

Equality Impact Assessment Procedure

April 2007

1. Aim

The aim of this report is to set out the revised Equality Impact Assessment procedure. The Board approved the procedure and the guidelines shown in Appendix 1 in April 2007.

2. Background

2.1 There are 10 major pieces of legislation covering the issues of Equality and Human Rights which affect the Trust. The legislation covers a range of issues for services, functions and employment where discrimination or lack of equal treatment can occur. It is the statutory responsibility of NHS Trusts and other public bodies to systematically identify and then eliminate discriminatory practice if it exists.

2.2 In relation to services and functions, if individual patients from particular communities or groups are treated unfairly or less favourably than other communities or groups the Trust will have failed in one of its key statutory and moral duties. In employment terms the benefits of meeting and if possible exceeding statutory requirements include the minimisation or avoidance of Employment Tribunal costs, maximising the supply of staff and contributing to staff morale and commitment.

2.3 An explicit obligation under some elements of equalities legislation is the need for public bodies to conduct Equality Impact Assessments. The gathering, analysis and use of information can make an important contribution to meeting the Trusts obligations. These can yield valuable information which can have a real impact on service provision and employment practice.

2.4 There are 6 equality obligations covering race, disability, gender, sexual orientation, age and religion and belief. Some of these obligations overlap and it makes sense to consider a so called Single Equality Scheme to cover all 6 issues rather than implement separate processes for each. The Equality Impact Assessment process is an important element of this integrated equality approach.

2.5 Equality Impact Assessment will also be the focus of the Trust Gender Equality Scheme which is being developed. Like the Race and Disability Equality Schemes previously agreed by the Board in 2004 and 2006 respectively, the Gender Equality Scheme will aim to reduce and eliminate inequalities for service users and / or staff.

3. Equality Impact Assessment Procedure and Guidance

3.1 The impact assessment process previously implemented in 2004 has been superseded by the requirements of legislation and good practice. The revised guidance and procedure set out in Appendix 1 was discussed and approved with some minor amendments at the Employment Committee on 16th April.

- 3.2 Once agreed the process will be used to equality assess all new policies, services, strategies, procedures and functions or any which are being reviewed. Existing services, policies , strategies, procedures and functions will be assessed where there is prima facia evidence that equality obligations are being breached or where genuine concerns are expressed by appropriate internal and/or external stakeholders.
- 3.3 At this stage the resource implications are unclear. However, there is little doubt that Equality Impact Assessment requires additional time in both Service Delivery and Corporate Support Functions. A key aspect of the resource issue is the need to consult with internal and/or external groups and in some cases to conduct relevant research.
- 3.4 Once the process is agreed training will be provided to an initial group of 12 senior staff in May or June. Further training for other groups will then be arranged as appropriate.

4. Financial Implications

- 4.1 As indicated above the resource implications of the process are unclear. The Trust has already provided £50k over 3 years for the Disability Equality Scheme. We should not necessarily anticipate significant additional expenditure.

5. Monitoring and Review

- 5.1 It is proposed that the application of Equality Impact Assessment is monitored by the Employment Committee. Assessment using the revised process should begin in June 2007 and the process, individual assessments and feedback from users will be considered at the December Employment Committee.

6. Communications

- 6.1 It is recommended that the guidance notes and the process are circulated to Divisional Boards, Senior Managers, Staff Committee, Local Negotiation Committee and Diversity Groups. This will also be published on the Trust intranet site.

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EQUALITY IMPACT ASSESSMENT (EIA)

Guidance Notes

1. INTRODUCTION

1.1 What is the aim of Equality Impact Assessment?

The aim of Equality Impact Assessment is to improve the work of the Trust by ensuring that discrimination does not occur and that equality considerations are integrated within all policy, strategy, procedure, function or service development from the outset. **Throughout the rest of this document the word policy is used as shorthand for the issues of policy, strategy, procedure, function or service.** EIA is a systematic way of identifying whether a policy affects a group(s) equally or whether it has a differential impact on a group(s). It also helps to identify changes which will promote equality.

1.2 Is there a legal requirement to conduct EIA?

Yes. There is a legal requirement to carry out an EIA process on race, disability and gender issues. The law also requires the results of the EIA and associated action plans to be available for public scrutiny. In our case through the Trust internet site.

In addition there is strong advice from the Department of Health to carry out EIA's for age, religion and sexual orientation and to publish these in the same way as those for race, disability and gender..

1.3 Who should carry out an EIA?

It is the responsibility of the policy lead to complete an EIA at the development or review stage

2. CONDUCTING AN EIA

Completing an EIA is similar to doing a risk assessment. It involves predicting and assessing the implications of a policy on a range of people with varied needs and circumstances. Evidence, data, consultation and advice from others could play a vital role in completing the assessment.

There are 2 stages in the EIA process. The first stage is the screening stage using the simple intranet proforma shown below. This can be carried out quickly by the policy lead and is a 'common sense' process which does not require consultation. If as a result of carrying out the screening process it is believed that the new policy is likely to have a differential impact on a specific group(s) then a full impact assessment should be carried out using the intranet profoma shown below. The full impact assessment can require consultation and in some cases appropriate research.

A review of existing policies should be undertaken and where there is prima facie evidence that equality obligations are not being met or where there are genuine concerns raised by appropriate stakeholders existing policies will be assessed.

2.1 STAGE 1 - THE SCREENING PROCESS

All new policies or those being reviewed should be screened to establish whether there are relevant equality issues to be considered. The screening should be completed by the policy lead. If the answer to any of the questions in section 5 of the

screening proforma is yes then a full assessment must take place. See Flowchart 1 on page 5.

If the likely impact on different groups is not known, then the policy lead should take action to acquire that information. Evidence/data available to support the EIA could be public health data, complaints data, incident reporting, feedback from patient and public user groups, staff attitude surveys, clinical audits, ethnic monitoring, previous consultations, etc.

2.2 IMPACT CATEGORY

If a policy adversely impacts certain groups the impact will need to be assigned a high, medium or low priority:

HIGH:

- The policy does not promote equality, so that the Trust would not meet the requirements of legislation
- There is disproportionate and unjustifiable adverse impact on staff, service users and/or the community.

MEDIUM:

- There is some evidence of adverse impact(s) on a specific group(s) disparity or specific needs of different group(s)
- There is some staff or public concern about how different groups are treated. The action required may include consultation with the stakeholders or experts in the field.

LOW:

- Little or no evidence of adverse impact(s) on a specific group(s). There will be minimal adjustment to a policy or action required.

2.3 STAGE 2 - FULL ASSESSMENT:

If the answer to any category listed in box 5 of the screening proforma is YES then a full assessment must take place. See Flowchart on page 6.

Think about what can be done to address the issues identified. Consult colleagues, community and / or staff groups, who may be affected by the policy. Where possible the policy should include specific measures designed to promote equality of opportunity. Examine available data and research. Be clear about how you are going to bring the views of particular groups (i.e. young people, disabled people etc) into your proposed amendments.

3. MONITORING & CONSULTATION

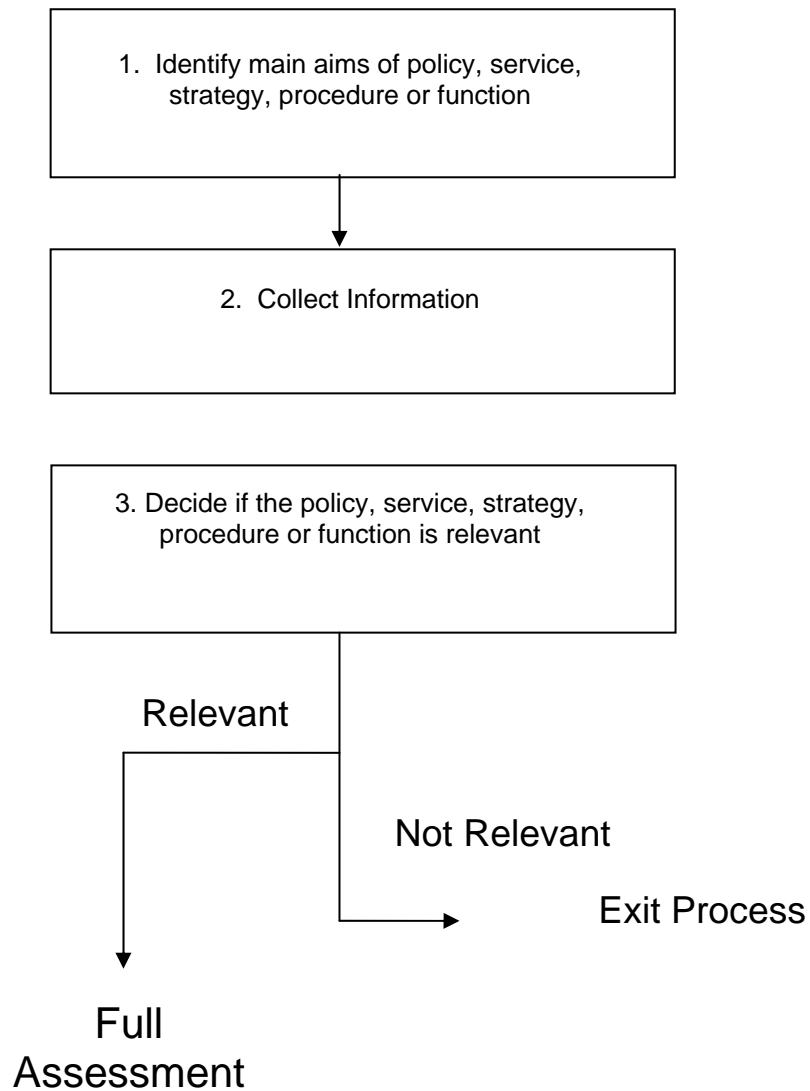
As an EIA is a first step in policy improvement consider the following issues:

- Are there any specific arrangements (i.e. training) you need to put in place to support staff in carrying this work forward?
- How will you continue to monitor the policy's impact / how will it be monitored once it becomes operational?
- How will you communicate your findings on the policy's impact to stakeholders?
- Should the policy be piloted – to see how it actually affects an identified group(s)? If so, how will the results of the pilot be taken into account?
- How can stakeholders continue to be involved?

Flowchart 1

The Impact Assessment Process

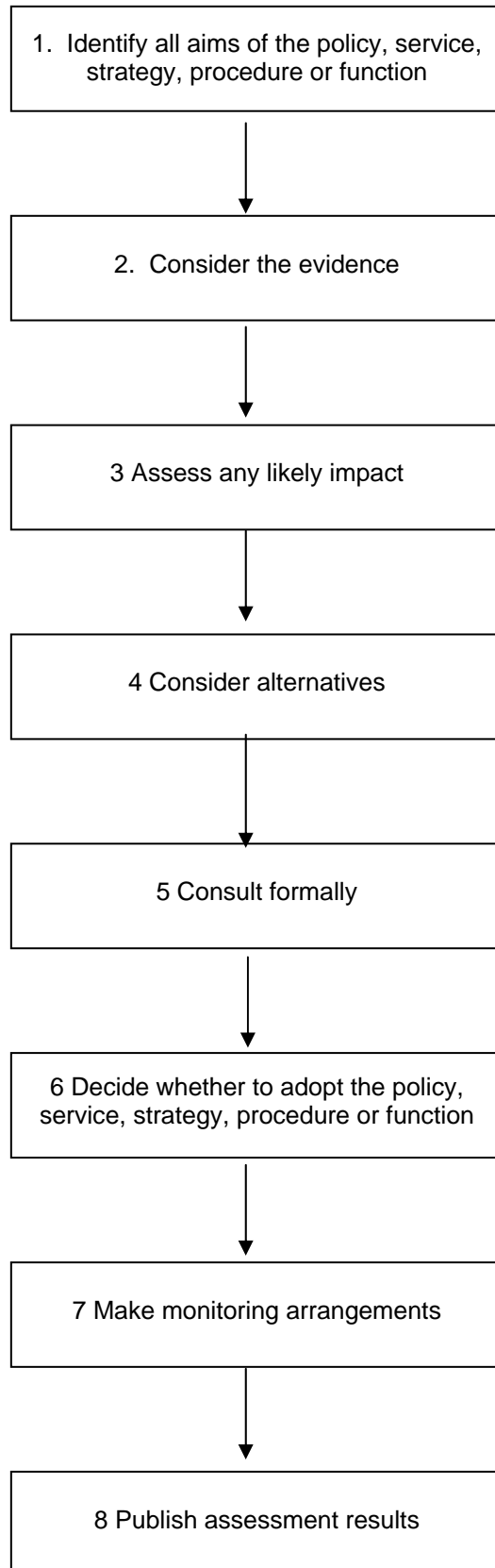
Initial Screening



Flow chart 2

The Impact Assessment Process

Full Assessment



Equality Impact Assessment

Initial Screening

1. Policy, service, strategy, procedure or function.....

 Lead (e.g. Director, Manager, Clinician):

2. Person responsible for the assessment:
 Name.....
 Job Title.....

3. Is this a new or existing policy, service strategy , procedure or function?
 New Existing

4. Who is the policy/service strategy ,procedure or function aimed at?
 Patients Carers Staff Visitors
 Any other Please specify:

5. Are any of the following groups adversely affected by this policy:
 If yes is this high, medium or low impact (see attached notes):

	Impact				
Disabled people:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>
Race, ethnicity & nationality:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>
Male/Female/transgender:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>
Age, young or older people:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>
Sexual orientation:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>
Religion, belief & faith:	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>	<input type="text"/>

If the answer is yes to any of these proceed to full assessment. This applies whether the impact assessment is high, medium or low.
 If the answer is no to all categories, the assessment is now complete.

6. Does the policy, service strategy, procedure or function include measures which promote equality?
 No Yes

7. If yes, what are these measures?

Date of assessment:

Completed by:

Signature

Job title.....

Director:

Signature.....

This EIA will be published on the Trust website. A completed EIA must accompany a new policy or a reviewed policy when it is confirmed by the relevant Trust Committee, Divisional Board, Trust Director or Trust Board. Executive Directors are responsible for ensuring that EIA's are completed in accordance with this procedure.

Equality Impact Assessment

Full Assessment

1. Summarise the negative impacts for each group(s) identified in section 5 of the screening template above:

2. Name the group(s) with whom consultation has taken place.

3. What research has taken place?

4. What does the consultation and or research indicate about the negative impact(s)?

Please complete the relevant sections below.

5. Disability

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/No	Resource Implication	Comments

6. Race

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/No	Resource Implication	Comments

7. Gender including Transgender

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/No	Resource Implication	Comments

8. Age

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/NO	Resource Implication	Comments

9. Sexual Orientation

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/No	Resource Implication	Comments

10. Religion or Belief

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation?

Negative Impact	Changes Proposed	Lead Officer	Timescale	Will this remove the negative impact? Yes/No	Resource Implication	Comments

11. What is required to promote equality within the appropriate group(s) and who will be responsible for this?

12. How will you monitor/evaluate and check the changes indicated above?

13. Review date:

Date of assessment:

Completed by:

Signature:.....

Job Title:.....

(If completed by two people)

Signature:.....

Job title.....

I am satisfied that a full Equality Impact Assessment has been undertaken in respect of(Name of policy, service, strategy, procedure or function)

Countersigned by Director.....Date:.....

This EIA will be published on the Trust website.

Copies to: