

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Injury Allowance Policy		
Directorate	Resources and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Hannah Hewston-Jones		
Proposal planning start	March 2021	Proposal start date (due or actual date)	November 2021

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Review
	Procedure	No	N/A
	Guidance	No	N/A
	Is this a service to customers/staff/public?	No	N/A
	If yes, is it contracted or commissioned?		
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>The purpose of this policy is to provide support and guidance to managers and employees regarding the use of Walsall Council's Injury Allowance Scheme (IAS). It ensures managers and employees have a clear understanding of the criteria and details the procedure for claiming such payments.</p> <p>This policy was last reviewed in 2010 and therefore needed to be aligned with other HR policies around PROUD and the Behaviour Framework, the policy has been re-formatted and redesigned to reflect the following principles;</p> <ul style="list-style-type: none"> • Alignment with Walsall Proud and vision • Clear identification of accountabilities in line with behaviours • Clear, consistent and concise policy containing easy to use procedure <p>The following amendments have been made to the policy:</p> <ul style="list-style-type: none"> • Clarity on who this policy applies to; • Clarity around circumstances that will not qualify for consideration of injury allowance; • Clarity around the two types of injury allowance; • Changes to the review and extension of injury allowance – only in exceptional circumstances on case by case; • Changes to the permanent injury allowance regarding when the payment on the grounds of ill-health will cease – changed to cease at the individuals state retirement age and not age 65. 		



- Clarity on injury allowance panel members;
- Clarity on who can attend injury allowance panel meetings;
- Additional process for informing the council's Insurance and Loss Control service of any IAS claims and the conclusion of claims to avoid any duplications.

Removal of the following:

- Requirement for Head of Service to submit injury allowance claim to the Head of HR within one month of loss of pay/decision to retire and
- Removal of the 50% payment reduction for pre-existing condition.

3 Who is the proposal likely to affect?

People in Walsall	Yes / No	Detail
All	No	This policy applies to all council employees, including Directors, Executive Directors and the Chief Executive, as well as casual workers (where applicable). It also includes Walsall Council schools i.e. Community schools, Community special schools and Voluntary controlled schools.
Specific group/s	No	
Council employees	Yes	
Other (identify)		

4 Please provide service data relating to this proposal on your customer's protected characteristics.

As of 31 March 2021 the total number of Walsall Council employees (excluding Schools) were 3079. The Council's workforce is made up of 67.6% females. 23.8% of the workforce are classified as minority ethnic. In total there were 137 employees (4.45% of the workforce) who declared they had a disability, as defined by the Equality Act 2010. 3.12% of the workforce are under 25 years of age, 30.14% of the workforce are 55 years or older, 42.25% of the workforce are aged between 40-54 years old and 50-54 years old are the largest age group making up 17.69% of the workforce.

As of 31 March 2021 the total number of Education employees were 3527. The education workforce is made up of 90.84% females. 11.68% of the education workforce are classified as minority ethnic. In total there were 20 employees (0.57% of the education workforce) who declared they had a disability, as defined by the Equality Act 2010. 6.15% of the education workforce are under 25 years of age, 18.4% of the workforce are 55 years or older, 39.89% of the education workforce are aged between 40-54 years old and 45-49 years old are the largest age group making up 13.8% of the education workforce.

5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).

Consultation commenced on 6 August 2021 with Assistant Directors, Heads of Service, and stakeholders who have a specific interest/involvement with the review of the policy. The consultation ended on 20 August 2021.

Trade Unions were consulted at the same time.

The main points of feedback following the consultation are as follows:

- Could it be simplified / form part of another policy such as Sickness Absence?
- Confirmation and amendment required around state retirement age as this now varies for different people.
- Amendments around the option to review and extend the injury allowance claim are required.

The policy will be submitted to CMT on 07/10/21 followed by Personnel Committee for approval on 25/10/21.

Consultation Activity

Type of engagement/consultation	Targeted support	Date	March 2021 to September 2021
Who attended/participated?	Payroll & Pensions/Legal/Insurance & Loss Control services/H&S		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback As part of the initial engagement, an email with the current policy was emailed to the above stakeholders for comments and feedback. Subsequent virtual meetings were then held with a number of stakeholders to gather up to date information about the policy, legislation, process and what needed to be amended.			

Type of engagement/consultation	Consultation with wider council	Date	06/08/21 to 20/08/2021
Who attended/participated?	Senior Managers across the council		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback As part of the consultation process, the updated policy was emailed to the wider council to review and make comments on. Feedback was very limited – comments made; “Nothing to add from IG on this one” and “Couldn’t see anything obvious to change PH”.			

Type of engagement/consultation	Consultation with Trade Unions	Date	06/08/21 to 20/08/2021
Who attended/participated?	Trade Unions representatives (Unison, GMB, UNITE)		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback			
<p>As part of the consultation process, the policy was emailed to each of the Trade Unions across the council welcoming feedback and comments and suggested improvements. Feedback was limited with a few comments raised e.g. "Why have you removed the "with an option to review" part in 5.2.4 (from the 2010 version)?</p> <p>Also why is no one from Occupational Health on the Panel? Surely, a health expert would be useful? Responses were provided.</p> <p>I can see that a TU rep can attend the panel with their member but why not have a TU rep on the panel itself? Responses were provided.</p>			

Type of engagement/consultation	Key stakeholders	Date	06/08/21 to 20/08/2021
Who attended/participated?	Payroll & Pensions/Finance/HR/Legal/Insurance & Loss Control services		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback			
<p>As part of the ongoing consultation process, the policy was again emailed to key stakeholders, welcoming feedback, comments, suggestions and improvements to ensure the draft policy meets their needs.</p> <p>A few minor changes were required around the process, the need to update other council documents on the intranet that are associated with this policy and clarification around legislation.</p>			

6 Concise overview of all evidence, engagement and consultation

Formal consultation with senior managers across the council, stakeholders and trade unions raised the following concern in relation to protected characteristics and the proposed changes to the policy:

- Potential removal of the option to review and extend claims has now been changed to "In exceptional circumstances, the panel can review on a case by case and award an extension of up to a further six months (12 months maximum total allowance)" (5.2.4).
- Why Occupational Health and Trade Union Reps are not part of the panel – An Occupational Health report / hospital physicians' report is included in the bundle that goes to the panel (6.1.4) and Employees can present their case alongside their TU Rep.
- Does the scheme include pre-existing disabilities, which may be exacerbated by an injury/accident at work, or mental health condition? – The scheme would not cover pre-existing disabilities, as the scheme is for conditions wholly or mainly attributable to the employment.

7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Positive	The policy applies to all employees.	No
		Positive	The permanent injury allowance payable to employees who have retired on health grounds will now cease at the individuals state retirement age and not 65 years as stated in current policy.	
	Disability	Negative	Potential impact on employees who require reasonable adjustments for communication who do not understand the policy e.g. employees with learning disabilities.	Yes
	Gender reassignment	Neutral	The policy applies to all employees – no impact foreseen	No
	Marriage and civil partnership	Neutral	The policy applies to all employees – no impact foreseen	No
	Pregnancy and maternity	Neutral	The policy applies to all employees – no impact foreseen	No
	Race	Negative	Potential impact on employees where English is not their first language as they may not understand the policy.	Yes
	Religion or belief	Neutral	The policy applies to all employees – no impact foreseen	No
Sex	Neutral	The policy applies to all employees – no impact foreseen	No	
Sexual orientation	Neutral	The policy applies to all employees – no impact foreseen	No	
8	Does your proposal link with other proposals to have a cumulative		(Delete	

	effect on particular equality groups? If yes, give details.	one) No
	N/A	
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?	
A	No major change required	
B	Adjustments needed to remove barriers or to better promote equality	
C	Continue despite possible adverse impact	
D	Stop and rethink your proposal	

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of launch	The policy to be explained/made available to affected employees	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support and guidance to allow individuals to achieve the requirements.	As and when required	
Day of launch	The policy to be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council's Interpretation, Translation, Transcription and Easy Read (ITTE) service provider.	As and when required	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees to be made available on request.	Liaison as required with the appropriate council procured services; audio formats from Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.	As and when required	

Update to EqIA	
Date	Detail

Use this section for updates following the commencement of your proposal.

Contact us

Community, Equality and Cohesion
Resources and Transformation

Telephone 01922 655797

Textphone 01922 654000

Email equality@walsall.gov.uk

Inside Walsall: http://int.walsall.gov.uk/Service_information/Equality_and_diversity