



Working Time Regulations Policy

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Please contact the Equality, Diversity and Human Rights Team on 01273 778383 or email

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1. Equality and Human Rights Impact Analysis (EHRIA)

1.1 Board Lead:	Andrew Vickers, Interim Director of HR & OD	1.2 Analysis Start Date:	05/12/17
		1.3 Analysis Submission Date:	02/08/2013 15/12/17
1.4 Analysis Team Members: 1.5 If this is a cross agency policy/service or strategy please indicate partner agencies and their formal title 1.6 Completion Statement	1) Author / Editor: Hayley Fogden 2) Frontline Staff: Ratified with Staff Side 3) Patient / End-user: All Employees and workers at the Trust 4) I/We, being the author(s), Service Managers, acknowledge in good faith that this analysis uses accurate evidence to support accountable decision-makers with due regard to the National Equality Duties, and that the analysis has been carried out throughout the design or implementation stage of the service or policy.		
1.7 Policy Aim	<p>The Trust is committed to providing a healthy working environment for all staff. It recognises that staff are more productive if they are able to strike a healthy balance between their life at work and at home.</p> <p>The Working Time Regulations are aimed at limiting the average working time for employees in the European Union to 48 hours a week. They were designed to protect workers from exploitation by employers. Excessive working time is a major cause of stress, depression and illness, and the aim of the Regulations is to protect people's health and safety.</p> <p>The purpose of this policy is to translate the Regulations into practices designed to ensure that members of staff</p>		

do not work longer hours than necessary and have adequate breaks from work.

 Send draft analysis along with the policy, strategy or service to equality.diversity@sussexpartnership.nhs.uk for internal quality control prior to ratification.

1.8 Quality Assessor sign off

Cassandra Blowers





1.9 Reference Number

CB130B

2. Evidence Pre-Analysis – The type and quality of evidence informing the assessment

X	2.1 Types of evidence identified as relevant have X marked against them		
	Patient / Employee Monitoring Data		Risk Assessments
	Recent Local Consultations		Research Findings
	Complaints / PALS / Incidents		DH / NICE / National Reports
	Focus Groups / Interviews	X	Good Practice / Model Policies
	Service User / Staff Surveys		Previous Impact Analysis
	Contract / Supplier Monitoring Data		Clinical Audits
	Sussex Demographics / Census		Serious Untoward Incidents
	Data from other agencies, e.g. Services, Police, third sector		Equality Diversity and Human Rights Annual Report
Please provide detailed evidence for the areas highlighted , and also any other Evidence that may be relevant (please state): Legislative changes			

3. Impact and outcome Evaluation – Any impacts or potential outcomes are described below.

Ref	Mark one X		Describe how this policy, strategy or service will lead to positive  outcomes for the protected characteristics . Describe how this policy, strategy or service will lead to negative  outcomes for the protected characteristics . (Please describe in full for each)	People’s Characteristics (Mark with ‘X’):								
				Age	Disability & Carers	Gender Reassignment	Pregnancy & Maternity	Race	Religion & Belief	Sex	Sexual Orientation	Human Rights
3.1	+		This policy is available in different formats if required	X	X			X				X
3.2	+		Policy applies to all staff, including temporary workers	X	X	X	X	X	X	X	X	X
3.3	+		In line with European Working Time Directive	X	X	X	X	X	X	X	X	X

Ref	Mark one X		Describe how this policy, strategy or service will lead to positive + outcomes for the <u>protected characteristics</u> . Describe how this policy, strategy or service will lead to negative - outcomes for the <u>protected characteristics</u> . (Please describe in full for each)	People's Characteristics (Mark with 'X'):								
	+	-		Age	Disability & Carers	Gender Reassignment	Pregnancy & Maternity	Race	Religion & Belief	Sex	Sexual Orientation	Human Rights
3.4	+		Encompasses regulations for workers under the age of 18 but over school leaving age	X								X
3.5		-	No mention of scenarios when additional breaks may be granted as a reasonable adjustment		X							
3.6	+		Recognises need for work life balance	X	X	X	X	X	X	X	X	X
3.7		-	Children that have not reached school leaving age (under 16) are not represented within this policy	X								
Add more rows if necessary with new reference numbers in the left column												

4. Monitoring Arrangements

<p>4.1 The arrangements to monitor the effectiveness of the policy, strategy or service considering relevant characteristics? E.g.</p> <ul style="list-style-type: none"> ↳ survey results split by age-band reviewed annually by EMB and Trust Board ↳ Service user Disability reviewed quarterly by Equality and Diversity Steering Group or annually in the EDHR Annual Report 	Any reviews to this policy will be discussed at the workforce executive group and ratified at the partnership forum
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5. Human Rights Pre-Assessment

The Impacts identified in sections () have their reference numbers (e.g. 4.1) inserted in the appropriate column for each relevant right or freedom		
	+	-
A2. <u>Right to life</u> (e.g. Pain relief, DNAR, competency, suicide prevention)		
A3. <u>Prohibition of torture, inhuman or degrading treatment</u> (e.g. Service Users unable to consent)	3.4; 3.5	
A4. <u>Prohibition of slavery and forced labour</u> (e.g. Safeguarding vulnerable patients policies)		
A5. <u>Right to liberty and security</u> (e.g. Deprivation of liberty protocols, security policy)	3.1; 3.2; 3.3	
A6&7. <u>Rights to a fair trial; and no punishment without law</u> (e.g. MHA Tribunals)		
A8. <u>Right to respect for private and family life, home and correspondence</u> (e.g. Confidentiality, access to family etc)	3.4; 3.6; 3.7	
A9. <u>Freedom of thought, conscience and religion</u> (e.g. Animal-derived medicines/sacred space)		
A10. <u>Freedom of expression</u> (e.g. Patient information or whistle-blowing policies)		
A11. <u>Freedom of assembly and association</u> (e.g. Trade union recognition)		
A12. <u>Right to marry and found a family</u> (e.g. fertility, pregnancy)		
P1.A1. <u>Protection of property</u> (e.g. Service User property and belongings)		
P1.A2. <u>Right to education</u> (e.g. accessible information)		
P1.A3. <u>Right to free elections</u> (e.g. Foundation Trust governors)		

6. Risk Grading


6.1 <u>Consequence</u> of negative impacts scored (1-5)	1	6.2 <u>Likelihood</u> of negative impacts scored (1-5):	2	6.3 <u>Equality & Human Rights Risk Score</u> = Consequence x Likelihood scores:	2
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7. Analysis Outcome– The outcome (A-D) of the analysis is marked below ('X') with a summary of the decision

X	7.1 The outcome selected (A-D):	7.2 Summary for the outcome decision (mandatory)
	A. Policy, strategy or service addresses quality of outcome and is positive in its language and terminology. It promote equality and fosters good community relations	Policy will be updated regularly in line with legislative changes. Any changes to the policy to be reviewed by workforce executive group and ratified at partnership forum.
X	B. Improvements made or planned for in section 9 (potential or actual adverse impacts removed and missed opportunities addressed at point of design)	
	C. Policy, service or strategy continues with adverse impacts fully and lawfully justified (justification of adverse impacts should be set out in section 3 above)	
	D. Policy, service or strategy recommended to be stopped. Unlawful discrimination or abuse identified.	

8. Equality & Human Rights Improvement Plan

Actions should when relevant and proportionate meet the different needs of people.

Impact Reference(s) (from assessment)	What directorate (team) action plan will this be built into 	<u>Action</u>	Lead Person	Timescale	Resource Implications
3.5	Human Resources	Consider referencing reasonable adjustments within policy	Matt Green	8 weeks	
3.7	Human Resources	No action within policy as purpose is to translate working time regulations in to practice.	Matt Green	N/A	

Impact Reference(s) (from assessment)	What directorate (team) action plan will this be built into 	<u>Action</u>	Lead Person	Timescale	Resource Implications
		Employment of children who have not reached school leave age is restricted by the Children and Young Persons Act. The Trust does not employ staff under school leaving age.			