

Human Resources Equality Impact Assessment and Analysis (EqIAA)

Introductory information

Name of function under consideration:	Dismissal due to some other substantial reason (SOSR)
Date(s) of completing the EqIAA:	23/01/14
Name and job title(s) of person(s) completing the EqIAA:	Emma Ford, HR Advisor – Engagement & Equalities. Julie Goad, HR Assistant.

Section 1 – Impact and analysis

1. Considering all aspects of this function, state what issues have an impact on equalities and why.

The Employment Rights Act includes a reason for fair dismissal referred to as Some Other Substantial Reason (SOSR). This is defined as a reason not related to any of the other reasons which are: capability, conduct, redundancy, retirement or to comply with a statutory enactment.

This policy covers employees dismissed for SOSR and complies with the ACAS Guide to Discipline and Grievances at Work.

This policy relates to any employee regardless of any protected characteristic and so no adverse equalities impact has been identified.

The policy has been reviewed to make it a more accessible document. The previous format included unnecessary word and more complicated language.

2. What data does the council have internally that links to this function and what does it tell us about equalities impact?

The Human Resources records show that there have not been any SOSR dismissals in the last year.

3. Where appropriate, what consultation has been conducted in relation to this Function and what evidence has this provided about equalities impact?

We did not carry out any formal consultation as part of this policy review. The review involved changing the format and language of the document. No changes were made to the policy itself. The revised policy was sent to the council's legal department, HR Managers and Trade Unions for comment. No comments were received about equalities impact.

4. What relevant external research (data, reports, expert opinion, legislation etc.) has been considered and what evidence has this provided about equalities impact?

ACAS – guide on discipline and grievance at work.

Bevan Briton – The Public Services Law firm.

Chartered Institute of Personnel and Development (CIPD) – slides from a CIPD seminar on SOSR.

5. Any other relevant notes?

None.

Section 2 – Outcomes

6. The evidence that has been collected under Section 1 of this form will need to feed into the decision making process regarding any changes to be implemented before any final decisions are taken. There are four possible outcomes of this EqlAA – indicate which outcome below with the reasons and justification for this.

Outcome	Response	Reason(s) and justification
Outcome 1: No major change required.	<input checked="" type="checkbox"/>	The policy applies to all employees regardless of protected characteristic. The workforce data does not indicate any bias in decisions to dismiss someone due to SOSR.
Outcome 2: Adjustments to remove barriers or to better promote equality have been identified.	<input type="checkbox"/>	
Outcome 3: Continue despite having identified potential for adverse impact or missed opportunities to promote equality.	<input type="checkbox"/>	
Outcome 4: Stop and rethink.	<input type="checkbox"/>	

7. List the actions you will take as a result of this EqlAA.

The policy will be reviewed on an annual basis or at any time should an equality issue arise.

Section 3 – EqlAA evidence

8. List and attach the evidence you have which shows how you have systematically considered equality impact.

ACAS – guide on discipline and grievance at work.

Bevan Briton – The Public Services Law firm.

Chartered Institute of Personnel and Development (CIPD) – SOSR seminar slides.