

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy: Agency and Other Off payroll Working Policy

Lead Officer (responsible for assessment): Nicole Pema, HR Manager

Department: HR

Others Involved in the Assessment (i.e. peer review, external challenge):

Date Initial Screening Completed: March 2024

(a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

Most people who work for the Council will do so as an ‘employee’; they will have a contract of employment and will be paid through payroll. ‘On payroll’ means that the worker has their tax and national insurance contributions deducted from their income at source.

The off payroll working rules (IR35) can apply if a worker/contractor/consultant that you engage provides a service through either their own limited company or another type of intermediary to the council.

Examples of intermediaries are:

- the worker/contractor’s own personal service company (PSC) or another personal service company (PSC)
- a partnership
- an individual
- Recruitment/Consultant Agency
- Umbrella Companies

A personal service company (PSC) is a limited company set up by a contractor to provide their services to clients.

The rules make sure that workers, who would have been an employee if they were providing their services directly to the client, pay broadly the same Income Tax and National Insurance contributions as employees.

(b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

This policy applies to all agency and other off payroll workers.

(c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The Policy is informed by:

a) Relevant legislation, including:

- Intermediaries Legislation
- Agency Worker Regulations
- Conduct of Employment Agencies and Employment Businesses Regulations 2003

b) Findings from internal audit

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity: NO

Sex: NO

Disability: NO

Gender Reassignment: NO

Pregnancy & Maternity: NO

Age: NO

Religion or Belief: NO

Sexual Orientation: NO

Marriage & Civil Partnership: NO

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

The policy is applied equally to any agency or off payroll worker.

- a) **Does the policy affect service users or the wider community? NO**
- b) **Does the policy have a significant effect on how services are delivered? NO**
- c) **Will it have a significant effect on how other organisations operate? NO**
- d) **Does it involve a significant commitment of resources? NO**
- e) **Does it relate to an area where there are known inequalities, e.g. disabled**
- f) **people's access to public transport etc? NO**

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Service Lead Officer and then forwarded to the HR Manager.

Signatures:

Completing Officer: Nicole Pema **Date:** March 2024

Service Lead Officer: Nicole Pema **Date:** March 2024