**Public Sector Equality Duty Checklist**

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| **Decision / policy being made / amended / reviewed:** | | New Ways of Working Framework and Guidance | |
| **Name:** Emma Morris and Sarah Thonemann | **Approved by:** Julian Duxfield | | **Date:** 23 May 2021 (v.2) |

1. Have you considered whether the decision will have a **negative** impact on equality, by creating or contributing to a risk of:

X

1. Discrimination?
2. Harassment?

X

1. Victimisation or any other such conduct?

X

1. Have you considered whether the decision could have a **positive** impact on equality by:

X

1. Eliminating unlawful discrimination, harassment or victimisation?
2. Advancing equality of opportunity by removing or minimising disadvantages suffered by protected groups?

X

1. Advancing equality of opportunity by taking steps to meet the needs of protected groups where they are different from the needs of other people?

X

1. Advancing equality of opportunity by encouraging people from protected groups to participate in public life or other activities where their participation is low?

X

1. Fostering good relations between people who share a protected characteristic and those who do not?

X

1. Which elements of the PSED are most relevant to the decision *[circle all relevant]*?

**Negative:** (a) (b) (c) **Positive:** (a) (b) (c) (d) (e)

1. Which protected groups may be impacted by the decision *[circle all relevant]*?

*Race Sex Age Sexual Orientation Religion/Belief Gender reassignment Disability Pregnancy & Maternity Marriage/Civil Partnership (employment only)*

1. Have you considered what evidence is available and if you need more evidence to support your assessment of what PSED considerations apply?

X

*Yes. No further evidence gatehring is required at this time (see below for further evidence already anticipated).*

1. Have you consulted with interested groups and/or considered whether any interested groups should be consulted?

X

X

*We will be drawing on data from the HR staff survey, and a NWW staff survey.*

*We are also conducting a survey of staff involved in piloting the Framework and Guidance and using feedback sessions with participants to get a more detailed understanding of their experience of using the Framework. This EIA will be updated in light of this further information when it has been collated.*

1. If the decision could have a **positive** impact, have you taken steps to achieve that?

X

1. If the decision will have a **negative** impact have you considered whether the negative impact can be remedied?

X

*Yes. In addition, as the framework is developed and rolled out, surveys and other methods of feedback will be used to understand what impact the framework is having and to inform necessary action.*

1. If the negative impact cannot be remedied, have you considered:
   1. Whether the policy can be justified and if that justification is supported by evidence?

X

X

* 1. Whether any steps can be taken to mitigate the negative impact?

x

1. Where appropriate, have you kept additional records of your findings in relation to the points above and any additional considerations?

*Records have been kept in relation to the surveys outlined above and in the course of various policy papers and guidelines for managers. Records of all feedback received in future and the action taken in response to this, will be recorded.*

**Detailed analysis**

The analysis is structured in the following sections:

1. Relevant Context (p.2)
2. Evidence of Consultation (p.3)
3. Feedback received through the staff survey (p.3)
   1. Summary of results (p.3)
   2. Anticipated positive impacts (p.4)
   3. Anticipated negative impacts (p.4)
   4. Initial learnings from the pilots (p.7)
4. Next steps (p.7)
5. ***Relevant Context***

Following the government’s imposition of a national lockdown from 23 March 2020, the University required all staff who were able to do so to work from home. Many of those who were unable to work from home were furloughed under the Coronavirus Job Retention Scheme. Although some staff whose on-site work is essential have been able to work on site, the majority of staff continue to work remotely for much or all of their time.

With the Government’s implementation of its road map for the easing of lockdown restrictions, leading to the anticipated lifting of all social distancing measures from 21 June 2021, the NWW Framework and Guidance seeks to support staff to explore working arrangements for the future that draw on experiences of working practices during the pandemic and identify and capture positive changes that support the University’s mission. The framework and guidance is for managers and staff to use in planning the phased transition from current pandemic working arrangements to new working arrangements, which will be implemented when a return to work by all staff is possible and the University is operating at BCP1/0. It is anticipated that this will be from September 2021.

The framework and guidance has been piloted in five areas (two in UAS, two academic departments and a museum) between 19 April 2021 and 14 May 2021. The feedback from the pilot will enable revisions to be made to the framework and guidance materials and to identify areas of additional support that may be required, before being made available for use more by UAS Professional Services across the University from mid-June. This will provide an opportunity to review the experiences of the pilot areas in terms of the initial impact of the framework and decision-making process on equality and diversity.

1. ***Evidence of consultation***
2. *The Implementation Group*

The project is using an Implementation Group comprising Professional Services representatives from UAS and Divisions to obtain ongoing feedback as the framework and guidance materials are developed and, as the framework is rolled out later in the year, to get insight into the experience of people using it.

1. *Engagement with academic staff*

Engagement with academic staff is taking place through Divisional Boards and other relevant Divisional Committees and through the Personnel Committee and HR Steering group.

1. *Other staff engagement*

The Trade Unions are receiving regular updates, through the Joint Committee structures and through meetings held approximately every ten days with the HR Director, Mr Julian Duxfield.

Other opportunities are being taken to engage with staff including:

* regular updates to HAFs at their meetings with the Registrar;
* a session on New Ways of Working at the Professional Services Conference on 19 April 2021, including a question and answer session;
* a detailed update and Q&A session at the termly HR Briefing for HR Managers;
* regular updates via email (two weekly) with links to the NWW web pages on the staff gateway; and,
* a dedicated mailbox for queries and comments.

A key element of the project’s consultation and engagement strategy was the NWW staff survey carried out in March 2021 to gather early feedback on the Framework as it developed. The survey received 2532 responses from Professional Services staff across the University and provided insight into the areas where staff feel that the NWW framework may have positive or negative impacts in the area of equality and diversity.

1. ***Feedback received through the staff survey***

*a. Summary of survey results*

Survey respondents were asked:

*Thinking about the general approach to making decisions about working arrangements and about the models of working arrangements being considered, what do you think might be the impact on equality and diversity?*

Responses were:

* 32.3% thought that the NWW framework could have positve impacts;
* 33.6% thought it could have both positive and negative impacts; and,
* 31.3% of respondents though that the framework could have negative impacts.

In addition, respondents were asked:

*Please tell us any thoughts you have on the impact on Equality and Diversity*

829 free text responses were received on equality and diversity impacts. These have all been reviewed and the themes pulled out. Those themes have informed the development of this EIA and the team’s work to develop the framework and associated guidance.

*b. Anticipated positive impacts of the NWW Framework*

The comments submitted indicate that staff anticipate positive impacts of the Framework relating to increased flexible working, enabling:

* Greater opportunities for people with caring responsibilities e.g. they would be more likely to be able to work full time, and thus have a greater variety of roles available if their hours can be worked flexibly;
* Opportunities for disabled people and people managing mental and physical health conditions to access work opportunities through greater flexible working (in particular increased opportunities to work at home, in an environment better suited to their needs) and to work in a way that safeguards their wellbeing;
* The normalisation of flexible working and a reduction in the stigma that can sometimes surround flexible working arrangements; and,
* More diverse recruitment as a result of being able to attract:
  + candidates from a wider geographical area, and
  + candidates who may not normally apply to work at the University because of needs relating to a disability, caring responsibilities or a lack of the financial resource needed to be able to travel daily to Oxford.

The NWW project team is taking steps to ensure that these positive impacts can be realised through the fair and consistent application of the Framework. This is being supported through guidance on its use, which makes explicit mention of the factors highlighted above wherever appropriate. For example, supporting materials include:

* A workshop model to support managers and staff in open and inclusive discussions about the needs of the team, team goals and individual preferences;
* Step-by-step guidance for team leaders and staff on considering different elements and themes within the framework when discussing individual work arrangements; and,
* Guidance on decision-making for line managers.

The project is also working with IT services to giving consideration to the IT equipment requirements, training and support that will be needed to facilitate effective and successful hybrid working so that the full benefit of flexible working can be realised by everyone, regardless of their working arrangements.

Recruitment materials will be revised to ensure that the potential to recruit a more diverse workforce is maximised.

*c. Anticipated negative impacts of the NWW Framework*

The staff survey also included comments on potential negative consequences of the framework. These are set out below with comments on the anticipated impacts, and how the project is already addressing, or will seek to address them:

* For carers (who are more often women), more easily-available flexible working may increase the pressure on them to take advantage of the opportunity and increase their working hours and the burden of domestic responsibility.

*Although the University is unable to influence staff domestic arrangements, a potential positive impact of the Framework that was noted in the survey was the ‘normalisation’ of flexible working arrangements and the reduction in the stigma associated. This may encourage more male parents and carers to seek working arrangements that support greater responsibility in this area and over the longer term reduce the burden on women.*

*No member of staff will be required to work remotely and the option of working on site for carers who do not feel that a remote working option is, on balance, helpful can continue to work on site.*

* Remote working can result in a lack of visibility in the workplace such that people are overlooked for personal development and career opportunities. This could disproportionately affect women, disabled people and people who are managing physical and mental health conditions, who may be more likely to work remotely and who may already be disadvantaged in these areas.

*The Framework guidelines contain links to a range of resources provided by the People and Organisational Development Team (POD) to support individuals in progressing their personal development and to guide managers in supporting the development of their staff, wherever they work. This includes guidance on how to conduct PDRs remotely. Good IT equipment to allow those attending meetings remotely to be fully visible and heard will be key, as will new chairing skills to ensure all those at the meeting have equal visibility.*

*Consideration will be given to what data to collect and how to provide an insight into the impact of remote working in these areas so that steps can be taken to ensure that opportunities for those working remotely are not reduced as a consequence.*

* The Framework may create or exacerbate inequality for those with less resources

58 comments related specifically to potential financial inequality or resource inequality for:

* for people on lower grades (more often women) who are excluded from accessing flexible working arrangements because they cannot secure agreement or because these roles are often ones that require or are seen as requiring on-site presence.
* people who are unable to provide a home office environment due to lack of space or broadband provisions, who are prevented from working remotely.
* people on lower grades whose roles require them to be on-site, who will continue to have high commuting costs that others do not have, if they move to working remotely.

*Delivering the University’s mission of teaching and research is the key priority of the Framework and the nature of some roles means that they cannot be delivered flexibly. This may disproportionately impact lower-graded roles that are more often held by women. The Framework promotes open and inclusive discussion within teams and with team members to ensure that the possibilities are explored. The formal flexible working process remains an option of any member of staff who feels that their preferred working arrangements have not been supported adequately.*

*The guidance is clear that departments should fund the IT and office equipment necessary for remote working, including specialist equipment where necessary to support those with disabilities. It also includes consideration in the decision-making process of the remote working environment, which must be safe and secure and suited to concentration and, in some instances, confidential work. Unfortunately, that will sometimes mean that an individual whose role could be carried out remotely will not be able to work remotely as they do not have a suitable working environment.*

*The cost of travel to work will not increase for those continuing to work onsite and while those working remotely may experience a reduction in travel costs, they may also incur additional costs for e.g. extra heating and electricity at their remote place of work. It will not be possible for the University to balance and mitigate the many variations in costs associated with going to work but consideration will continue to be given to how the University can support better and cheaper travel for staff. The Sustainable transport team is currently working on proposals in this area.*

* Remote working may reduce opportunities to meet and mix with a diverse range of people, which will have an adverse impact on equality and diversity awareness generally.

*There is guidance available, signposted in the guidance, on ‘inclusive online and onsite working’ and further consideration will need to be given to what other guidance and resources are required to ensure that teams can benefit from flexible working alongside opportunities for in-person interaction e.g. etiquette for arranging and running online, hybrid and in-person meetings. This will depend in part on the provision of adequate IT equipment across the University.*

*Case studies are being developed based upon the pilot and on the experience of teams working during the pandemic, e.g. on induction of new staff, social interaction between team members, and online meetings.*

* The need for access to flexible working for all and concern that people without caring responsibilities will not have access to remote working due to priority being given to people with caring responsibilities.

*The Framework provides for all staff to have access to the opportunities available for flexible working and for a discussion with their line manager about the needs of the role and their preferences. In some teams not all staff will be able to have their preferred working arrangements. In these instances the team leader may need to prioritise disabled people and people with caring responsibilities etc. This will be appropriate in some circumstances.*

*The guidance gives extensive support to managers who are conducting this balancing exercise, or negotiating compromises between team members, and the use of trial periods will also help to find the right balance. Further support will be available locally from more senior managers and local HR staff and centrally from HR Business Partners.*

* Ensuring that managers have sufficient knowledge and training in E&D to enable them to make appropriate decisions.

*The guidance gives advice on how to prioritise E&D issues. See also above for sources of support. Experience in the pilot suggests that line managers did not experience problems in this area. Subsequent surveys will demonstrate if this is the experience of staff members.*

* The impact on people with mental health issues or who are neuro diverse of working in environments where hybrid working may be taking place frequently and opportunities for quiet work or a quiet space are limited.

*Consideration is being given to how, in future, space may need to be reconfigured to meet the needs of New Ways of Working, for example to provide areas where online meetings via Teams can take place, areas for quiet work etc., spaces to accommodate larger in-person meetings if teams have onsite days focussed on a team meeting and collaboration. This will form part of the later phases of the project after new working arrangements have been trialled and teams and the University has a better understanding of what will be needed. In the short term, those who work better in quiet spaces will have more opportunity than previously to seek to work remotely.*

*d. Initial learnings from the pilots*

Data has been gathered from the five pilot departments (totalling 176 staff) through surveys and focus groups. It has not yet been fully analysed but the initial findings can be summarised as follows:

* The guidance is lengthy and additional assistance is needed in navigating it, but it does help answer questions, including those relating to equality and diversity;
* Managers did not find themselves facing insuperable problems relating to equality and diversity (this will need to be tested by analysis of the individual feedback to ensure that people felt able to discuss their needs)
* There are concerns about the impact of hotdesking on those who need specific workstation set ups or equipment: the guidance will need to be clear that provision must be made to address these needs, as a priority.
* People do not wish to have to carry laptops, for several reasons, including those who will find it more difficult to do so because of a disability: the guidance will make clear that additional or alternative provision may be require din some cases to ensure no negative impact.

1. ***Next steps***

This EIA is a ‘live’ document and will be reviewed regularly, with report to the Working Group and other bodies providing oversight of the project.

The use of trial periods will enable managers to review the impact of initial decision-making and its impact of individual staff members and the work of the team after 3-6 months and adjust arrangements accordingly.

As the framework is developed and rolled out, surveys and other methods of feedback will be used to understand what impact the framework is having and to inform necessary action.

The staff survey indicated that the preferred channel for consultation was via surveys (81.8%) and consideration is being given to the timing of surveys over the coming months. We will conduct a ‘pulse survey’ approximately six months after the roll out of the Framework and Guidance and may conduct smaller scale surveys in specific areas as teams begin to implement the Framework.

24 May 2021

EM/ST