

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Rachael Davies **Role:** HR&OD Manager

Head of Service: Rhys Cornwall **Date:** October 2020

I confirm that the above Head of Service has agreed the content of this assessment

Yes / No

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

The Pay Policy is an annual statement required to be adopted by the Council. It outlines the organisation's approach to pay and reward for the workforce and sets out the terms and conditions related to pay. This FEIA considers the impact from one new proposal within the policy, and not the policy in itself. The proposal is to restrict re-employment to those who apply for voluntary redundancy to 24 months and to restrict re-employment to those who terminate employment via a settlement agreement.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

Consultation with trade unions on behalf of the workforce

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

Discussed with CMT group and received feedback from trade unions.

4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is evidence to suggest potential disproportionate impact on older people because of their age. Over 50s regularly struggle to regain employment in entry level to medium seniority roles, however are successful in senior and management roles. Whilst older workers may be more likely to opt for voluntary redundancy on the basis that they can access their pension benefits from age 55, this is the compensatory benefit to requesting voluntary redundancy. The organisation will take into account the reasons that employees choose voluntary redundancy and consider alternative adjustments if those reasons could be related to other characteristics e.g. changes to their long term health (physical, mental and wellbeing) or who have a change in circumstances, or who have a wealth of knowledge, expertise and experience. For example, a part time role may benefit them with reduced responsibilities that was not available to them previously when they were employed. As new opportunities arise it would be best practice to wish to recruit the best talent for the role, regardless of previous employment with NCC.</p> <p>A focus on professional development of older workers to retain skills and experience in the workplace will be considered.</p> <p>Any compulsory redundancy would not preclude any worker from returning to the organisation with immediate effect.</p>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no evidence of any disproportionate impact on people because of their disability. There may be changes to their previously employed disability status, which may impact the need to return to employment</p>

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Gender reassignment/transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is some potential disproportionate impact on people because of their gender identity. This could depend on their gender 'status' when employed and if this had any bearing on the reasons they took redundancy and if this has changed, but no direct impact from policy
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their marital or civil partnership status.
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their pregnancy/maternity. The Council's Job Security Policy references the pregnancy/maternity impact when going through a redundancy process and this is taken into consideration at the time of selection.
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their race.
Religion or Belief or non-belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their religion, belief or non-belief.
Sex/ Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their sex or gender identity.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their sexual orientation.
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their ability to speak Welsh.

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p><i>The proposal to introduce restrictions on reemployment following redundancy provides a longer term need to protect the Council's budget in releasing severance packages against the short term decisions that are taken to reduce staffing resource.</i></p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p><i>Not relevant</i></p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p><i>Consultation with trade unions on behalf of the workforce Consultation with CMT group</i></p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p><i>Not relevant</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="244 658 336 680">Integration</p> <p data-bbox="142 698 424 842">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="459 304 647 336">Not relevant</p>

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7 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

No

8 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

Adopting an approach already followed by many other Welsh Councils to protect the public purse from severance packages that are then followed by reemployment shortly afterwards is a fair and

balanced proposal. Our duty to minimise public money being spent in this way gives opportunity for budget to be focused on delivering services to all residents.

9 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Any negative impacts (potentially related to age and older workers being more likely to apply for voluntary redundancy) are considered proportionate due to the higher percentage of older workers that the Council recruits and continues to employ. They are also balanced against the proposal being relevant to voluntary redundancy only, which is a choice that employees will elect to request and their re-employment is a matter for them. However, we should recognise that older people may be more likely to take voluntary redundancy and be mindful of the reasons why someone is taking it (age, disability etc.) which should be mitigated by our approach to developing/supporting those members of the workforce to remain in work if they want/need to.

Any decision on the part of the Council to make a compulsory redundancy will not impact on any worker.

Heads of Service will need to ensure that within their areas any volunteers for redundancy are aware of the potential impact on the re-employment of such individuals before any requests are accepted, as this could mitigate the potential negative impact on not being able to return to the organisation for 24 months.

10 Monitoring, evaluating and reviewing

The policy is reviewed and updated every 12 months

11 Involvement

Guidance will be sent to managers via heads of service and department managers, and placed on the intranet.

12 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language
Wellbeing of Future Generations (Wales) Act 2015