

# Equality Impact Assessment (EIA)

Legislation requires that our policy documents consider the potential to affect groups differently and eliminate or minimise this where possible. This process helps address inequalities by identifying steps to ensure equal access, experience, and outcomes for all groups of people.

## Step One – Policy Definition

<b>Function/policy name and number:</b>	Family Leave Policy
<b>Main aims and intended outcomes of the function/policy:</b>	The purpose of a Family Leave Policy is to enable staff to aims to promote a consistent approach across the Trust. It is designed to help employees understand their entitlements and provides procedural guidance based on best practice. The policy explains the responsibilities and actions that are required by managers and employees throughout the process.
<b>How will the function/policy be put into practice?</b>	<p>The policy sets out the rights and entitlements of employees to occupational and statutory maternity and adoption leave and pay, shared parental leave, parental leave and parental support (paternity) leave. The policy has been developed to ensure compliance with statutory obligations and national terms and conditions.</p> <p>The policy and procedure is sectioned by support for maternity and adoption provisions, shared parental leave, parental leave and parental support (paternity) leave. Line Managers and employees should refer and follow the relevant applicable sections.</p>
<b>Who will be affected/benefit from the policy?</b>	The policy applies to all employees of the Dudley Group NHS Foundation Trust who are expectant or new mothers, including surrogacy arrangements and foster to adopt, and fathers or partners of expectant and new mothers or adopters.
<b>State the type of document:</b>	Policy
<b>Is an EA required?</b> NB: Most policies/functions will require an EA with a few exceptions, such as routine procedures-see guidance attached	Yes
<b>Accountable Director:</b> (Job Title)	Chief People Officer
<b>Assessment Carried out by:</b>	HR advisor & Equalities Business Partner
<b>Date Completed:</b>	28/08/2025

To help you to determine the impact of a strategy or policy, think about how it relates to the Public Sector Equality Duty, the key questions as listed below and prompts for each protected characteristic are included Step 3:

**-Eliminate unlawful discrimination, victimisation, and harassment**

- Advancing equality of opportunity
- Fostering good community relations

## KEY QUESTIONS

- Are people with protected characteristics likely to be affected differently even though the policy is the same for everyone?
- Could there be issues around access, differences in how a policy is experienced and whether outcomes vary across groups?
- What information /data or experience can you draw on to indicate either positive or negative impact on different groups of people in relation to implementing this function policy?

## Step Two – Evidence & Engagement

<b>Research/Publications</b> <i>(List any publications or research you have looked at here)</i>
ACAS Equality Act 2010 Employment Relations Act 1999 Agenda for Change Terms and Conditions of Service Maternity and Parental Leave etc. Regulations 1999 Management of Health and Safety at Work Regulations 1999
<b>Working Groups</b> <i>(Have you consulted with any groups?)</i>
Provider Collaborative Policy Group Staff representation committee (SRC) Joint Local Negotiating Committee (JLNC)
<b>Clinical or Subject Experts</b> <i>(Have you consulted any experts? List them here)</i>
Equalities Business Partner
<b>Engagement Activity Focused on Protected Groups</b> <i>(Age, disability, race, sex, gender reassignment, marriage &amp; civil partnership, pregnancy &amp; maternity, religion or belief, sexual orientation, Other marginalised groups e.g. Homeless people or anything privacy or dignity related)</i>
<b>Name of Source:</b> Wider HR Team <b>Date:</b> 25/6/25 <b>Protected Characteristic:</b> All
<b>Name of Source:</b> Equalities and Wellbeing Team <b>Date:</b> 25/6/25 <b>Protected Characteristic:</b> All
<b>Name of Source:</b> HR Manager - Medical Workforce <b>Date:</b> 25/6/25 <b>Protected Characteristic:</b> All Medical Staff
<b>Name of Source:</b> Head of People – Workforce, Wellbeing and Employee Relations <b>Date:</b> 25/6/25 <b>Protected Characteristic:</b> All Staff
<b>Name of Source:</b> Divisional leads – all divisions <b>Date:</b> 25/6/25 <b>Protected Characteristic:</b> All

## **Summary of the feedback received from the engagement activity focused on protected groups:**

- Gendered language / mixed use of language, need to agree terminology with staff networks/ stake holders and use throughout.
- Refrain from using acronyms, makes the policy hard to read for anyone neurodivergent or new to the policy.
- Make more reference to other pregnancy considerations such as surrogacy & IVF to be inclusive of everyone.
- Add links to describe where resources are for ease of use of the policy.
- Ensure the 'Rights during leave' section is correct, taking into account changes in the law regarding mat leave and changes applied to terms and conditions.
- Update wellbeing provisions and ensure support groups are up to date.
- Add anti-discrimination statement to the end of the policy to support fairness and transparency.
- Legal References - While legislation is cited, brief explanations of how each law applies would be helpful (e.g., Equality Act 2010 in relation to pregnancy discrimination).
- IVF Section - Could benefit from clearer formatting and separation of entitlements for the individual undergoing treatment vs. their partner.

## Step Three – Assessment of Impact

Complete **relevant** boxes below to help you record your assessment.

Consider information and evidence from the previous section covering:

- Engagement activities
- Equalities monitoring data
- Wider research

Also, consider due regard under the general equality duty, the NHS Constitution and Human Rights.

### What detail is required below:

A negative impact requires every box to be completed

Positive impacts need the first three boxes completed

Neutral impacts need to be marked neutral with no other details.

**Age:** Describe age-related impact and evidence. This can include safeguarding, consent and welfare issues:

**Positive, negative or neutral impact:**

Neutral Impact

**Disability:** Describe disability related impact and evidence. This can include attitudinal, physical, communication and social barriers, as well as mental health/ learning disabilities, cognitive impairments

**Positive, negative or neutral impact:**

Neutral Impact

**Gender re-assignment:** Describe any impact and evidence on transgender people. This can include issues such as privacy of data and harassment:

**Positive, negative or neutral impact:**

Positive Impact

**If the impact is positive or negative, is it low, medium, or high risk for this group?**

High

<b>Concern or Benefit</b>	<b>Equality in parental/family leave:</b> Ensuring that family leave is available and clearly communicated to all employees regardless of gender identity promotes fairness and equal access to leave benefits.
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<b>Marriage and civil partnership:</b> Describe any impact and evidence in relation to marriage and civil partnership. This can include working arrangements, part-time working, and caring responsibilities:	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

<b>Pregnancy &amp; Maternity:</b> Describe any impact and evidence on pregnancy and maternity. This can include working arrangements, part-time working, and caring responsibilities:	
<b>Positive, negative or neutral impact:</b>	Positive Impact
<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	High
	<ul style="list-style-type: none"> <li>• Enhanced support for parents: The family leave policy provides clarity and consistency in support for employees during pregnancy, maternity leave, and the early stages of parenting, helping to reduce stress and promote work-life balance.</li> <li>• Encourages early engagement: Clear entitlements and procedures can encourage pregnant employees to engage with their managers and HR early, allowing timely planning for leave and adjustments during pregnancy.</li> <li>• Reduces health-related risks: The policy can support safer working conditions during pregnancy by supporting flexible working arrangements.</li> </ul> <p>Supports retention and career progression: A well-structured family leave policy helps reduce the risk of employees leaving the workforce due to pregnancy or childcare demands, supporting their long-term career</p>

<b>Race:</b> Describe race-related impact and evidence. This can include information on different ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers:	
<b>Positive, negative or neutral impact:</b>	Negative Impact

<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	High
<b>Concern or Benefit</b>	<ul style="list-style-type: none"> <li>• There is a risk that the diverse needs and lived experiences of staff from racially and ethnically minoritised backgrounds may not be fully met or reflected. This could lead to inequalities in awareness, access, or uptake of family leave entitlements.</li> <li>• There is evidence that individuals from certain ethnic backgrounds may be less likely to access fertility treatment (e.g. IVF) or face barriers in doing so due to financial, cultural, or systemic factors</li> <li>• Less likely to be aware of entitlements or feel empowered to take full parental leave, especially where language, immigration status, or fear of stigma/discrimination is a concern</li> </ul> <p>Disproportionately represented in lower-paid roles, which can impact their ability to take extended unpaid leave</p>
<b>If a negative impact, how will it be mitigated?</b>	<ul style="list-style-type: none"> <li>• Use inclusive and accessible language in policy documents; consider translation or simplified versions where appropriate</li> <li>• Promote awareness of family leave entitlements through culturally sensitive communications and staff networks</li> <li>• Monitor uptake of leave policies by ethnicity to identify and address any disparities</li> <li>• Include examples and guidance that reflect diverse family structures and cultural contexts (e.g. multigenerational caregiving, cultural differences in parenting roles)</li> <li>• Ensure managers are trained to provide equitable support and challenge bias when advising staff on leave options</li> </ul> <p>Add add appropriate paragraph to the policy and ensure early communication is held with employees</p>
<b>Who will lead on this</b>	HR Advisor
<b>When will it be mitigated?</b>	Completed
<b>How will you monitor/review or report this?</b>	<ul style="list-style-type: none"> <li>• Through complaints and feedback</li> </ul>

<b>Religion or Belief:</b> Describe any religion, belief or no belief impact and evidence. This can include dietary needs, consent and end-of-life issues:	
<b>Positive, negative or neutral impact:</b>	Negative Impact
<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	High
<b>Concern or Benefit</b>	<ul style="list-style-type: none"> <li>•Some religious beliefs may limit or prohibit certain fertility treatments, such as the use of donor sperm or eggs, surrogacy, or embryo freezing</li> <li>•Religious observance (e.g. fasting during Ramadan, Sabbath restrictions, or holy days) may affect how and when leave is taken, or when appointments are scheduled</li> <li>•Adoption and parenting may carry different meanings or social stigma within particular faith communities, affecting uptake</li> <li>•Gender roles influenced by religious norms may affect how paternity or shared parental leave is understood and used</li> <li>•Policy may conflict with or fail to support religiously-informed choices around fertility or family structure</li> <li>•Reduced access to IVF, adoption, or leave due to stigma or religious barriers not being recognised</li> <li>•Exclusion of religious holy days or observance needs in planning leave, affecting fairness</li> <li>•Staff feeling marginalised or forced to choose between faith and family care responsibilities</li> </ul>
<b>If a negative impact, how will it be mitigated?</b>	<ul style="list-style-type: none"> <li>•Acknowledge that religious beliefs may affect decisions around fertility treatment, adoption, or family leave, and ensure flexibility to accommodate this</li> <li>•Allow staff to structure leave (where possible) around religious festivals or observances</li> <li>•Signpost to confidential occupational health or chaplaincy services for staff seeking support with faith-informed family planning decisions</li> <li>•Provide guidance and manager training to ensure faith-related concerns are handled sensitively and respectfully</li> </ul>

	<ul style="list-style-type: none"> <li>• Avoid assumptions around gender roles or family structures based on dominant cultural or secular norms</li> </ul> <p>add an appropriate paragraph to the policy and ensure early communication is held with employees</p>
<b>Who will lead on this</b>	HR Advisor
<b>When will it be mitigated?</b>	Completed
<b>How will you monitor/review or report this?</b>	<ul style="list-style-type: none"> <li>• Through complaints and feedback</li> </ul>

<b>Sex:</b> Describe any impact and evidence on men and women. This could include access to services and employment:	
<b>Positive, negative or neutral impact:</b>	Positive Impact
<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	High
<b>Concern or Benefit</b>	<ul style="list-style-type: none"> <li>• The policy promotes equal access to family leave for both men and women, encouraging shared caregiving responsibilities.</li> <li>• Inclusion of paternity and shared parental leave supports fathers and partners to take an active role in early child-rearing.</li> <li>• Supports women by enabling a more equitable sharing of parental responsibilities, which can reduce career disruption linked to extended maternity leave.</li> </ul> <p>Encourages fairness and equality in leave entitlement, helping to reduce gender disparities in career progression related to family commitments.</p>

<b>Sexual Orientation:</b> Describe any impact and evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers:	
<b>Positive, negative or neutral impact:</b>	Positive Impact
<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	High



<b>Concern or Benefit</b>	Recognises diverse family structures and identities, including same-sex couples, surrogacy, and foster-to-adopt arrangements, ensuring respect and fairness for all types of parents.
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<b>Other marginalised groups, e.g. Homeless people:</b> Describe any impact and evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include lower socio-economic status, resident status (migrants, asylum seekers), homeless, looked after children, single parent households, victims of domestic abuse, victims of drugs / alcohol abuse: (This list is not exhaustive)	
<b>Positive, negative or neutral impact:</b>	Negative Impact
<b>If the impact is positive or negative, is it low, medium, or high risk for this group?</b>	Medium
<b>Concern or Benefit</b>	Social economic impact – no enhanced leave – may disproportionately affect lower-paid staff who cannot afford to take leave on statutory pay alone. While the policy may offer enhanced maternity leave, not offering a comparable enhancement for ShPL can create a financial barrier for families wishing to share caring responsibilities more equally.
<b>If a negative impact, how will it be mitigated?</b>	There is no mitigation in this circumstance. Should enhancement change the policy would be updated.
<b>Who will lead on this</b>	HR Advisor
<b>When will it be mitigated?</b>	As and When required
<b>How will you monitor/review or report this?</b>	Monitor staff feedback

<b>Privacy, dignity, respect, fairness etc:</b>	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

# **EQUALITY IMPACT ASSESSMENT (EIA) - GUIDANCE**

## **NOTES**

An equality impact assessment (EIA) ensures that issues of equality, diversity, and inclusion are considered when developing or revising strategies, policies, or proposals that affect the delivery of services and the employment practices of the Trust.

### **Why should we carry out an EIA?**

We are required to carry out equality impact assessments because:

- There is a legal requirement to do so in relation to the protected characteristics
- They help identify gaps and make improvements to services
- They help avoid continuing or adopting harmful policies or procedures
- They help you to make better decisions
- They will help you to identify how you can make your services more accessible and appropriate
- They enable the Trust to become a better employer

### **Equality Impact Assessments help us to:**

- Determine how the Trust strategy, policies and practices, or new proposals, will impact or affect different community groups, especially those groups or communities who experience inequality, discrimination, social exclusion or disadvantage.
- Measure whether strategies, policies or proposals will have a negative, neutral, or positive effect on different communities.
- Make decisions about current and future services and practice in fuller knowledge and understanding of the possible outcomes for different communities or customer groups.

### **What do we need to assess?**

Trust policies are subject to a 3-year review. Alongside the reviews, new policies will emerge. Most policies, strategies, and business plans will need an EIA.

However, EIAs are not required for changes in routine procedures, administrative processes, or initiatives that will not have a material impact on staff, patients, carers, and the wider community. Examples include checking the temperature of fridges, performing highly technical clinical procedures, and office moves.

### **DGFT Process for EIAs**

The revised EIA process is a single-stage process carried out in three steps.

#### **Step One: Policy Definition**

This involves a description of the policy details. This is the fact-finding stage where you gather as much information about the strategy, policy or function you intend to assess. Who will be using the service, policy or function and the outcomes you want to achieve. It is important to make sure that your service, policy or function has clear aims and objectives.

## Step Two: Evidence and Engagement

EIAs should be underpinned by sound data and information. This should be sought from various sources:

- The knowledge and experience of the people assisting in the service.
- ONS local demography/ Census data: [Census Maps - Census 2021 data interactive, ONS](#)
- Service monitoring reports / Divisional reports
- Patient satisfaction surveys
- Workforce monitoring reports
- Complaints and comments
- Outcome of consultation exercises
- Feedback from focus groups
- Feedback from organisations representing the interests of key target groups
- National and local statistics and audits [Joint Strategic Needs Assessment - All About Dudley Borough](#)
- Academic, qualitative and quantitative research
- Ward/ Divisional reviews
- Anecdotal data

This stage allows you to identify whether your strategy, policy or function has a positive or negative or potential negative impact on the protected characteristics. In some cases, an initial EIA is all you will need to establish whether you are providing equal outcomes for staff or patients. If you receive no feedback or concerns, you can mark each characteristic in section 3 as a neutral impact.

## Step Three: Assessment of Impact

This is the central and most important part of the EIA.

To help you determine the impact of the strategy or policy, consider how it relates to the Public Sector Equality Duty. The key questions and prompts for each protected characteristic are listed below.

- Eliminate unlawful discrimination, victimisation, and harassment
- Advancing equality of opportunity
- Fostering good community relations

The real value of completing an EIA lies in the actions that will take place and the positive changes that will emerge from conducting the assessment. To ensure that the action plan is more than just a list of proposals and good intentions, the following should be included:

- Each action is attributed to a key person who is responsible for its completion
- An achievable timescale that is also at the same time reasonable
- Relevant and appropriate activities and progress milestones
- How the action will be monitored/reviewed

## KEY QUESTIONS

- What information /data or experience can you draw on to indicate either a positive or negative impact on different groups of people with implementing this function policy
- Are people with protected characteristics likely to be affected differently even though the policy is the same for everyone?
- Could there be issues around access, differences in how a service or policy is experienced and produce outcomes that vary across different groups
- Does the policy relate to the Trust's equality objectives?

NB mitigation measures must be identified and acted upon where an adverse impact is known or likely.

#### **Step Four: Assurance**

This section enables the EIA to be signed off by a head of or director for the area. This will assure the equality team that the EIA has been conducted thoroughly and thoughtfully.

#### **Help & Support:**

The equalities team will provide advice and support throughout the EIA process. Once you have completed your EIA, you must submit these documents to the procedural documents team, who will then ask the equalities team to sign off on the final version of the form.

For training, guidance and resources, including completed example forms, please visit the equality, diversity and inclusion hub pages: [Equality Impact Assessments](#) accessible

#### **Copies of the EIA:**

The manager who completed the strategy or policy review should keep copies of the form for monitoring/revisiting at the following policy review. Procedural documents will also keep a copy on file. All EIA will then be published on our external web pages to demonstrate due regard for the Public Sector Equality Duty.