



Derby City Council

Equality impact assessment form

**Directorate – Human Resources and Business
Support**

Service area – Human Resources

**Name of policy, strategy, review or function
being assessed – No Smoking**

Date of assessment August 2013

Signed off by Personnel Committee's decision

Date published on website

Derby... *Achieving*

The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions

1 What’s the name of the policy you are assessing?

No Smoking Policy

2 The assessment team

Team leader’s name and job title – Tina Holmes, Strategic HR Advisor

Other team members

Name	Job title	Organisation	Area of expertise
Sue Farmery	Strategic HR Advisor	Derby City Council	Human Resources
Ben Ward	Team Leader, Strategic HR	Derby City Council	Human Resources
Tariq Iqbal	Strategic HR Advisor	Derby City Council	Smoker

3 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council? Include here any links to the Council Plan or your Directorate Service Plan.

To provide guidance relating to the council’s stance on No Smoking within the workplace including council buildings and vehicles, including the use of e-cigarettes.

4 Who delivers the policy, including any outside organisations who deliver under procurement arrangements?

Line management throughout the organisation

5 Who are the main customers, users, partners, employees or groups affected by this proposal?

Employees, contractors, agency staff or any person visiting Council offices.

6 Who have you consulted and engaged with so far about this policy and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups

A working group of HR personnel and managers were consulted on the policy. The policy was also taken to the Conditions of Service Working group which incorporates all the Trade Unions.

7 Using the skills and knowledge in your assessment team, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure

Equality groups	What do you know?	Positive impact	Negative impact	Not sure
Age	No impact			
Disability	Those with a disability or condition worsened by second hand smoke should not be subjected to smoke inside their workplace. All buildings are accessible so those who wish to continue smoking can exit the buildings to do so.			X
Gender	No impact			
Marriage and civil partnership	No impact			
Pregnancy and maternity	No impact			
Race	No impact			

Religion or belief or none	No impact			
Sexuality	No impact			
Trans gender	No impact			
People on low income	Statistics show that people from low income groups are more likely to smoke than people from higher groups.		X	

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later.

8 From the information you have collected, how are you going to lesson any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

It is no longer legal for people to smoke in the workplace. The policy is not anti smokers and does not force people to stop smoking. Should employees wish to give up smoking, they are offered assistance. This lessons the impact for those on low incomes.

9 What outcome does this assessment suggest you take? – you might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1		No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to promote equality have been taken
Outcome 2		Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
Outcome 3		Continue the policy despite potential for negative impact or missed opportunities to promote equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are sufficient plans to

		reduce the negative impact and plans to monitor the actual impact
Outcome 4		Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

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Why did you come to this decision?

Legally, we cannot allow employees to smoke in the workplace. The policy has the potential for both a positive and a negative impact on those with a disability. Those on lower incomes are more likely to be affected as statistically they are more likely to smoke. However, the offer of cessation sessions is a positive step to help those who do smoke to quit. This has the potential to lesson the impact on those with low income.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality action plan to lesson the effect of the negative impact. This is really important and may face a legal challenge in the future.

10 How do you plan to monitor the equality impact of the proposals, once they have been implemented?

This is a legal requirement, however if their are any complaints from equality groups these will be recorded and monitored

