



Equality Impact Assessment - Working Patterns Policy HR Group

Configuration control

Electronic location: HQ856KW
Document status: Final
Document author: Kay Watson
Document version: 3
Last amended: HQ856KW



1 Introduction:

- 1.1 The screening of the draft working patterns policy identified that it potentially could directly or indirectly impact on the following diversity strands:
- Race
 - Disability
 - Gender
 - Religion/Belief
 - Age
- 1.2 A full equality impact assessment is therefore required. This report contains the assessment for the working patterns policy. Please note that this policy does not apply to Information Systems, a micro policy is being developed and this will be screened once it has been drafted.

2 Background:

- 2.1 Why did we need a new policy:
- 2.1.1 Currently there is a lack of standardisation between offices and the arrangements are very rule bound, making the current policies complex to operate. This has resulted in over 2000 different working patterns for 8500 staff.
- 2.1.2 The current policy does not support the future operational requirements as set out in the blueprint because the current working patterns do not provide guaranteed resource during Land Registry customer operating hours of 08:00 to 18:00.
- 2.2 Perceived problems:
- 2.2.1 Race and religion/belief - Employees may be required to meet religious observances associated with their race, religion or belief at specific times of the day/week/year.
- 2.2.2 Disability - Employees may require a different working pattern as a reasonable adjustment.
- 2.2.3 Gender - Female employees are more likely to have caring responsibilities which may require them to work part time, have different core times and so on. They may also require 'one off' changes to enable them to meet their caring responsibilities.
- 2.2.4 Age – The legislation treats workers aged 16 and 17 differently.

3 Methodology and sources of data:



3.1 Current Land Registry working patterns:

- 3.1.1 A data collection exercise was undertaken in late 2005 so that the current working patterns and rules could be built into the new SAP HR system.
- 3.1.2 This data was analysed to establish the range of daily hours, bandwidths, core times and combination of working days employees currently worked. The analysis aided the development of the wide range of working pattern options available under the new policy.

3.2 Legislative requirements and research into best practice:

- 3.2.1 XpertHR provided the statutory instruments and interpretation of the legislation, draft letters and a generic flexible working request process.
- 3.2.2 ACAS, CIPD, DTI and IDS websites, publications and conferences provided useful information on best practice, with an emphasis on flexible working.
- 3.2.3 The DVLA, UKPA and Registers of Scotland already have customer requirements similar to our future requirements. These departments provided copies of their policies and advised how they guaranteed resource to meet customer needs, particularly between 16:00 and 18:00, together with the issues they have experienced from totally removing core times.

3.3 Business requirements:

- 3.3.1 The blueprint sets out the future business requirements, which were confirmed at a number of meetings with the Director of Service Delivery.
- 3.3.2 These business requirements were used to define the hours when the business required working patterns to deliver guaranteed resource.
- 3.3.3 In October 2007 due to radical changes in e-conveyancing priorities, Operations Directorate advised HR the requirement to have guaranteed resource between 08:00 and 18:00, to meet customer needs, had changed. As a result the existing core times would continue to meet most business needs in the short to medium term. The new customer contact centres at a handful of offices would however require guaranteed resource from 08:00 to 18:00 and they should be used to pilot compressed hours and single core time options.

3.4 Focus groups:

- 3.4.1 Focus groups were held at three offices Coventry, Stevenage and Plymouth. Attendees were a representative cross section of stakeholders from each



office. The local trade union side were also invited to put forward any issues they would like the policy to address.

3.5 Senior stakeholders:

3.5.1 A questionnaire was issued to senior stakeholders (area manager's, personnel manager's and group heads). This covered a wide range of areas and was designed to gauge opinion on the practicality of various options. The responses were mixed but there were areas of consensus.

3.5.2 Four area managers were identified as key stakeholders and provided further input to the policy as it was developed.

3.6 Proposals:

3.6.1 The above research was used to produce a draft proposals paper that was circulated to senior stakeholders and HR representatives for comment. A final proposals paper was produced incorporating stakeholder's feedback.

3.7 Departmental Trade Union Side (DTUS):

3.7.1 The proposals were issued to the DTUS, and at an initial meeting DTUS representatives discussed the proposals and were given the opportunity to comment.

3.7.2 Formal consultations with the DTUS on the draft policy commenced in November 2006.

3.8 The policy was drafted based on the above research, legislation and consultation. The impacts in section 5 were identified during the consultations.

3.9 This assessment has been reviewed and revised following the changes to the policy required by the business changes mentioned in 3.3.3.

4 Assessment of impact on equality:

4.1 Race, religion or belief:

4.1.1 Some employees may be required to meet religious observances that relate to their race, religion or belief. The requirements will vary but can be summarised as:

- The ability to take short breaks during the day for prayer;
- The ability to attend a place of worship at a specified time;
- The ability to leave work and travel home before sunset on a Friday to observe the Sabbath;



- Any other religious observance that requires a reasonable adjustment.

4.2 Disability:

4.2.1 Employees may require a different working pattern as a reasonable adjustment. The common requirements can be summarised as follows:

- To be able to work shorter daily hours and/or less than five days a week;
- To be able to start work later in the day, for example to allow more time to get ready for work;
- To be able to finish work earlier in the day, for example to avoid travelling at rush hour;
- To be able to vary the length of their working day for example some medical conditions may mean that an individual has 'good' and 'bad' days;
- To be able to take regular breaks during the day;
- Flexibility to meet one off situations.

4.3 Gender:

4.3.1 A higher proportion of female employees have caring responsibilities and whilst individual circumstances will vary the common requirements can be summarised as follows:

- To be able to work shorter daily hours and/or less than five days a week;
- To be able to start work later in the day, for example to take a child to school;
- To be able to finish work earlier in the day, for example to pick up a dependent from day care;
- To be able to vary the length of their working day for example if they share caring responsibilities they may be able to work long and short days;
- To be able to take longer breaks during the day, for example to go home at lunch time to care for a dependent;
- Flexibility to meet one off situations.

4.4 Age:

4.4.1 The Working Time Regulations differentiate on the basis of age as follows:

- Working week - workers aged 18 or over are limited to an average of 48 hours a week, but workers aged



16 or 17 are limited to 8 hours a day, 40 hours a week.

- Rest break - workers aged 18 or over are entitled to a 20-minute break once they have work 6 hours. Workers aged 16 or 17 are entitled to a 30-minute break once they have worked 4½ hours.
- Daily rest - workers aged 18 or over are entitled to eleven hours rest between each working day. Workers aged 16 or 17 are entitled to 12 hours.
- Weekly rest - workers aged 18 or over are entitled to an uninterrupted rest period of not less than 24 hours in each seven-day period. Workers aged 16 or 17 are entitled to 48 hours.
- Night work - workers aged 16 or 17 are not permitted work between 22:00 to 06:00 (23:00 to 07:00).

5 Consideration of alternative approaches /mitigation of adverse impact

5.1 Race, religion or belief: The following mitigations enable employees to meet religious observances:

- 5.1.1 Employees can select from a wide range of daily hours and combinations of working days, which should enable them to find a working pattern that meets their particular circumstances;
- 5.1.2 Employees on a flexible working hours pattern may request a breach of core time to enable them to meet religious observances. For example returning after the start of afternoon core time on a Friday to enable them to attend the mosque.
- 5.1.3 Employees on a fixed hours working pattern, may request a different break time to enable them to meet religious observances. For example having a later lunch break on a Friday to enable them to attend the mosque.
- 5.1.4 Within reason employees on a flexible working hours pattern have flexibility to plan their start and end times, the timing of breaks and length of working day;
- 5.1.5 Managers have discretion to approve a breach of core time or fixed hours to enable an employee to meet one off or other religious observances.

5.2 Disability: The following mitigations enable disabled employees to meet their particular needs:

- 5.2.1 Disabled employees can select from a wide range of daily hours and combinations of working days, which



- should enable them to find a working pattern that meets their particular circumstances;
- 5.2.2 Disabled employees on a flexible working hours pattern may request to work a core time that meets their particular circumstances;
 - 5.2.3 Within reason disabled employees on a flexible working hours pattern have flexibility to plan their start and end times, the timing of breaks and length of working day;
 - 5.2.4 Managers of disabled employees on a fixed hours working pattern, have discretion to approve a different break time;
 - 5.2.5 Managers have discretion to approve a breach of core time or fixed hours to enable an employee to meet one off situations;
 - 5.2.6 In exceptional circumstances HR in consultation with the disabled employee, will consider if it is appropriate to agree a personal working pattern as a reasonable adjustment.
- 5.3 Gender: The following mitigations enable employees to meet their caring responsibilities:
- 5.3.1 Employees can select from a wide range of daily hours and combinations of working days, which should enable them to find a working pattern that meets their particular circumstances;
 - 5.3.2 Employees on a flexible working hours pattern may request to work a core time that meets their particular circumstances;
 - 5.3.3 Within reason employees on a flexible working hours pattern have flexibility to plan their start and end times, the timing of breaks and length of working day;
 - 5.3.4 Managers have discretion to approve a breach of core time or fixed hours to enable an employee to meet one off situations. For example breaching the end of afternoon core time to enable them to collect children from school.
 - 5.3.5 The policy deliberately avoids the use of the term 'part time' and 'full time'. These are outdated terms that do not support Land Registry's commitment to diversity, and can be misinterpreted as relating to an employees commitment.
- 5.4 Age: The legislation imposes different requirements for workers aged 16 and 17. To avoid adverse impact on employees aged 18 or over the legislation has been replicated in the policy:



- 5.4.1 Working week – The maximum hours are 37 hours a week regardless of age. The legislation relating to maximum daily hours and average weekly hours has been replicated.
 - 5.4.2 Rest break – The rest break for all employees is 30 minutes but the maximum continuous period that can be worked replicates the legislation. Requiring all employees to take a break after working 4½ hours would have an unduly harsh effect on part time employees, the majority of which are female.
 - 5.4.3 Daily rest – The legislation has been replicated. Employees aged 18 or over are entitled to an 11-hour break where as employees aged 16 or 17 are entitled to a 12-hour break.
 - 5.4.4 Weekly rest – The legislation has been replicated. Employees aged 16 and 17 are required to have 48 hours rest in each 7-day period and this will prevent them from being able to work overtime on a Saturday or Sunday.
 - 5.4.5 Night work – As no roles covered by this policy require employees to regularly undertake night work we have set out where additional advice should be sought from the HR service centre.
- 5.5 Business Needs: It is important to note that:
- 5.5.1 Business needs may restrict the daily hours and/or combination of working days an employee can request to work. For example Friday's are a popular non-working day and we may have to limit the number of employees with Friday as a non-working day.
 - 5.5.2 Business needs may restrict the core time options an employee can request to work.
 - 5.5.3 Any restriction will only apply to future requests for a change a working pattern and each request will be considered on an individual basis.

6 Monitoring arrangements:

6.1 Change of Working Pattern Requests:

- 6.1.1 To maintain a record of the number of change of working pattern requests and whether they are granted or refused.
- 6.1.2 The statistics will be collated for each 12-month period (1st April to 31st March) and analysed by office for each diversity strand. The analysis will consider:



- Are there any trends? For example is one group of employees more likely to have their request refused than another? If so is further investigation required.
- Are there any inconsistencies in the application of the policy that can be addressed by coaching or training?
- Are there any working patterns options employees regular request to work that do not exist under the current policy? If so is it appropriate to include this option in the policy.

6.2 Business Need:

6.2.1 To analyse the spread of resource by office:

- The percentage of employees contracted to work each core time in total and by diversity strand;
- The percentage of employees contracted to work on each working day in total and by diversity strand.

6.2.2 Land Registry may have to restrict the core times and/or non-working days employees can request to work. This will only impact on future requests for a change of working pattern and the above statistics will inform any decisions on restrictions.

7 Formal Consultation

- 7.1 Section 3 outlines the consultation prior to the development of the working patterns policy. The consultation included identifying current and future business needs together with employee's requirements.
- 7.2 Although the consultation didn't specifically focus on the equality impact assessment, the impacts detailed in section 4 were identified.
- 7.3 The policy was drafted based on the research, legislation and consultation identified in section 3. This equality impact assessment has confirmed that the policy contains the mitigations in section 5.
- 7.4 The screening identified that the Land Registry Disability Focus Group should have been consulted separately. As a result the policy has been sent to the Chairman inviting the focus group to comment and offering a HR representative to attend a focus group to discuss the impact of the policy. The draft policy was circulated to all focus group members and a presentation of the key aspects of the draft policy was provided at the July meeting. Representatives at the meeting were given the opportunity to ask questions and comment on the policy so this consultation has now taken place.



7.5 Implementation:

- 7.5.1 Following the changes to the policy required by the business changes mentioned in 3.3.3 the decision was made to implement at all offices except Information Systems.

8 Publication of Equality Impact Assessment

- 8.1 The equality impact assessment will be published on the Land Registry website <http://www.landregistry.gov.uk/>.

9 Conclusions

- 9.1 With the exception of the legislative requirements relating to employees aged 16 and 17 the working patterns policy includes appropriate mitigation as detailed in section 5 to minimise any adverse impact on the different diversity strands.