

## EQUALITY AND WORKLOAD IMPACT ASSESSMENT

<b>Procedure</b>	Capability and Performance Management Procedures
<b>Date</b>	September 2017
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### 1. What are the broad aim(s) or objective(s) of the policy, procedure or practice?

To provide a procedure and supporting guidance for Performance Management and managing capability cases involving school staff, which complies with employment and education law and best practice.

### 2. What outcomes do you want to achieve?

The object of the formal procedures are to provide a framework to set and support high performance and to deal with employees whose standard of performance falls short of that required.

- Managers set and maintain high standards of performance.
- Employees understand what is expected of them and what standards of performance they must comply with. It promotes fairness and equity in the conduct of relations between the employer and employee
- Sets out the employee's rights under the formal procedure including an explanation of any capability action, the right of representation, and the employee's right of appeal

### 3. If possible, how do you monitor the policy, procedure or practice for its impact on different stakeholder groups? If it is not possible please briefly explain why below:

Monitoring is done in the following ways:

- Through consultation on the procedure prior to publication and feedback from staff, managers and Trade Unions
- Through review of cases which proceed to hearing, appeal and Employment Tribunal.

### 4. List all of the data/information you have used to inform your impact assessment, including source & reference

- Regulations
- DfE Model Procedures
- DfE Equality Impact Assessment
- ACAS Code of Practice
- Trade Union/Staff Consultation
- Teaching Standards
- Feedback from Advisers
- Legal Service Advice

<b>5. Equality Impact Assessment</b>		
There is nothing inherent in the procedure which gives rise to concerns about differential impact on particular groups		
<b>Indicate any groups who may be adversely affected, the potential impact and measures to mitigate the potential impact</b>		
<b>Group</b>	<b>Impact</b>	<b>Measure</b>
Older / Younger workers	Possible discrimination in assessment of performance based on length of service as opposed to competence/performance. Could result in unreasonable expectations of older or younger staff.	<ul style="list-style-type: none"> <li>Moderation of targets</li> </ul>
Persons with a Disability	Possible discrimination based on attendance/adjusted duties as result of DDA assessment. Disabled staff may be assessed as falling below performance expectations. Restricted assessment of performance based on limited attendance.	<ul style="list-style-type: none"> <li>Procedure includes appropriate approach to absences</li> <li>Equalities and sickness absence management procedures on reasonable adjustments and treatment of people with disabilities</li> <li>Provision of alternate format documents</li> </ul>
Gender	Possible discrimination based on part-time working, breaks for family reasons. Potential negative performance assessments based on limited attendance.	<ul style="list-style-type: none"> <li>Procedures include appropriate approach to absences</li> <li>Clear guidance in family friendly policies on rights of workers in relation to family related absences</li> </ul>
Race	Possible discrimination in assessment of performance where cultural, language etc differences have not been supported.	<ul style="list-style-type: none"> <li>Induction/support for all new workers</li> <li>Provision of alternate language documents</li> </ul>
In all cases <ul style="list-style-type: none"> <li>Briefings on new procedures and training for managers on procedures</li> <li>HR advice in implementing procedures</li> <li>Assessment based on professional standards/job role</li> </ul>		
<b>6. Workload Impact Assessment</b>		
Effective performance management requires employee and manager time		
Effective capability support requires input from managers and others to support development and training and employee and manager time for meetings		
<b>Group</b>	<b>Impact</b>	<b>Measure</b>
Employees	<ul style="list-style-type: none"> <li>Time to attend meetings</li> <li>Provision of evidence to support performance assessment</li> <li>Time to access additional support</li> </ul>	<ul style="list-style-type: none"> <li>PM meetings will be well planned, limited in number and take place during directed/working time</li> <li>Paperwork to support Performance Management/Pay decisions will be kept to a minimum</li> <li>Employee will not be required to collect portfolios of evidence</li> <li>Release time for training and development</li> </ul>
Line Managers	<ul style="list-style-type: none"> <li>Time to attend meetings</li> <li>Paperwork</li> </ul>	<ul style="list-style-type: none"> <li>PM meetings will be well planned and limited in number</li> <li>Line Managers will be allowed time, during directed/working time, to conduct PM meetings with their staff</li> </ul>

		<ul style="list-style-type: none"><li>• Paperwork to support Performance Management/Pay decisions will be kept to a minimum</li><li>• Time to manager capability process</li></ul>
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**7. Monitor and review arrangements**

Procedures will be reviewed annually in the light of feedback, practice and legislation.