

People and Equality Impact Assessment

This document fulfils the ICO's requirements to conduct Equality Impact Assessments, as a requirement to have due regard under the Equality Act. This document helps you to assess the equality relevance of a policy or procedure on one or more groups of people with protected characteristics. Guidance is also available for People and Equality Impact Assessments (PEIAs), which you can access [through this link](#), along with a glossary of issues to consider, which you can access [through this link](#). The purpose of PEIAs is to ensure that equality issues are identified and mitigated. The guidance and "issues to consider" documents are intended to assist with this, but they are not a substitute for consultation with people with lived experience of any of the protected characteristics. Therefore, you should, wherever appropriate, consult with the relevant EDI staff networks or other colleagues to discuss potential impacts.

You must read the guidance and glossary before completing the document.

Please tick here to confirm that you have read the [guidance](#).

Please tick here to confirm that you have read the [glossary of issues to consider](#).

Completed PEIAs will be published [on the ICO's website](#).

Summary

Please provide your name.

Answer: MC

What is the title of this piece of work? Please try to ensure that this is likely to be understandable to everyone in the ICO.

Answer: Expectant and New Mother Risk Assessment Procedure

Briefly describe the overall purpose of this work.

Answer: To describe the process involved in risk assessing work for colleagues who are pregnant, new mothers or are breast feeding. The process also provides a risk assessment form and guidance for managers conducting the risk assessment as well as the member of staff themselves.

Initial screening questions

Q1. Does this work relate to an ICO policy, procedure, working practice or anything broadly similar? This includes both current policies and new policies under development.

Please answer Yes or No

*Answer:*Yes

*If you answer **No** to this question, you may not need to complete a PEIA. PEIAs are only required for policies, procedures and similar. However, with the ICO's commitment to equality, we would like PEIAs to be completed for as much of our work as possible. This should be beneficial in ensuring that you consider any potential equality issues while developing work.*

Q2. Is this work about the explanation of the laws which the ICO regulates, or about decisions to use or not use any of our regulatory powers (e.g. monetary penalties, enforcement notices, information notices etc)?

Please answer Yes or No

Answer: No

*If you answer **Yes** to this question, you may not need to complete a PEIA. You do not need to do a PEIA in coming to a decision regarding regulatory action, or explaining how the law operates, as equality considerations are assumed to be part of the laws. However, in areas such as guidance or anything similar, you should definitely complete a PEIA.*

If a PEIA is not required, the person with responsibility for this piece of work should decide whether a PEIA should be completed.

Impact on people with protected characteristics

The issues to consider annex, [available through this link](#), sets out some issues that you should consider for each protected characteristic.

Q3. For each of the protected characteristics, you should consider whether there are any **positive impacts** for people with each characteristic and set those out in the table below. If you think there are any **negative impacts**, set those out in the table below **and explain how you will fully mitigate those impacts**. If you think there is no impact, please explain why you think that is the case.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Religion or belief	The new procedure does not impact on a person's religion or belief.	There may be some instances where a pregnant member of staff is not comfortable discussing matters about their health and pregnancy with a male manager due to their faith. In this situation an alternative manager can be asked to undertake the Risk Assessment if necessary.
Race, nationality or cultural background	A person's race, nationality or cultural background does not have a bearing on the operation of the risk assessment process. There is no advantage or disadvantage to be experienced by people of different race, ethnicity or cultural background caused by the operation of this procedure.	Not applicable.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
<p>Disabled people</p>	<p>The process is likely to have a positive impact on some disabled people who are pregnant – this may be dependent on the nature of their disability. As the procedure requires an enhanced level of discussion between manager and pregnant team member, there is greater scope to take into account any matters which may be exacerbated by the combination of pregnancy and a health condition. This should result in improved care for the team member and greater awareness on the part of the manager.</p> <p>For disabled people who are not pregnant, have not recently given birth or are not breastfeeding, there is no advantage or disadvantage to be experienced from the operation of this procedure.</p> <p>The form itself is to be completed on a spreadsheet which is then updated at each review. There is a risk that some people with visual impairments may need to zoom on various sections of the spreadsheet which may impact on the ease of navigation around the form. If this were to be the case, the form</p>	<p>Not applicable for operation on the procedure.</p> <p>Change to the form format, if required, should mitigate any negative impacts of the process.</p>

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
	could be converted into an alternative format, such as in Word.	
Sexual orientation	A person's sexual orientation will not have a bearing on the operation of this procedure, which will apply to all staff who have provided confirmation that they are pregnant. There is no advantage or disadvantage for people based on their sexual orientation through the operation of this procedure.	Not applicable.
Sex (see note 1)	This procedure will enable the ICO to provide greater support to women who are pregnant. This also applies to people who are biologically female and pregnant, though may identify their gender differently. The operation of this procedure will not provide advantage or disadvantage to people based on their sex if they are not pregnant, or have not recently given birth or are not breastfeeding.	Not applicable
Age	The procedure will apply to all staff who are pregnant regardless of their age. The operation of the procedure will not advantage or disadvantage people of any particular age group.	Not applicable.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Gender reassignment (see note 2)	<p>The policy applies to all pregnant members of staff. This will include people who are pregnant and do not identify their gender as female.</p> <p>This procedure will not impact on people who are in the process of, or have undertaken, gender reassignment. There is no advantage or disadvantage to people who are undergoing or have undergone gender reassignment from the operation of this procedure.</p>	Not applicable.
Marital status	A person's marital or civil partnership status has no bearing on this procedure, as it applies to all pregnant staff regardless of their marital/civil partnership status.	Not applicable.
Pregnancy and maternity	The new procedure is specifically intended to improve the risk assessment process for expectant and new mothers. This will enable the earlier identification of any additional risks arising for the person; support enhanced communication between the manager and team member, and as a result help to deliver a better experience of working whilst pregnant or having recently given birth.	Not applicable.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
Political opinions	A person's political opinion will not be impacted upon by this procedure as it is not a factor in its effective operation. There is no advantage or disadvantage to be experienced by people of differing political opinions.	Not applicable
People with dependants	The procedure will have an impact on recent mothers and those who are still breastfeeding, and so will provide an enhanced level of support and communication between them and their line manager. The procedure will not impact upon those with older children or adult/elder dependents.	Not applicable
People without dependants	The procedure will not impact on staff who have no dependents, as it is not relevant to them and they will not suffer detriment or disadvantage as a result of others undertaking this process	Not applicable
Socio-economic groups or social classes (see note 3)	The operation of this procedure should not create an advantage or disadvantage based on a person's socio-economic background. There may be a slight potential to benefit those who are financially less well off because the enhanced level of communication and assessment between manager and team member may better identify a piece of	Not applicable

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	Will the mitigation you have identified fully mitigate all of the negative impacts, such that there is a positive impact or no impact?
	equipment which might need to be provided by work (eg a lumbar support for working at home), that the person might have thought they would need to purchase themselves – which may have been more difficult for those with the greatest financial constraints.	
Multiple protected characteristics (see note 4)	There is no detriment to be experienced by people with multiple protected characteristics from the operation of this procedure. There may be some additional benefit for those with some combinations protected characteristics eg those who are pregnant and disabled, but this does not serve to the detriment of others who do not have this combination of characteristics.	Not applicable

Note 1: you may also wish to consider gender while considering sex, although gender is not a protected characteristic under the Equality Act.

Note 2: you may wish to consider the impact on transgender people while considering people undergoing gender reassignment, although gender is not a protected characteristic under the Equality Act

Note 3: Socio-economic group or social class is not a protected characteristic, but we would still like to ensure that we consider the impact of our work in this area.

Note 4: Multiple protected characteristics is an opportunity to consider whether there are issues which affect people with most or all of the protected characteristics, or where there may be different impacts of the same issue on different characteristics (e.g. the same issue has a positive impact on people with one protected characteristic but a negative impact on people with another protected characteristic)

If you state that for any negative impact the mitigation you have identified will not be able to fully mitigate the negative impact, you will need to contact HR to discuss next steps. Details are provided at the end of this document.

Q4. The ICO's Welsh Regional Office has a statutory requirement to provide services through the medium of the Welsh language. Will there be a requirement for this work to include a Welsh-language element?

Please answer Yes, No or Don't Know

Answer: No – though ultimately all People Policies should be able to be made available in Welsh if needed, in which case a translation would be required.

*If you answer **Yes or Don't Know** to this question, you will need to contact the Welsh Regional Office to discuss next steps.*

Contributing towards the ICO's equality objectives

Q5. How does this work contribute towards the ICO's equality objectives? For each of the objectives in the table below, please explain how the work you are doing will contribute to achieving this objective or state "no contribution". If there are ways that the contribution could be increased, please also mention them here.

Objective	Contribution to objective
Objective 1: <u>Spreading knowledge and taking action:</u> We will raise awareness of information rights across the community and take action to ensure that organisations fulfil their obligations. We will have particular focus on groups and sectors where knowledge gaps may cause information rights	No contribution

Objective	Contribution to objective
inequalities or vulnerabilities. We will ensure that in our actions as a regulator we do not create inequalities or discriminate.	
Objective 2: <u>Accessible services</u> : Our services and information will be accessible for users and potential users of our services, and we will provide our staff with the skills and knowledge they need to provide high quality services for all. We will try to anticipate customer needs and we will take action to remove barriers to our services when possible.	No contribution
Objective 3: Encouraging others: We will use our status as a regulator, advisory body and purchaser of services to influence improvements in equality by other organisations and across society.	No contribution
Objective 4: Employer: Our workplaces and practices will be accessible, flexible, fair and inclusive. We will value the diversity, skills, backgrounds and experience of our people, enabling them to perform to their best in a welcoming and supportive environment.	The procedure will ensure that we are better able to meet the needs of colleagues who are pregnant or new/breastfeeding mothers. It will help to deliver a more supportive and inclusive work environment and enable staff to continue to work safely, comfortably and effectively.

Monitoring and evaluation

Q6. What arrangements are in place, or will you put in place, to monitor and evaluate the impact of the work on equality?

Answer:

In the first instance, Risk Assessments will be delivered by Managers with individual support from the Health and Safety Manager (HSM). If necessary the Assessment can be conducted by the HSM with the line manager in attendance.

The HSM will liaise with line managers to obtain feedback about the effectiveness of the procedure

Q7. How long will these arrangements be in place?

Answer:

Reviews of the process will be on-going to ensure that it remains effective. The procedure, after piloting, will be reviewed every two years.

Q8. When do you intend to review this monitoring to assess the impact of this work on equality? This should usually be done no later than a year after implementation and may need to be ongoing as part of regular review of the work.

Answer:

The impact on equality will be reviewed on a continual basis, with information monitored by the H&S team. On an annual basis we will be able to monitor the number of assessments which have taken place.

Publication

Q9. As stated above and in the guidance, we intend to publish all completed PEIAs on the ICO's website. Are there any parts of your answers to the questions above which need to be redacted prior to publication? Should publication be delayed until a certain date? If so, please provide details for each of these questions in the box below.

You should also review the wording to ensure that it is likely to be as understandable as possible to any member of the public.

Answer: There is no issue with any part of the PEIA being published.

Conclusion and sign-off

Thank you for completing this PEIA.

You should ensure that the person with overall responsibility for the piece of work the PEIA refers to is content that all potential equality issues have been identified and considered, that appropriate monitoring will be in place and the publication issues have been considered. This might be you, your line manager or someone else in the ICO. Therefore, you may need to provide this PEIA form to that person for review prior to completing it.

Please tick here to confirm that you have consulted with the relevant EDI staff networks or other colleagues where appropriate.

Please state here who has signed off the PEIA.

Signed off by: MC

(Process has been viewed by HR; H&S Committee; and Inclusion and Wellbeing Team; and is being piloted with some expectant mothers before formal launch).

At each of their meetings, the EDI Board will receive a summary of the PEIAs which have been completed over the previous six weeks. However, the role of the EDI Board is **not** review and approval of PEIAs, rather overall assurance that the PEIA process is operating effectively.

For the actions which you have identified, you must complete a PEIA action plan, which you can access at [this link](#).

If you have identified that there are any negative impacts to any protected characteristics that you cannot fully mitigate (so that despite your best efforts, there will still be a negative impact to people with that protected characteristic), you must contact HR for advice via HRteam@ico.org.uk.

Please send your completed form to corporategovernance@ico.org.uk for storage and publication.