Equality Impact Assessment (EIA)

Policy/activity or service area to be assessed:	Dignity at Work- Anti- Harassment and Anti- Bullying Policy Job No: 856	Person completing assessment:	
Reason for this assessment: *(new policy / review etc)*	Amendment to existing policy	Date of assessment:	11/10/23

An EIA involves analysing the effect, or potential effect, of the way we do our business upon groups that share protected characteristics as defined in the Equality Act 2010. This requires us to look at the equality data which we capture or have access to and to consider the outcome of our community engagement. We need to assess whether our policies and practices show 'due regard' for the three aims (see below) of the Public Sector Equality Duty (PSED). The analysis should highlight effects that *increase* equality, *decrease* equality or have *no impact* upon equality across the protected characteristics. Its purpose is not just to paint a picture, but to *identify practical steps* to improve our performance by:

   (a) Eliminating any unlawful discrimination,
   (b) Advancing equality of opportunity and
   (c) Fostering good relations between different groups.

1. Briefly describe the purpose, aims and objectives of the policy/activity: [1]	Staffordshire Fire and Rescue Service is committed to providing a supportive work environment for all employees and its policies and practices will endeavour to provide a positive culture that reflects our Core Code of Ethics. We are committed to providing an environment where everyone is able to work and participate in life in the Service without fear of harassment, bullying or intimidation. Harassment and bullying is behaviour that is inappropriate, unpleasant and unwelcome. It creates an environment that may affect the wellbeing and performance of employees, preventing them achieving their full potential. All Fire and Rescue Service employees have a direct responsibility to ensure that harassment of anyone, including colleagues or members of the public, in any form, does not occur.

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2. Who is the policy/activity aimed at: (communities, staff, partners etc)	All staff of SFRS
3. Who is responsible for the policy/activity: (Directorate/Department/individual)	Human Resources / Line management

Equality Statement

Clearly explain and provide supporting evidence to show how the policy/activity satisfies the three aims of the Public Sector Equality Duty (PSED) and **DOES NOT** cause or have the potential to cause a **NEGATIVE** (detrimental) effect:

Harassment and bullying is contrary to our Core Code of Ethics. Employees should enjoy a working environment that is free from harassment, where individuals are treated with dignity and respect. The aim of the policy is to develop, and maintain a working environment. In addition microaggressions are also contrary to the Core Code of Ethics we adhere to as a Service.

The Principal Management Team will provide a working environment where harassment and bullying is unacceptable and where individuals are treated with respect and dignity. **They will oversee the Policy and ensure that Officers and Managers deal with allegations of harassment or bullying. The Principal Management Team will ensure there is provision of appropriate training for Managers and employees to ensure all are able to manage such allegations appropriately.** This is being assured by the implementation of 'By Stander Training', face to face EDI Workshops for all staff which are inclusive of the theoretical position, in an accessible format, of Allports Scale of Prejudice and Discrimination.

Managers and Supervisors will support the Anti- Harassment and Anti- Bullying Policy to ensure that all employees are aware of their responsibilities under the policy. They will treat allegations of harassment and bullying seriously and sensitively and ensure that the working environment is non-threatening and supportive and be equipped to appropriately challenge any unacceptable behaviour by other employees. The Service has developed a tracking system to enable monitoring by characteristics both within this Policy and the Grievance Policy

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V3 Sept 2013

The law protects individuals from **harassment** while applying for a job, in employment and in some circumstances after the working relationship has ended, for example, in connection with the provision of a verbal or written reference. There's also protection for people against harassment on the basis of their membership or non-membership of a trade union.

Bullying
The UK legal position on bullying is more complex as there's no single piece of legislation which deals with workplace bullying. Bullying may be covered by:
- The Equality Act 2010, if it is linked to a protected characteristic.
- The Employment Rights Act 1996, especially the 'detriment' provisions.
- Claims for breach of an express or implied term of the employment contract - for example, breach of the implied term to take care of employees.
- Criminal or civil provisions under the Protection from Harassment Act 1998.

Bullying might also be covered by a myriad of other legal principles and laws, for example:
- The common law obligation for an employer to take care of workers' safety.
- Personal injury protection and duties to take care of workers arising out of Tort law.
- Health and Safety at work etc Act 1974.
- Criminal Justice and Public Order Act 1994.
- Whistleblower protections.
- Human Rights Act 1998.

The PIA for the Grievance Policy procedure will explore these none related to Protected Characteristics areas of bullying and harassment consideration in more detail.

Bullying and harassment are still a significant workplace issue. The Service is actively committed to promoting a positive climate at work for everyone, based on personal respect and dignity, with an aim of preventing inappropriate behaviour starting. The Service has done this by sending a clear message to all employees by the introduction of the zero tolerance statement which is applicable to any type of inappropriate behaviour. The Principal Officers have an individual Core Code of Ethics that they lead on with a clear demonstration of strong values that communicate what a climate of dignity and respect looks like.

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To enable the PIA to support an effective application of the Policy the Service has developed a tracking tool to enable analysis of trends for any significant differences between groups based on protected characteristics. The Service will carry out an investigation if something is identified which is not proportionate or suggestive of an inexplicable occurrence.

The Service Wellbeing and Fitness activity is mindful of the aging impact on staff and this includes the impact of menopause. There is a menopause network which is open to men and women to share experiences and seek support and information signposting.

The Service has in place Workplace Adjustments Passports with guidance, HR and Learning and Development Support. There is a level of understanding that is under continual development which go some way to mitigate risk of bullying as this also promotes an anti-buying and anti-harassment context on the grounds of disability and clearly states our commitment to offer reasonable adjustments.

Notwithstanding the Service commitment to building relationships with local LGBT representatives for Pride events and supporting the Pride celebrations across the authority area, internally there is anecdotal evidence that LGBT staff may feel under supported. Our partners in Staffordshire Police have been welcoming with our LGBT colleagues by inviting them into their successful staff Network.

The Service Maternity Policy, first developed in 2011 was acknowledged as good practice by the Equality and Human Right Commission. The Service continues to review the Policy and makes amendments accordingly.

The Service is aware and conscious of the cost of living crisis for both staff and the communities served. Our Community Engagement practice and referral systems place the Service in a good position to understand these impacts. Our Service Intelligence Department is able to analyse lower support output area wards enabling the Service to align resources accordingly.

Where the policy/activity **DOES** or has the **POTENTIAL TO** have a **NEGATIVE** (detrimental) effect indicate which of the Protected Characteristics **MUST** be considered:

Describe the **NEGATIVE** (detrimental) effect and provide supporting evidence for your rationale *

Age	In 2022 researchers *Skorek and Bonnar* found that 29% of workers age 55 and older said they'd been bullied on the job and 33% of between the 50 and 64 said they have been bullied at work. The research

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	was based on bullying in the workplace on the grounds of older workers. The paper goes on to say that …..“Older workers, many of whom have institutional knowledge and expertise accumulated over years on the job, ……………………… tend to work more collaboratively, and are happy to work to make their co-workers look good — an altruistic trait that also makes them easier targets of bullies, and less likely to report the bad behaviour. Another reality that makes bullying hard to quash: Older workers typically have tougher times switching to new jobs, so are more likely to tolerate abuse at work in the interest of keeping their jobs. The culture of the workplace is important to ensure that older workers can perform to the best of their ability, while simultaneously, their overall mental health and well-being is addressed through the operation of a safe environment which is devoid of bias related to ageing. They also make the point that employers might address talent shortages by hiring people over 50 and extending the working lives of existing employees. More than any other requirement, *Slowey & Zubrzycki (2018)* point to the need to address the common misconceptions about older workers and especially to recognise that most stereotypes about ageing have no scientific foundation. There is likely to be additional challenges for older women workers due to effects of differences in earnings, as well as pension coverage and the responsibilities of caring. It is also suggested that the Service should give particular attention to issues relating to the ageing workforce in this respect. There is a specific consideration to be made in relation to operational women and the impact of the menopause.
Disability	The Service has in place Workplace Adjustments Passports with guidance, HR and Learning and Development Support. There is a level of understanding this under continual development which goes some way to mitigate risk of bullying as this promotes an anti-buying and anti-harassment context on the grounds of disability and clearly states our commitment to offer reasonable adjustments. It is understood that it may be more challenging for those with a disability to initiate a complaint under the policy, however, support mechanisms are suggested in the policy to help with that.

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	Scope 2017 asked people with disability about work experiences – it found a massive 53% of disabled people have experienced bullying or harassment at work, 21% had been bullied by colleagues and 27% from their employer. One in five (21%) go as far as not disclosing their impairment to employers, while 1 in 8 (13%) felt they had been overlooked for promotion.
Gender reassignment	**A Stonewall report LGBT in Britain**: Work Report 2018 found that almost 18% of LGBT people had been the target of negative comments or conduct from work colleagues in the previous year because they are LGBT. The study found: 12% of trans people had been physically attacked by customers sic or colleagues in the previous year because of being trans. 10% of black, Asian and minority ethnic LGBT staff had similarly been physically attacked in the previous year because of their sexual orientation and/gender identity compared to 3% of white staff. One in 5 trans people do not feel able to wear work clothes representing their gender expression. One in 5 trans people (21%) would not report transphobic bullying in the workplace.

The Service is exploring the dignity aspects of the changing facilities in some specific locations across the estate. It is suggested that this is transparent across the Service with a level of sensitive in order that colleagues a better understanding of views and experiences. |
| **Marriage or civil partnership** | |
| **Pregnancy or maternity** | The Equality and Human Rights Commission commissioned a programme of research to investigate the prevalence and nature of pregnancy discrimination and disadvantage in the workplace. One in five Mothers said they had experienced harassment or negative comments related to pregnancy or flexible working from their employer and/or colleagues – if this was scaled to the general population this could mean as many as 390,000 mothers a year.

One in 25 mothers (4%) left their jobs because of risks not being tackled.
One in ten (10%) mothers were discouraged from attending antenatal appointments.

Around half of mothers (51%) who had their flexible working request approved said they felt it resulted in negative consequences. |

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Religion or belief	Media reports and articles from the Equality and Human Rights Commission and national and international events, such as terrorism can cause harassment and bullying for people because of their particular religion or belief.
Race	The 2019 Race at Work report found that one in four black, Asian, minority ethnic employees in the UK report experiencing bullying and harassment.
Sex	A study in October 2019 completed by the Young Women's Trust found that one in four young women are scared they will be sacked if they report sexual harassment. The TUC also completed a study finding that some two thirds of women had experienced harassment at work and one in three said they did not know how to report harassment. Anxieties about being sacked were 30% higher for young disabled women. 80% of respondents said they had been treated less positively by their employers because they had refused unwanted sexual advances, while 5% said they had to leave their job due to sexual harassment, assault or abuse.
Sexual orientation	A Stonewall report LGBT in Britain: Work Report 2018 found that almost 18% of LGBT people had been the target of negative comments or conduct from work colleagues in the previous year because they are LGBT. The Service is very conscious of the cost of living crisis for both staff and the communities we service
Socio-economic disadvantage 2	Potentially, there is a possibility that those with caring duties or those remote working can feel isolated and not able to join in local social events aimed at all staff.

* NOTE: Where any **NEGATIVE** (detrimental) effects are likely to occur:

(a) For the policy/activity to continue corrective actions/amendments **MUST** be taken to prevent/minimise unlawful discrimination
(b) An action plan **MUST** be completed (next section)
(c) Where a negative (detrimental) effect can not be avoided, continuation of the policy/activity (with or without amendment) **MUST** be justified

Action plan

This action plan **MUST** accompany the policy/activity and be used continually to assess any negative (detrimental) effects resulting from the delivery of or amendments to the policy/activity based on customer feedback and evaluation.
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Negative/detrimental effect	Action needed to prevent/minimise it	By who	By when	Complete (tick)
Age .	Development of appropriate support that will help develop skills and knowledge in preparation for longer working lives. A Menopause Policy and guidance needs to be developed.	OcH HR EDI	January 24	
Disability	It is understood that it may be more challenging for those with a disability to initiate a complaint under the policy, however, **support mechanisms are suggested in the policy to help with that.** Align HR, FW and L&D systems to be able to communicate with each other in relation development, promotion and sickness records.	HR ICT	July 24	
Gender Reassignment	The Service is exploring the dignity aspects of the changing facilities in some specific locations across the estate. It is suggested that this is transparent across the Service with a level of sensitive in order that colleagues a better understanding of views and experiences.	Estates	?	
Religion and Belief	To enable the PIA to support an effective application of the Policy the Service has developed a tracking tool to enable analyse of information for any significant differences between groups based on protected characteristics. The Service will carry out an investigation if something needs looking into and monitor, analyse and report on incidence by religion and belief.	HR	As applicable	
Race	To enable the PIA to support an effective application of the Policy the Service has developed a tracking tool to enable analyse of information for any significant differences between groups based on protected characteristics. The Service will carry out an	HR	As applicable	

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	investigation if something needs looking into and monitor, analyse and report on incidence by race, ethnicity and nationality.			
Sex	To enable the PIA to support an effective application of the Policy the Service has developed a tracking tool to enable analyse of information for any significant differences between groups based on protected characteristics. The Service will carry out an investigation if something needs looking into and monitor, analyse and report on incidence by sex. The Service will explore specialist training options, including from our partners, for staff and managers to attend. The Service will explore signing up to providers such as the White Ribbon campaign.	HR EDI	February 24	
Socio-economic disadvantage	Within the Appraisal and sickness monitoring applications the Service needs to be able to discuss staff concerns and anxiety in relation to their personal circumstances. The confidentiality of this needs to be considered on how the Service wants to report on it.	HR	ASAP	

All Completed EIA's should be submitted to E&D team for approval.

Signed: _____ **(E&D)**

Name: __Diane Dunlevey_____

Date: ___11/10/2023_____

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