

Equality Impact Analysis Policy and Procedure

Version 1.0

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Name and Title of Author:	Samantha Morley Equality and Diversity Assistant
Name of Responsible Committee/Individual:	Chief Operating Officer
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1 Introduction

- 1.1 As a public body, the Trust has a legal duty to conduct and publish Equality Impact Analysis (EqIA) of all of its activities including engagement and consultation.
- 1.2 An EqIA is a systematic analysis of our policies, procedures or functions with the aim of identifying the potential impact our activities may have on the different sections of the community that utilise the services of the Trust.
- 1.3 The purpose of an EqIA is to identify potential risks to different groups of people and to decide what actions are required to reduce or eliminate these risks.

2 The Law

- 2.1 The Equality Act 2010 brings together several pieces of anti-discrimination legislation, simplifying it, making it more consistent and easier to follow in order to make society fairer.
- 2.2 The majority of the Equality Act came into force in October 2010, the remainder of which was introduced as the Public Sector Equality Duty in April 2011.
- 2.3 The Equality Act 2010 gives the UK a single Act of Parliament, requiring equal treatment in public services. The Act combines all duties on public bodies into one single duty, extending the application of duty to nine specific groups of people (known as protected characteristics or groups) which are age, disability, gender, marital status, pregnancy and maternity, race, religion and belief, sexual orientation and transgender people.
- 2.4 In summary, those subject to the equality duty, as set out in the Equality Act 2010, must in the exercise of their functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not.
- 2.5 Having due regard for progressing equality involves:
 - Removing or minimising disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 2.6 Within the Act, listed bodies including the Trust must publish evidence of the analysis that they undertook to establish whether their policies and practices would further or have furthered the aims of the duty, details of the information that they considered and details of engagement undertaken when doing the analysis.

3 Purpose

- 3.1 The purpose of this document is to provide guidance to staff on the EqIA process to follow by which the Trust seeks to meet its legal requirements and aims to ensure that staff, patients, carers etc. experience equality.

4 Scope

- 4.1 This policy applies to all employees of the PCT, any staff who are seconded to the PCT, contracted and agency staff.

5 Responsibilities

5.1 Director of Commissioning Development

- 5.1.1 The Director of Commissioning Development has overall responsibility and accountability for Equality and Diversity for the Humber Cluster, which includes this PCT.

5.2 Chief Operating Officer

- 5.2.1 The Chief Operating Officer is responsible for ensuring there is a formal process in place for undertaking Equality Impact Analyses in Hull PCT.

5.3 Associate Director of Corporate Affairs

- 5.3.1 The Associate Director of Corporate Affairs is the assigned Lead for Equality and Diversity for Hull PCT.

5.4 Managers

- 5.4.1 All managers are responsible for ensuring an Equality Impact Analysis is undertaken where required.

5.5 All Staff

- 5.5.1 All staff have a responsibility to be aware of this policy and procedure to incorporate this process into their daily working practices as required.

6 Definitions

Policy – for the purpose of this document references to ‘policy’ and ‘policy-making’ include, but is not exhaustive to:

- Procedures
- Functions
- Activities
- Schemes
- Strategies
- Plans
- Processes
- Decision making

7 Equality and Diversity

7.1 The PCT is committed to:

- Eliminating discrimination and promoting equality and diversity in its Policies, Procedures and Guidelines, and
- Designing and implementing services, policies and measures that meet the diverse needs of its population and workforce, ensuring that no individual or group is disadvantaged.

7.2 To ensure the above, this Policy and Procedure has been Equality Impact Assessed. Details of the assessment are available on the PCT's website or by calling the PCT on (01482) 344700.

7.3 Where employees have difficulty expressing themselves because of language or other difficulties help should be sought from their Trade Union or other employee representatives or colleagues.

7.4 Consideration should be given to the provision of an interpreter or facilitator if there are understanding or language difficulties (perhaps a friend of the employee, or colleague).

8 NHS Constitution

8.1 The PCT is committed to:

- the achievement of the principles, values, rights, pledges and responsibilities detailed in the NHS Constitution, and
- ensuring they are taken account of in the production of its Policies, Procedures and Guidelines.

8.2 This Policy and Procedure supports the following NHS Constitution Values:

- Respect and Dignity
- Improving Lives
- Working Together for Patients
- Commitment to Quality of Care
- Compassion
- Everyone Counts

8.3 More information on the NHS Constitution and its values can be found at the Department of Health www.dh.gov.uk

9 Equality Impact Analysis

9.1 An Equality Impact Analysis (EqIA) is a way of estimating likely equality implications of activities to the nine protected groups of people. All functions, policies, strategies, activities and decisions should be impact analysed as they are created, and as part of their review process.

- 9.2 Equality issues should also be considered in any procurement process as the legal liability in relation to equality issues usually remains with the public body which commissions the service. Some examples of Trust policy and functions that are particularly important for equality include changes to service delivery (including withdrawal, reduction or relocation in services) and recruitment or pay policies.
- 9.3 Equality Analysis should start prior to developments or at the early stages of a review. An EqIA is not a one-off exercise, it is on-going and cyclical and it enables equality considerations to be taken into account before a decision is made.
- 9.4 An EqIA is most effective when it is integrated into day-to-day activities such as policy-making, business planning and other governance and corporate decision-making arrangements. This means that the person who is making the decision or advising the decision-maker needs to undertake the equality analysis, with appropriate assistance and support. This is not an administrative task, but a core part of policy-making.
- 9.5 If some elements of information analysis are outsourced, it is important to ensure that proper internal ownership by the decision-makers is maintained, as the organisation retains legal responsibility for the quality of the analysis and for any decision made as a result.
- 9.6 There are three stages to the EqIA process:
- Selection
 - Screening
 - Full EqIA

A guide and a toolkit have been developed to assist staff in undertaking an EqIA and are referenced in section 13. These documents should be read in conjunction with this policy and procedure as they detail the process involved.

10 Completing and Publishing an Equality Impact Analysis

- 10.1 Upon completion of an Equality Impact Analysis, and having considered the potential or actual effect on equality, an informed judgement about what should be done must be documented on the EqIA form. Upon completion of the EqIA form, it must be returned to the Corporate Affairs Team for signature of receipt by the Equality and Diversity Lead for Hull PCT. The EqIA form can be found on the Intranet on the Equality and Diversity page and the U: Drive under 'Corporate Templates and Forms'.
- 10.2 Under the specific duties of the Act, equality information published by the Trust must include evidence of analysis undertaken to establish whether its policies and practices would further (or have) furthered the aims of the general equality duty. Information on any equality analysis should be published alongside the policy or decision that it is part of on the PCT's website through the Equality & Diversity Assistant in Corporate Affairs.

11 Monitoring Compliance with and Effectiveness of this Policy and Procedure

- 11.1 Compliance with and the effectiveness of this policy and procedure will be monitored via the quality and quantity of the EqIAs undertaken in line with the associated documentation.

12 References

Equality Act 2010. Available at www.legislation.gov.uk

Public Sector Equality Duty 2011. Available at www.equalityhumanrights.com

13 Associated Documentation

The following documents should be read in conjunction with this policy and when preparing to undertake an Equality Impact Analysis. These can be found on the staff Intranet and Trust website.

- Equality Impact Analysis: A Guide to Completion
- Equality Impact Analysis Toolkit
- Equality Analysis and the Equality Duty: A guide for public authorities (www.equalityhumanrights.com)

14 Review

14.1 This Policy and Procedure will be reviewed on an annual basis.

14.2 Minor amendments (such as changes in title) may be made prior to the formal review, details of which will be monitored/approved by the Associate Director of Corporate Affairs in consultation with the Director of Human Resources and Trade Union Representative(s) where relevant. Such amendments will be recorded in the PPG Register and a new version of the PPG issued.