

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

Function/policy name and number:	Flexible Working Policy
Main aims and intended outcomes of the function/policy:	<p>The Flexible Working Policy provides a clear national process for employees to make a request for flexible working, and for their manager to consider and respond to the request. The guidance and toolkit provide both employees and managers with more local guidance specific to the organisation. The trust will try to accommodate all requests for flexible working where delivery of the service is not impacted, however, all decisions on this remain with the Trust.</p> <p>The Trust Board have overall responsibility for ensuring the implementation and consistent application of the policy and guidance in accordance with statutory requirements and national terms and conditions.</p> <p>The policy is not applicable to doctors who are employed on a training rotation through Health Education England (HEE). For Consultants, any changes to working practices should be done in accordance with the Consultant and Specialist Doctor Job Planning Policy.</p>
How will the function/policy be put into practice?	<p>Everyone is expected to treat someone who would like to work flexibly with kindness and understanding.</p> <p>Employees should think about their current working pattern and what flexible working changes could help them and then make requests via the online form, using the policy and guidance to support their decision making.</p> <p>Managers will build a culture where conversations regularly take place with everyone in the team about their needs, including flexible working.</p> <p>Managers will discuss and consider requests for flexible working in line with the timescales set out in this policy ensuring equal access to flexible working for everyone always considering the 9 protected characteristics.</p>

	<p>Managers will always respond with kindness, fairness and with an open mind, aiming to say 'yes' to flexible working and be open to exploring alternatives and options.</p> <p>Managers will work with employees to support flexible working to be successful. This will include reviewing methods for support, communication, team building and access to training, development, and promotions, to help them remain effective in their role after flexible working is agreed.</p> <p>People Professionals will monitor requests, provide advice and support the process.</p> <p>People Professionals will keep a central overview of how requests are managed to ensure everyone is being treated fairly.</p>
Who will be affected/benefit from the policy?	Everyone
State the type of document:	Policy
Is an EA required? NB: Most policies/functions will require an EA with a few exceptions, such as routine procedures-see guidance attached	Yes
Accountable Director: (Job Title)	Chief People Officer
Assessment Carried out by:	Retention Business Partner
Date Completed:	July 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

Research/Publications <i>(List any publications or research you have looked at here)</i>
<ul style="list-style-type: none"> • NHS Terms and conditions of Service Handbook (Sections 33, 35 and 15) • Flexible working Acas • Flexible working NHS Employers • NHS England » We work flexibly

Working Groups <i>(Have you consulted with any groups?)</i>
<ul style="list-style-type: none"> • SRC • LNC • Operational HR Business Partners Team
Clinical or Subject Experts <i>(Have you consulted any experts? List them here)</i>
Engagement Activity Focused on Protected Groups <i>(Age, disability, race, sex, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief, sexual orientation, Other marginalised groups e.g. Homeless people or anything privacy or dignity related)</i>
Name of Source: Disability Staff Network Date: 15/5/25 Protected Characteristic: Long term conditions, disability, reasonable adjustments
Name of Source: Embrace Staff Network Date: 15/5/25 Protected Characteristic: Race, religion or belief
Name of Source: LGBTQ+ Staff Network Date: 15/5/25 Protected Characteristic: Sexual orientation, gender reassignment, sexual orientation, marriage and civil partnership
Name of Source: Women's Staff Network Date: 15/5/25 Protected Characteristic: Age, pregnancy, sex
Name of Source: Carer's Staff Network Date: 15/5/25 Protected Characteristic: Age, Gender
Name of Source: Armed Forces Staff Network Date: 15/5/25 Protected Characteristic:
Name of Source: Equalities Business Partner Date: 15/5/25 Protected Characteristic: All

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

- General feedback on wording and terminology was received from Head of People, Senior HR Business Partner, Equalities Business Partner and Unison Branch Secretary for The Dudley Group.
- No feedback was received on the policy, guidance and toolkit that concerned any of the 9 protected characteristics.
- Feedback received from Equalities Business Partner stated the following:
- Policy looks great, it's the application of it that we know is a problem. HR is mentioned at the beginning, then People Professionals throughout so you may want

to make the language consistent. People Professionals is a good one because it encompasses all HR functions under that umbrella.

- Wording was adjusted in the policy to be consistent.
- Feedback received from Unison Branch Secretary from SRC stated the following:
- Three months is a very long time for someone to have to wait for an outcome.
- There seems to be fewer time scales for outcomes etc.
- We would like to have the following included as per old policy- " flexible working - the Trust will try to accommodate flexible working and that the decision remains with the Trust.
- The timescales have been reduced to two months and this is now reflected in the guidance.
- Feedback received from Operational HR Business Partners Team stated the following:
- I like that it's written in the supportive and positive way it is.
- The only minor issue is in this statement: **Ad-hoc working from home** – your role will have a defined workplace base, but you can choose to work at home for part of your working week. Where it says 'you can choose to work at home' could be misleading and cause issues. It might be better if it read more like 'it may be feasible to work some of your time at home but this will be need support from your manager.

This feedback has been incorporated into the policy/guidance with the above statement amended as appropriate.

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:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High Positive</p> <ul style="list-style-type: none"> • Older workers may benefit from flexible hours to manage health issues or ease into retirement supported by the flexible retirement options included in the policy • Younger employees might use flexible working for study, childcare, or multiple jobs. • Internationally recruited staff who have relocated to the UK alone may benefit flexible working to accommodate childcare or other personal arrangements <p>Medium negative</p> <ul style="list-style-type: none"> • Assumptions about older employees' adaptability to remote technology could lead to exclusion. <p>Low negative</p>

	<ul style="list-style-type: none"> • Younger staff may be less likely to be granted flexible arrangements if viewed as less 'in need'.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> • Support employees to access digital skills training to older employees to support confidence in remote working • Statement included in the policy under equality impact considerations stating that flexible working is available to all age groups, not just those with caring responsibilities
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> • Consult with IT to see what support is offered with remote working • Twice yearly review of flexible working data in October and April

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:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Flexible working can help manage health conditions, reduce travel barriers, and support mental health • Enables reasonable adjustments in working patterns or environments. <p>High negative</p> <ul style="list-style-type: none"> • Inconsistent application of the policy may lead to disabled staff not receiving equitable flexibility. <p>Medium negative</p> <ul style="list-style-type: none"> • Lack of awareness about non-visible disabilities may result in unfair denial of flexible requests.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> • The flexible working application form includes a question on whether the request is being made as part of reasonable adjustment for a disability

	<ul style="list-style-type: none"> • Raise awareness with managers to consider non-visible as well as visible disabilities. Statement included in policy/guidance under equality impact considerations.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> • Flexible working requests made as a reasonable adjustment for a disability can be monitored to ensure they are being considered fairly and consistently. • Flexible working requests made as a reasonable adjustment for a disability can be monitored to ensure they are being considered fairly and consistently.

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 & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Flexibility can support individuals undergoing medical treatment or transitioning processes. <p>Medium negative</p> <ul style="list-style-type: none"> • Lack of understanding or support may prevent trans employees from requesting the flexibility they need.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> • Encourage confidential and supportive conversations in the policy/guidance, ensure policy uses inclusive language. Statement included in policy/guidance under equality impact considerations.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required

How will you monitor/review or report this?	<ul style="list-style-type: none"> Monitor uptake of flexible working by trans employees if they declare this as part of the flexible working application process.

Marriage and civil partnership: Describe any impact and evidence in relation to marriage and civil partnership. This can include working arrangements, part-time working, and caring responsibilities:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> Flexibility can support work-life balance and care responsibilities within a partnership. <p>Medium negative</p> <ul style="list-style-type: none"> Policy application might inadvertently favour those in traditional family structures.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> Statement included in policy/guidance under equality impact considerations to advise managers to assess requests based on individual circumstances and NOT on marital status or family structure
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> Monitor uptake of flexible working by those in non-traditional family structures if they declare this as part of the flexible working application process.

Pregnancy & Maternity: Describe any impact and evidence on pregnancy and maternity. This can include working arrangements, part-time working, and caring responsibilities:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:

Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Flexible work helps pregnant employees manage health and appointments. • Supports transition back to work after maternity leave. <p>Low impact</p> <ul style="list-style-type: none"> • Risk of being overlooked for career progression due to flexible arrangements and childcare responsibilities
If a negative impact , how will it be mitigated?	<ul style="list-style-type: none"> • Statement included in policy/guidance under equality impact considerations to advise managers to protect staff from any detriment in promotion, training, or pay progression due to flexible arrangements.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> • Monitor uptake of flexible working by those returning to work following pregnancy or parental leave structures if they declare this as part of the flexible working application process.

Race: Describe race-related impact and evidence. This can include information on different ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Cultural and religious observances may be better supported through flexible scheduling <p>Medium negative</p> <ul style="list-style-type: none"> • Implicit bias could influence which staff are 'trusted' to work flexibly. <p>Low negative</p> <ul style="list-style-type: none"> • Communication barriers may limit awareness or confidence in using the policy.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> • Train managers in cultural awareness and unconscious bias. This is already included in managers essentials training

	<ul style="list-style-type: none"> Policy is available in other languages.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> To be raised with senior HR leaders

Religion or Belief: Describe any religion, belief or no belief impact and evidence. This can include dietary needs, consent and end-of-life issues:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> Enables staff to observe religious practices, such as prayer times, fasting, or religious holidays. <p>Medium negative</p> <ul style="list-style-type: none"> Inflexibility or inconsistency may lead to indirect discrimination if certain faiths are not accommodated.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> Statement included in policy/guidance under equality impact considerations to advise managers to support accommodating prayer times and religion-related practices through flexible working times and to allow greater flexibility around major religious holidays.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> To be raised with senior HR leaders

Sex: Describe any impact and evidence on men and women. This could include access to services and employment:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified

If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Women, who often have disproportionate caring responsibilities, benefit significantly from flexible arrangements. <p>Low negative</p> <ul style="list-style-type: none"> • Men may be discouraged from requesting flexibility due to gender stereotypes, affecting gender equality. • Part-time work may impact women's career progression or pension contributions.
If a negative impact , how will it be mitigated?	<ul style="list-style-type: none"> • Promote flexible working equally to all genders, including men. This is included in the policy and guidance. • Ensure part-time or flexible workers have access to training and career progression opportunities. There is a statement included in policy/guidance under equality impact considerations.
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> • Twice yearly review of flexible working data in October and April

Sexual Orientation: 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:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High positive</p> <ul style="list-style-type: none"> • Flexible policies can support same-sex parents with childcare responsibilities. <p>Low negative</p>

	<ul style="list-style-type: none"> If line managers hold biases, LGBTQ+ staff might face unequal access or lack confidence in requesting flexibility.
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> Statement in the policy/guidance supports removal of unfair bias and inclusive and confidential conversations around sexual orientation when discussing flexible working requests. Inclusion & confidentiality is also covered in managers essential training
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> Twice yearly review of flexible working data in October and April

Other marginalised groups, e.g. Homeless people: 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)	
Positive, negative or neutral impact:	Neutral Impact

Privacy, dignity, respect, fairness etc:	
Positive, negative or neutral impact:	Positive & Negative Impacts identified
If the impact is positive or negative, is it low, medium, or high risk for this group?	All risk, see below:
Concern or Benefit	<p>High Positive</p> <ul style="list-style-type: none"> Staff do not have to disclose their reasons for requesting flexible working unless they choose to do so. This is included in the policy/guidance. Staff should have the right to appeal if their application is rejected if they feel the policy has not been fairly applied or it has been unfairly considered in relation to one of the protected characteristics. This is included in the policy/guidance.

	<ul style="list-style-type: none"> The policy states that all flexible working requests must be considered fairly, consistently, and within the timescales outlined in this policy, ensuring equal access for all employees. In doing so, managers must actively consider the potential impact on, and needs of, individuals with regard to the nine protected characteristics under the Equality Act 2010. This is included in the responsibilities section of the policy. <p>Medium Negative</p> <ul style="list-style-type: none"> Considerations for all negative impacts of this policy in respect of the 9 protected characteristics should be detailed in the policy
If a negative impact, how will it be mitigated?	<ul style="list-style-type: none"> A full list of the negative impact considerations for all 9 protected characteristics is included in this policy
Who will lead on this	Retention Business Partner
When will it be mitigated?	Ongoing monitoring required
How will you monitor/review or report this?	<ul style="list-style-type: none"> Twice yearly review of flexible working data in October and April

Step Four – Assurance

Title	Head of People
Date	12 August 2025

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.