

# Zero Tolerance Policy Equality Impact Assessment

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## Section 1: Details of the Policy/Practice

<b>Department/Team responsible for the policy:</b>	Organisational Development		
<b>Name of Policy or Practice being assessed:</b>	Zero Tolerance Policy		
<b>Purpose and anticipated outcomes of the policy:</b>	<p>The policy sets out the Care Inspectorate's approach to tackling violence and aggression in the workplace, including information on how the organisation will hold to account those who behave in a violent, threatening or abusive way towards Care Inspectorate employees. Anticipated outcomes include staff feeling valued and supported in difficult situations.</p> <p>We comply fully with health and safety legislation.</p>		
<b>Is this a new or existing policy?</b>	<b>New</b>	X (this is a new policy that supercedes the previous Violence & Aggression Policy).	<b>Existing</b>
<b>List of participants in Equality Impact Assessment Process:</b>	<p>Kirstine Rankin- Senior OD Adviser</p> <p>Carole Keillor- Corporate Facilities, Health and Safety Adviser</p> <p>Jacqui Duncan – OD Adviser</p> <p>Heather Moonlight- OD Assistant</p> <p>Linda McKenna – Equalities and Engagement Adviser</p>		
<b>Date assessment started:</b>	29/10/15	<b>Completion Date:</b>	13/11/15

<b>Please indicate who is likely to be affected by the policy:</b>	Care Inspectorate employees, care service providers and staff, care service users and relatives/carers. Groups listed will be from and across all the protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion/belief, sex and sexual orientation).
For example Care service providers/users, men, women, young people, people with disabilities	

## Section 2: Collating Information

What evidence is available about the needs of relevant groups? Please consider Demographic data, including Census information, Research, Consultation and survey reports, Service user feedback and complaints, Case law, Officer/adviser knowledge & experience.

Details	Source of Evidence
Some types of disability/illness may lead to someone being mistaken as being aggressive.	NHS Website
A range of information was examined including the Scottish Government Equality Evidence Finder	<a href="http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid">http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid</a>

From your research above have you identified any gaps in evidence? If so what are the gaps?

No

As appropriate please describe the consultation/engagement undertaken including details of the groups involved and the methods used.

We have developed the draft Zero Tolerance Policy through a number of consultation and engagement exercises including:

- Support from an external Health & Safety Consultant
- Discussion with the Health & Safety Working Group
- Internal consultation with teams via Policy Review Group
- Staff Survey 2014
- Early feedback from colleagues that was shared at the Unwritten Grounds Rules Leads training.

Are there any other groups to be consulted?

Not at this time.

## Section 3: Impacts

Has the research and consultation identified any potential for impacts on the following groups:

Protected Characteristic	Yes	No	Please explain
Age (Older people, children and young people)		X	It is not considered that the policy will have potential for impact on this protected group(s). However, we need to be aware that younger workers (including young inspectors) and some older employees may need additional supports if this is identified

			during a specific risk assessment.
<b>Disability</b>	X		Some types of disability/illness may lead to someone being mistaken as being aggressive. Potential negative impact can be mitigated via staff training.
<b>Gender Reassignment</b> (Where a person is living as the opposite gender to their birth)		X	It is not considered that the policy will have potential for impact on this protected group(s)
<b>Pregnancy and Maternity</b>		X	It is not considered that the policy will have potential for impact on this protected group(s)
<b>Race, ethnicity, colour, nationality or national origins</b> (including Gypsy/Travellers, refugees, asylum seekers)		X	It is not considered that the policy will have potential for impact on this protected group(s)
<b>Religion or belief</b> (including non-belief)		X	It is not considered that the policy will have potential for impact on this protected group(s)
<b>Sex/Gender</b>		X	It is not considered that the policy will have potential for impact on this protected group(s)
<b>Sexual Orientation</b>		X	It is not considered that the policy will have potential for impact on this protected group(s)

Is there any evidence that the policy may:

	Yes	No	No Evidence
<b>Result in less favourable treatment for particular groups?</b>		X	
<b>Give rise to direct or indirect discrimination?</b>		X	
<b>Give rise to unlawful harassment or victimisation?</b>		X	

<b>If yes to any of the above, please give details:</b>
N/A
<b>How will the policy be modified to mitigate this?</b>
N/A

## Section 4: Meeting our General Equality Duty

The following sections must be completed:

<b>Which aspects of the policy seek to eliminate unlawful discrimination, harassment and victimisation?</b>
The policy has been developed to ensure that any potential unlawful discrimination has been eliminated. Implementation of the policy will be monitored and incident reports will be collated and analysed to determine any patterns.

<b>Which aspects of the policy seek to advance equality of opportunity between people which share a relevant protected characteristic and those who do not?</b>
The policy is aimed at holding to account anyone who acts in a violent, threatening or abusive manner towards Care Inspectorate staff. It aims to treat anyone who acts in this manner in the same way in line with our fairness value.
<b>Which aspects of the policy seek to foster good relations between people who share a protected characteristic and those who do not?</b>
The purpose and intended outcomes of the policy do not seek to foster good relations between and across protected groups. However, the organisation has a range of other policies, projects and actions to help bring people together – e.g. Equality Training, Involvement Strategy, Equality Outcomes and Mainstreaming Report.

## Section 5: Outcome of Assessment

Please detail the outcome of the assessment:

<b>No major change</b>	X
<b>Adjust the policy</b>	
<b>Continue the policy</b>	
<b>Stop and remove the policy</b>	

<b>Please detail recommendations, including any action required to address any negative impacts identified:</b>
N/A

## Section 6: Monitoring

**Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure achievement of outcomes:**

The OD will team will monitor queries coming into the OD Enquiries mailbox around violence and aggression and will flag up any potential equalities issues to the Head of OD. An agreed course of action will follow.

The Corporate Facilities, Health and Safety Adviser will produce an 'equalities profile' for each case to determine if there are any trends coming through, and whether we need to review the policy or put additional supports in place to reduce or remove any potential negative impact(s).

The Corporate Facilities, Health and Safety Adviser will analyse the reportable incidents reported in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

**When and how is the policy or practice due to be reviewed?**

- The Zero Tolerance Policy will be formally reviewed every 3 years- we will consult with the Health & Safety Working Group and the Policy Review Group (the groups consists of colleagues from across the Care Inspectorate including employees, our equalities and engagement adviser, managers and trade union representatives) and consult with our Executive Team, Resources Committee (which includes members of our Board) and Partnership Forum.
- We have a policy monitoring programme that means we review all our policies on an annual basis.
- The policy will be reviewed on an on-going basis e.g. if we receive intelligence from OD Enquiries/feedback from colleagues/particular case/ legislation/case law that would call for an earlier review of the policy.

## Section 7: Sign Off

<b>Date sent to Involvement and Equalities Team:</b>	12/11/15
<b>Comments from Involvement and Equalities Team</b>	None required as Involvement and Equalities Team have been involved in the EIA process and comments have been included in the policy where appropriate.
<b>Date signed off by Involvement and Equalities Team</b>	12/11/15

Please insert name and title of the Senior Manager who has signed off this Equality Impact Assessment:

<b>Name</b>	Janice Gibson
<b>Title</b>	Head of Organisational Development
<b>Date approved</b>	08/02/2016

## Headquarters

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