

EQUALITY IMPACT ASSESSMENT TEMPLATE

Section 1: Details of the Policy/Practice

Department/Team responsible for the policy:	Organisational and Workforce Development		
Name of Policy or Practice being assessed:	Smoking Policy		
Purpose and anticipated outcomes of the policy:	<p>The Smoking Policy provides guidance relating to the Care Inspectorates stance on no smoking, including the use of e-cigarettes, within the workplace. It also sets out the Care Inspectorates undertaking in providing their employees with a healthy and safe work environment.</p> <p>The policy is fully compliant with the relevant legislation.</p> <p>The anticipated outcomes of the policy are to continue to provide all employees with a healthy and safe work environment and provide support for those employees who wish to stop smoking.</p>		
Is this a new or existing policy?	New		Existing X
	Review was brought forward in agreement with Partnership Forum.		
List of participants in Equality Impact Assessment Process:	Hayley Rennie – OWD Assistant Jacqui Duncan – OWD Adviser Katy Penman – Senior Equalities Adviser		
Date assessment started:	29/11/17	Completion Date:	04/11/17

Please indicate who is likely to be affected by the policy:	Care Inspectorate employees 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	The application of this policy will also impact external stakeholders (including visitors and sub-contractors)

Section 2: Collecting 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
<p>Recent smoking survey results indicated the following</p> <ul style="list-style-type: none"> • 120 respondents • 14 respondents smoke during working hours • 11 respondents smoke in provided shelter, 3 in provided area and 3 in public street/space • 84 respondents feel we should follow the NHS approach by banning smoking on all Care Inspectorate premises. 	Smoking Survey Data_Nov17
<p>Age According to Cancer Research UK 2013 survey, smoking is more prevalent in younger people than older people.¹</p>	Cancer Research Survey
<p>Disability According to research there is a higher smoking prevalence among people with a mental health condition.²</p>	ASH Briefing
<p>Pregnancy Research highlights that smoking and second hand smoke pose a number of risks to pregnant women and their unborn baby.³</p>	BUPA

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

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

We have developed the draft Smoking Policy in consultation with the Policy Review Group, Human Resources and Corporate Facilities.
Human Resource and Corporate Facilities carried out an online smoking survey which was made available to all Care Inspectorate employees asking for their views on the current smoking policy.

¹ Cancer Research UK. Tobacco statistics. <http://www.cancerresearchuk.org/health-professional/cancer-statistics/risk/tobacco>

² ASH Briefing. 2016. <http://ash.org.uk/information-and-resources/briefings/ash-briefing-health-inequalities-and-smoking/>

³ BUPA. 2017. Effects of smoking. <https://www.bupa.co.uk/health-information/directory/e/effects-smoking>

Are there any other groups to be consulted?

Benchmarking was conducted with the NHS to consult on their approach with regards to banning smoking on all premises.
Any measures considered / implemented with regards to smoking shelters would require consultation / further information from owner / manager who we lease our buildings from.

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		We have young inspection volunteers visit our premises. As such, promoting a safe and healthy work environment may discourage their uptake in smoking.
Disability	X		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. Smoking shelters are also accessible for those with a disability.
Gender Reassignment (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).
Pregnancy and Maternity	X		Having a designated smoking shelter ensures that pregnant women can make an informed decision to avoid that area.
Race, ethnicity, colour, nationality or national origins (including Gypsy/Travellers, refugees, asylum seekers)		X	It is not considered that the policy will have potential for impact on this protected group(s).
Religion or belief (including non-belief)		X	It is not considered that the policy will have potential for impact on this protected group(s).
Sex/Gender		X	It is not considered that the policy will have potential for impact on this protected group(s).
Sexual Orientation		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
Result in less favourable treatment for particular groups?		X	
Give rise to direct or indirect discrimination?		X	
Give rise to unlawful		X	

harassment or victimisation?			
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If yes to any of the above, please give details:

N/A

How will the policy be modified to mitigate this?

N/A - the policy conforms to legislative requirements.

Section 4: Meeting our General Equality Duty

The following sections must be completed:

Which aspects of the policy seek to eliminate unlawful discrimination, harassment and victimisation?

The policy applies to all employees and doesn't disadvantage any group.

Which aspects of the policy seek to advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

People of benefit include those with respiratory issues who may be or may consider themselves disabled.

Which aspects of the policy seek to foster good relations between people who share a protected characteristic and those who do not?

Applies to all. May lead to a greater understanding of the challenges faced with people who have lung / respiratory conditions.

Section 5: Outcome of Assessment

Please detail the outcome of the assessment:

No major change	Ensure visitors who are visually impairment are aware that smoking is prohibited on Care Inspectorate premises and informed of where the smoking shelters are located.
Adjust the policy	
Continue the policy	
Stop and remove the policy	

Please detail recommendations, including any action required to address any negative impacts identified:

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 OWD team will request information from Human Resources and Corporate Facilities and will also ask for feedback from the Policy Review Group.

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

- The Smoking Policy will be formally reviewed every year- we will consult with the Policy Review Group (the group 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 colleagues/particular case/ legislation/case law that would call for an earlier review of the policy.

Section 7: Sign Off

Date sent to Involvement and Equalities Team:	
Comments from Involvement and Equalities Team	
Date signed off by Involvement and Equalities Team	

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

Name	Janice Gibson
Title	Head of Organisational and Workforce Development
Date approved	December 2017