been informed of the standards of performance they are expected to meet and would not receive the support that would enable them to meet this standard. If an individuals performance is not evaluated it would not be possible to identify where improvements are required.

11. Would the policy or proposed policy result in indirect discriminatory against any group? *(Please specify)*

Yes.

Inconsistencies in the implementation of this policy could mean that individuals within all the equality groups are not given support that is appropriate to their needs and therefore subject to indirect discrimination.

12. If the policy is indirectly discriminatory, is it justifiable under the Act? *(Please give detailed reason for answer)*

No. The differential impact is not intentional.

13. What amendments could be made to the policy to eliminate discrimination, if any has been identified? *(Please list the proposed amendments)*

The job description and person specification forms the basis of the probationary period evaluation form to ensure that the employee understands what is required.

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Probation interviews are held at 3, 6 and 9 months during the 12 month probationary period.

Management conducts accurate and timely evaluations (3,6, and 9 months) based on the probationary criteria as outlined in the policy.

That concerns are addressed as soon as they arise and take into account that at 12 months of employment the individual would have employment rights.

That all line managers are trained on how to implement the probation process.

That implementation of the probation process is monitored to ensure that all line managers comply with the policy.

14. In what way does the proposed amendment promote the General Duty of the Act? (Please specify)

Eliminate unlawful discrimination

The amendment will ensure that sufficient evidence supporting the decision to terminate employment exists. Assess the new starters awareness of the Authority's statutory duties in relation to race legislation. Assess his/her current performance on individual/organisation responsibilities, in particular with regards to equality. Provision of continuing monitoring and reviewing of the process to ensure that it is not discriminatory.

Promote equal opportunities

Probation monitoring provides the opportunity to introduce the new employee to the mission, vision and values of the organisation as indicated in the Equal Opportunities Statement. During the probation assessment interviews discussions should be held with new starters on a work related equal opportunities objective that could be incorporated into their formal annual performance monitoring appraisal. Probationary periods help promote positive employee productivity, development and motivation.

Promote good relations between people from different racial groups

Formal discussions on the equal opportunities statement would be held with the new starter in terms of how he/she can incorporate the values into his or her work, and in particular, in working with colleagues, customers, clients and stakeholders. Enable the Authority to make an accurate assessment before confirming an appointment, probation also offers employees the opportunity to determine whether the job meets their own expectations.

15. a) What are the consequences for the affected groups, and for the Authority, for adopting a policy that is assessed as being discriminatory?

That the employee becomes disengaged with the organization through not receiving the appropriate support and training that would assist them to effectively carry out their role.

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The Authority would have unfair employment practices and would increase the risk of the embarrassment of an employment tribunal.

b) How will the MPA communicate its decision to the Community or communities if there is differential impact(s)? Which communities will the outcome be communicated to and how?

It would roll out the improved procedures throughout the organisation.

16. In coming to the above decision, with whom have you consulted/ and or what information was gathered?

Discussions were held with a TU representative, a BPA executive member, MPA staff and also a staff member from Tower Hamlets Council working on the equality standard.

Consideration was given to the recommendations made in MPA Internal Audit Directorate review of police staff induction, some of which is related to the probation process.

Research was undertaken on the websites of Public Sector Organisations specifically for the purposes of benchmarking. The websites visited were: ACAS, CRE, Home Office, MPS and Department for Education and Skills (DfES). All these organisations have probation processes that support their commitment to secure fair and equal treatment of all new starters during his/her probation period.

Further consultations with staff within the newly established email consultation process took place and the information gathered is detailed below. Due to the recent failure of the external email facility it was not possible to extend the consultation process to MPA members and external participants within the email forum before the review scheduled on 16 March 04. This wider consultation will commence on 16 March 04 and the results fed into this assessment at a later date.

Written comments from members of staff:

High turnover of staff or high levels of complaints amongst recruits could be a consequence of not implementing the process correctly – this could be because of prejudicial Treatment. Managers ensuring staff have the chance to fulfill a broad range of their job description e.g. e.g. project/admin.

Hence giving them equal opportunity to develop as others on their same JD.

Managers should seek to reach agreement about probationary interviews. It should be monitored to ensure that the process is not used by managers to bully, unduly undermine or control recruits.

Should make the link between this policy and performance management explicit.

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Appropriate implementation of the performance management framework, using the appropriate forms (to ensure equal practices between probationers/permanent staff) should provide appropriate standards against which to measure performance in the role (provided managers use the person spec/job description to inform the performance management process).

New procedure should be put in place with immediate effect (following appropriate consultation).

The success measures should include reduced turnover, avoid/reduce number of grievance and discipline cases.

HR should also report progress on the implementation of policies/processes and monitoring information on a monthly basis to SMT at the HR focus meeting (i.e. how many on probation/highlight any issues of concern).

The policy should make it clear at exactly what point the probation is signed off - is it 9 or 12 months? If it's 9 months - then the probationary period is only 9 months!!!

There should be a process of signing it off so that the employee is aware when they have passed (I suspect that if approached, IA might be agreeable to a reduction in the probationary period from 12 months, bearing in mind that they've realised this confers employment rights)

Some kind of assessment of needs to fulfill probation successfully would help.

Different groups may receive differing help from their line managers; maybe a centralized assessment of needs would help or a standardised assessment form. Also line managers may need help in order to seek out help required or fulfill needs requirements once assessed.

Consequences of adopting discriminatory policies -bad press, disgruntled employees, high staff turnover, ETs, lack of motivation, grievances etc.

The equalities practices and achievements of the MPA can be communicated to all employees internally through the Staff handbook, Induction pack, Staff meetings etc and externally it can be communicated through the Committee Papers, Publication Scheme, Website and general press.

17. What arrangements have been/will be made for publishing the results of this EIA?

On the website

18. What are the costs of implementing each proposed option?

N/A

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19. What are the measures you would expect others to use to assess the success of this policy in meeting the General Duty of the Act? (Please Specify)

From the results and analysis of monitoring and consultation and from any other sources of evidence. That the policy is proven to be an effective management tool that motivates employees and includes equalities in their development plans.

20. Please outline the arrangements that have been / will be made for monitoring the policy including the Committee or internal structure (e.g. SMT/CDO) that quality assures the outcomes of the monitoring arrangements and success measures?

The Head of Human Resources has responsibility to ensure compliance with employment monitoring requirements. The MPA Equal Opportunities and Diversity Board will receive half yearly reports on the overall progress of the implementation of MPA policies and processes. It is in the terms of reference of this Committee to ensure that the MPA meets its statutory responsibilities under all relevant anti-discrimination legislation.

The completed Stage 2 proforma must be forwarded, electronically, to Cynthia Coleman in the Race and Diversity Unit.

Date Stage 2 proforma forwarded to Race and Diversity Unit:

External Quality Assurance

Date External Quality Assurance completed: 16 March 2004

Sign-Off and Committee notification

Assessment signed off by Clerk:  Date: 20.10.04

Date to be submitted to the EODB: June 2004

Publication

Publication date: June 2004 (To be agreed with Communications Unit)

Monitoring and Review

Date for reviewing policy: June 2005 (to be agreed with R&D Unit)

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For further information and assistance please contact:

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