

Equality impact assessment form for quick COVID 19 decisions only

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|-------------------------------------|--|
| Directorate | Corporate Resources |
| Service area | Human Resources |
| Proposal | To treat Long COVID absences, or periods of absence for other conditions developed following acute COVID-19, as per any other sickness absence with relation to pay and inclusion in trigger alerts. |
| Reason for proposal | Cases of Long COVID, or other conditions/symptoms, are emerging following some people recovering from acute COVID-19. |
| Sign off (Director/Head of Service) | Liz Moore, Head of HR |
| Date of assessment | |

Please read the support notes before completing your assessment that are set out in Appendix 1.

The form

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

The assessment team or name of individual completing this form

Team leader's name and job title – Liz Best, Strategic HR Manager

Other team members if appropriate

| Name | Job title | Organisation | Area of expertise |
|-------------|------------|--------------------|-------------------|
| Amy Stevens | HR Advisor | Derby City Council | HR |
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Step 1- setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side- tracked.

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| 1. What are the main aims, objectives and purpose of the decision you want to make? | To clarify the corporate stance on Long COVID and other post-acute COVID-19 related absences. |
| 2. Why do you need to make this decision? | To ensure any absence is correctly logged and programmed for trigger alert reports. To ensure a fair approach in treatment of this absence for all employees. |
| 3. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements? | Any changes to policy and guidance that require communication to staff and managers will be carried out by the Strategic HR team. Any changes that may be necessary to make in the First Care/MiPeople system will be carried out by the HR Data Management team. |
| 4. Who are the main customers, users, partners, colleagues or groups affected by this decision? | Any Derby City Council employee could potentially be affected, if they contract COVID-19 and go on to suffer with a slower than usual recovery (4 weeks+) or a longer term condition. All Derby |

City Council Managers could potentially be affected, if they have team members who contract COVID-19 and go on to suffer with a slower than usual recovery (4 weeks+) or a longer term condition.

Step 2 – collecting information and assessing impact

5. Who have you consulted and engaged with so far about this change, 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, such as accessible locations, interpreters and translations, accessible documents.

[National Joint Council \(NJC\) for Local Government Services circular dated 14th April 2021](#) which details that –

“An employee who self-certifies, or produces a sick note, for any COVID related sickness absence (including an adverse reaction to a vaccination) should receive pay and leave in accordance with their length of service so that the usual provisions of the sickness scheme apply.

For absences identified by a medical professional as, or pertaining to, ‘long COVID’, employers are reminded of the provisions in the Green Book Part 2 Para 10.3. Namely, that discretion can be exercised locally in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. If this provision is invoked, it is important that a consistent approach is taken across the organisation to all similar types of absence and circumstances.

Should sickness absence continue, or be expected to continue, for such a period of time that the employee’s return to work is unlikely within a reasonable period, employers should adopt the same practice as they would for any other long-term illness. This should include regular contact with the employee and involving Occupational Health and trade union representatives at the appropriate time.

The unequal impact of COVID on different risk groups means that employers will need to ensure their practices comply with their equalities duties. Appropriate actions may include temporary redeployment or reasonable adjustments.”

COVID-19 policy group including members representing Public Health, Health Protection and Health and Safety.

Occupational Health and Wellbeing Manager

6. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change 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 protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you'll need to explain how you are going to lessen the impact.

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|--|--|-----------------|-----------------|--|
| <p>Age – older and younger people</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is limited data available at present as the condition is so new, but some research suggests that over 50s could be more at risk of going on to develop Long COVID.</p> <p>Therefore, it is possible that older employees could be more likely to develop Long COVID, or other conditions following acute COVID-19, and so be impacted by this decision.</p> | | <p>✓</p> | <p>Attendance trigger reports are guidance for managers to help them identify any areas of concern. The trigger reports that are likely to be activated by Long COVID absence are -</p> <ul style="list-style-type: none"> • Absence of 4 weeks and over - classed as long-term sick. • Patterns of absence • Absence at times where specific work has a deadline or workload increases. • Absence over a 12 month rolling period based on the number of working days lost or number of occasions of sickness absence. <p>Managers will be reminded through an FAQ in the COVID-19 section in iDerby and a specific email to manager audience, to support any employee's suffering with Long COVID, or any other condition following recovery of COVID-19. Managers will keep in regular contact with employees during any periods of absence and will be directed to the Wellbeing Support Plan that they may want to use with employees. Managers will be sensitive to the different forms of support that employees may require. Managers will be guided by GP fit notes, the employee and where necessary Occupational Health to consider steps such as a phased return; altered hours; amended duties; workplace adaptations; or temporary reallocation to another role.</p> <p>Codes will be set up to record Long COVID absences in First Care and MiPeople so they can be easily distinguished and reportable.</p> <p>HR Policy and Strategy team will monitor both internal and external evidence of Long COVID prevalence, impact and trends; if age becomes a pronounced characteristic of risk, this decision will be reviewed. As per the Green Book Part 2 Para 10.3 discretion can be exercised in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. In these instances, managers would</p> |

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|--|-----------------|-----------------|---|
| | | | | <p>be encouraged to talk to their HR Adviser to ensure consistency council wide.</p> <p>In addition, the support of our Employee Assistance Programme can be offered, Employee Support Networks and Chaplaincy.</p> |
| <p>Disability – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties, people living with autism and people with physical impairments</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that being a disabled person impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> <p>We know from various reports that some people with Long COVID may be covered under the Equality Act and so have a legal right to reasonable adjustments. Sickness absence may need to be logged as Disability Related Sickness Absence and they may be entitled to Disability Leave</p> | | | <p>Attendance trigger reports are guidance for managers to help them identify any areas of concern. The trigger reports that are likely to be activated by Long COVID absence are -</p> <ul style="list-style-type: none"> • Absence of 4 weeks and over - classed as long-term sick. • Patterns of absence • Absence at times where specific work has a deadline or workload increases. • Absence over a 12 month rolling period based on the number of working days lost or number of occasions of sickness absence. <p>Managers will be reminded through an FAQ in the COVID-19 section in iDerby and a specific email to manager audience, to support any employee's suffering with Long COVID, or any other condition following recovery of COVID-19. Managers will keep in regular contact with employees during any periods of absence and will be directed to the Wellbeing Support Plan that they may want to use with employees. Managers will be sensitive to the different forms of support that employees may require. Managers will be guided by GP fit notes, the employee and where necessary Occupational Health to consider steps such as a phased return; altered hours; amended duties; workplace adaptations; or temporary reallocation to another role.</p> <p>Codes will be set up to record Long COVID absences in First Care and MiPeople so they can be easily distinguished and reportable.</p> <p>Before we can make reasonable adjustments for disabled employees we need to know who our disabled employees are and what their needs are. So, we ask disabled employees to complete a Disability Equality at Work form, which tells us if they consider they are disabled people and also gives us details of any reasonable adjustments they need. More information on Disability Equality at Work is available on iDerby.</p> |

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|---|-----------------|-----------------|---|
| | | | | <p>HR Policy and Strategy team will monitor both internal and external evidence of Long COVID prevalence, impact and trends; if being a disabled person becomes a pronounced characteristic of risk, this decision will be reviewed. As per the Green Book Part 2 Para 10.3 discretion can be exercised in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. In these instances managers would be encouraged to talk to their HR Adviser to ensure consistency council wide.</p> <p>In addition, the support of our Employee Assistance Programme can be offered, Employee Support Networks and Chaplaincy.</p> |
| <p>Gender identity- trans and those people who don't identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity.</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that gender identity impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> | | | |
| <p>Marriage and Civil Partnership</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that marital or civil partnership status impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> | | | |

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
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| <p>Pregnancy and maternity - women who are pregnant or who have recently had a baby, including breast feeding mothers</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that pregnancy and maternity impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> | | | |
| <p>Race - the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>COVID-19 has had a disproportionate impact on people from Black, Asian and Minority Ethnic backgrounds. It is currently unclear whether people from these backgrounds are also more at risk of developing Long COVID.</p> <p>Therefore, it is possible that employees from a Black, Asian and Minority Ethnic background could be more likely to develop Long COVID, or other conditions following acute COVID-19, and so be impacted by this decision.</p> | | <p>✓</p> | <p>Attendance trigger reports are guidance for managers to help them identify any areas of concern. The trigger reports that are likely to be activated by Long COVID absence are -</p> <ul style="list-style-type: none"> • Absence of 4 weeks and over - classed as long-term sick. • Patterns of absence • Absence at times where specific work has a deadline or workload increases. • Absence over a 12 month rolling period based on the number of working days lost or number of occasions of sickness absence. <p>Managers will be reminded through an FAQ in the COVID-19 section in iDerby and a specific email to manager audience, to support any employee's suffering with Long COVID, or any other condition following recovery of COVID-19. Managers will keep in regular contact with employees during any periods of absence and will be directed to the Wellbeing Support Plan that they may want to use with employees. Managers will be sensitive to the different forms of support that employees may require. Managers will be guided by GP fit notes, the employee and where necessary Occupational Health to consider steps such as a phased return; altered hours; amended duties; workplace adaptations; or temporary reallocation to another role.</p> <p>Codes will be set up to record Long COVID absences in First Care and MiPeople so they can be easily distinguished and reportable.</p> |

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|--|-----------------|-----------------|--|
| | | | | <p>HR Policy and Strategy team will monitor both internal and external evidence of Long COVID prevalence, impact and trends; if belonging to a particular ethnicity or community becomes a pronounced characteristic of risk, this decision will be reviewed.</p> <p>As per the Green Book Part 2 Para 10.3 discretion can be exercised in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. In these instances managers would be encouraged to talk to their HR Adviser to ensure consistency council wide.</p> <p>In addition, the support of our Employee Assistance Programme can be offered, Employee Support Networks and Chaplaincy.</p> |
| Religion or belief or none - the effects on religious and cultural communities, customers and colleagues | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that religion or belief impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> | | | |
| Sex - the effects on both men and women and boys and girls | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is limited data available at present as the condition is so new, but some research suggests that women are more likely to suffer with ongoing symptoms after COVID-19 than men.</p> | | ✓ | <p>Attendance trigger reports are guidance for managers to help them identify any areas of concern. The trigger reports that are likely to be activated by Long COVID absence are -</p> <ul style="list-style-type: none"> • Absence of 4 weeks and over - classed as long-term sick. • Patterns of absence • Absence at times where specific work has a deadline or workload increases. • Absence over a 12 month rolling period based on the number of working days lost or number of occasions of sickness absence. <p>Managers will be reminded through an FAQ in the COVID-19 section in iDerby and a specific email to manager audience, to support any employee's suffering with Long COVID, or any other</p> |

| | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|--|--|-----------------|-----------------|--|
| | <p>Therefore, it is possible that female employees could be more likely to develop Long COVID, or other conditions following acute COVID-19, and so be impacted by this decision.</p> | | | <p>condition following recovery of COVID-19. Managers will keep in regular contact with employees during any periods of absence and will be directed to the Wellbeing Support Plan that they may want to use with employees. Managers will be sensitive to the different forms of support that employees may require. Managers will be guided by GP fit notes, the employee and where necessary Occupational Health to consider steps such as a phased return; altered hours; amended duties; workplace adaptations; or temporary reallocation to another role.</p> <p>Codes will be set up to record Long COVID absences in First Care and MiPeople so they can be easily distinguished and reportable.</p> <p>HR Policy and Strategy team will monitor both internal and external evidence of Long COVID prevalence, impact and trends; if sex becomes a pronounced characteristic of risk, this decision will be reviewed. As per the Green Book Part 2 Para 10.3 discretion can be exercised in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. In these instances managers would be encouraged to talk to their HR Adviser to ensure consistency council wide.</p> <p>In addition, the support of our Employee Assistance Programme can be offered, Employee Support Networks and Chaplaincy.</p> |
| <p>Sexual orientation - the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality</p> | <p>Those presenting Long COVID symptoms span all age groups and previous levels of health and fitness. It is not yet understood why some people are affected severely and others are not.</p> <p>There is no evidence to suggest that sexual orientation impacts on the likelihood of developing Long COVID or other health conditions following acute COVID-19.</p> | | | |

Important - For any of the equality groups you don't have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed from organisations' websites such as the Equality and Human Rights Commission,

Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

Step 3 – deciding on the outcome

7 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?

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| Outcome 1 | ✓ | No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken |
| Outcome 2 | | Adjust the proposal to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |
| Outcome 3 | | Continue the proposal despite potential for negative impact or missed opportunities to advance 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: <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact. |
| Outcome 4 | | Stop and rethink the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

Whilst the EIA has identified some potential for negative impact, this impact has been mitigated through the actions proposed.

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

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Appendix 1

Equality impact assessment form for quick decisions concerning COVID 19 – please read this section first before you do the assessment

We've adapted our usual equality impact assessment form so you can use it for quick decisions needed concerning COVID 19. Remember it needs to be completed **before** that decision is made, but we hope it will just act as a reminder that we still need to 'pay due regard to equality' under our **Public Sector Equality Duty** as this is still very much in force. The Equality and Human Rights Commission are keeping an eye on examples of discrimination and collecting evidence so it's important we still check for equality impact.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't. Protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people – this also involves taking account of disabled people's barriers and may involve treating some people more favourably than others to achieve this
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

We usually ask for teams to complete Equality impact assessments, but we realise this is not helpful for quick decisions to do with COVID 19 so you can complete them yourself, if you can't get a team together. Please ask Ann Webster, our Lead on Equality and Diversity for help and advice if you're not sure about something. You'll need to pull together all the information you can about how your proposal affects different groups of people so you can check whether they will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact and what action you will take.

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 Minicom: 01332 640666

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: Tel. tekstowy: 01332 640666

Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਭੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ ਮਿਲੀਕਮ 01332 640666 'ਤੇ ਸੰਪਰਕ ਕਰੋ।

Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: Minicom 01332 640666

Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council

Derby City Council The Council House Corporation Street Derby DE1 2FS
www.derby.gov.uk

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website.** It's a public document so make it easy to understand and no jargon please.

Contact for help

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk Tel 01332 643722 Mobile 07812301144