

## Preparation

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1.	<b>What are you equality impact assessing?</b>	All Wales Organisational Change Policy
2.	<b>Policy Aims and Brief Description</b>	<p>The policy sets out the principles that apply in managing internal organisational change within NHS Wales. NHS organisations will adopt and abide by this policy as the core standards of practice, which apply to all employees affected by change.</p> <p>At times of organisational change it is particularly important to ensure that support, guidance, training and development opportunities are made available to all staff employed by NHS organisations within Wales in accordance with best practice. The wider NHS in Wales will be responsible for assisting in the redeployment of employees from any NHS organisations affected by organisational change.</p> <p>It is the policy of NHS Wales to prevent all avoidable compulsory redundancies, which could potentially occur as a result of organisational change. As such, it is the aim of this policy to ensure that the NHS retains the valuable knowledge, skills and experience of its workforce, by utilising a number of strategies, to assist displaced employees to find suitable alternative employment and / or retraining opportunities, which will enable them to continue to contribute positively to the service.</p> <p>Subject to the processes outlined in the policy, when the need arises to redeploy employees, NHS organisations will;</p> <p><b>a)</b> consider the use of short term temporary staff in any period of change, to maintain service requirements until the change is completed and to maximise</p>

		<p>potential redeployment opportunities;</p> <ul style="list-style-type: none"> <li><b>b)</b> use early retirement and / or voluntary severance schemes where circumstances and / or resources allow;</li> <li><b>c)</b> after consultation, identify (in pay and conditions) suitable alternative work in the employing organisation for employees affected by change;</li> <li><b>d)</b> transfer employees affected to suitable alternative work with other organisations, by agreement with the employees concerned and the organisations concerned;</li> <li><b>e)</b> support employees who wish to retrain and are qualified to undergo training for posts in other disciplines / areas, where reasonable; and</li> <li><b>f)</b> by means of the development review / personal development plan process, assist and support employees to overcome constraints which may prevent them undertaking a new role.</li> </ul>
3.	<b>Who is responsible for the Policy/work?</b>	NHS organisations and sub committee of the Welsh Partnership Forum Business Committee
4.	<b>Who is Involved in undertaking this EqIA?</b>	Welsh Partnership Forum Business Committee (Sub Group)
5.	<b>Is the Policy related to other Policies/areas of work?</b>	Equality, Capability, Special Leave, Disciplinary, Grievance, Sickness and Dignity at Work Policies. Staff Charters. Service Plans. All Wales Workforce Strategy. Individual organisation's workforce and OD plans, PADR's

6.	<b>Stakeholders</b>	All employees, managers, trade unions, patients, carers, occupational health teams
7.	<b>What might help/hinder the success of the Policy?</b>	<p><b>Factors that may hinder:</b>  Lack of training on the application of the policy.  The process not being followed inside organisations, lack of follow through by managers.  Time constraints.  Poor interpersonal relationships.  Poor communication</p> <p><b>Factors that may help:</b>  Consistency of application  Introduction of stronger public sector General Duty.  An all Wales implementation plan to support consistent delivery of policy objectives.  Clarity of obligations, expectations, accountability and objectives of all parties.  Management guidance notes/toolkit</p>



The Human Rights Act contains 15 rights, all of which NHS organisations have a duty to act compatibly with and to respect, protect and fulfil. The 6 rights that are particularly relevant to healthcare are listed below. For a fuller explanation of these rights and other rights in the Human Rights Act please refer to **Appendix A: The Legislative Framework**.

Depending on the Policy you are considering, you may find the examples below helpful in relation to the Articles.

	Yes	No
<b>Consider, is the Policy relevant to:</b>		
<b>Article 2 : The right to life</b>  <b>Examples:</b> The protection and promotion of the safety and welfare of patients and staff; issues of patient restraint and control	Staff and patient safety issues. Supports and maintains the health of staff and makes reasonable adjustments where necessary	
<b>Article 3 : The right not be tortured or treated in an inhuman or degrading way</b>  <b>Examples:</b> Issues of dignity and privacy; the protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers; Issues of patient restraint and control	Issues of dignity and respect and protection/promotion of patient and staff safety.	
<b>Article 5 : The right to liberty</b>  <b>Examples:</b> Issues of patient choice, control, empowerment and independence; issues		✓

of patient restraint and control		
<p><b>Article 6 : The right to a fair trial</b></p> <p><b>Example:</b> issues of patient choice, control, empowerment and independence</p>	<p>Procedure is designed to ensure that staff are dealt with fairly. Appeal process is fair.</p>	
<p><b>Article 8 : The right to respect for private and family life, home and correspondence; Issues of patient restraint and control</b></p> <p><b>Examples:</b> Issues of dignity and privacy; the protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers; the right of a patient or employee to enjoy their family and/or private life</p>	<p>Policy supports the rights of an employee to enjoy their private life. Issues of dignity and privacy, e.g. impact on family life and potential loss of employment.</p>	
<p><b>Article 11 : The right to freedom of thought, conscience and religion</b></p> <p><b>Examples:</b> The protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers</p>		✓

Equality Strand	Information Gathered
<b>Race</b>	Equality in Implementing Organisational Change, NHS Employers Race into Action, Lessons from BRAP's Organisational Change programme
<b>Disability</b>	Work Foundation report on Work, Health and Absence in the Public Sector Equity in Implementing Organisational Change, NHS Employers The Public Sector and Equality for Disabled People, Dept for Work and Pensions Disability and sickness absence – PCSU Sickness absence and disability – TUC Guidance on disability related absence – Probation Association
<b>Gender</b>	The Work Foundation has also produced a number of reports on changing demographics. Equal Opportunities Commission "Gender Equality and the Future of Work" Legal and General's "Value of a Mum" Gender, culture and organisational change, Open University Sex Discrimination in the Workplace, ACAS, March 2016
<b>Gender Reassignment</b>	The Workplace and Gender Reassignment – Civil Service Gender Reassignment Policy – Cardiff University Gender Reassignment Policy – Aston University Absence from Work Because of Gender Reassignment – Citizens Advice
<b>Sexual Orientation</b>	No information sourced
<b>Age</b>	EHRC report "Working Better 2008" The Work Foundation has also produced a number of reports on changing demographics, changing work patters for young workers, retention of older workers, e.g. 0-5 How small children can make a big difference, The Ageing Workforce, Work, Health and Absence in the Public Sector
<b>Maternity and Pregnancy</b>	Pregnancy related absence - EHRC Pregnancy and Maternity Rights – Xpert HR Discrimination at Work Because of Pregnancy or Maternity Leave - CAB
<b>Religion or Belief</b>	Religion or belief in the workplace, ACAS Various case studies relating to the need for flexible arrangements for staff who may not live in the same country as their relatives.

<b>Marriage and Civil Partnership</b>	No information sourced.
<b>Welsh Language</b>	Some Work Foundation reports relating to employers and the Welsh Language.
<b>Human Rights</b>	<p><b>General</b></p> <p>There are gaps in workforce equality monitoring data across all of the protected characteristics. Disaggregated workforce monitoring data is required to inform future policy review and assessment. It is also noted that the Welsh Government is proposing that public sector employers in Wales will have a specific duty to make arrangements to collect employee data in respect of disciplinary procedures (Welsh Assembly Government Equality Act 2010: Performance of the Public Sector Equality Duties in Wales).</p>



## Assessment of Relevance and Priority

Equality Strand	Evidence: Existing Information to suggest some groups affected. Gathered from Step 2. (See Scoring Chart A)	Potential Impact: Nature, profile, scale, cost, numbers affected, significance. Insert one overall score (See Scoring Chart B)	Decision: Multiply 'evidence' score by 'potential impact' score. (See Scoring Chart C)
Race	2	+1	2
Disability	3	+3	9
Gender	3	+2	6
Gender reassignment	1	+1	1
Sexual Orientation	0	0	0
Age	3	+3	9
Religion or Belief	2	+2	4
Maternity and Pregnancy	3	+3	9
Marriage and Civil Partnership	0	0	0
Welsh Language	0	0	0
Human Rights	2	+2	4
			44/10 = 4.4

Scoring Chart A: Evidence Available

3	Existing data/research
2	Anecdotal/awareness data only
1	No evidence or suggestion

Scoring Chart B: Potential Impact

-3	High negative
-2	Medium negative
-1	Low negative
0	No impact
+1	Low positive
+2	Medium positive
+3	High positive

Scoring Chart C: Impact Decision

-6 to -9	High Impact (H)
-3 to -5	Medium Impact (M)
-1 to -2	Low Impact (L)
0	No Impact (N)
1 to 9	Positive Impact (P)

## Action Plan for Organisational Change Policy

	<b>ACTION</b>	<b>WHO</b>	<b>HOW/ WHEN</b>
<b>Monitoring Arrangements</b>			
How will the Policy be monitored?	Monitoring arrangements will be determined locally.  Monitoring outcomes will be reported to Health Boards and Trusts.	Workforce and OD Directors	Every 6 months
What monitoring data will be collected?	Local application of organisational change policy and procedure disaggregated against each protected equality characteristic, workplace/directorate and staff group.	Workforce and OD Directors	Ongoing
<b>Other Actions</b>			
Describe any other actions highlighted through the policy screening	Policy training for managers to include scope and application of duty to consider reasonable adjustments for disabled employees. Development of All Wales leadership and OD programme.	ADOD Group	To be confirmed