

Equality Impact Assessment

Toolkit



A guide for staff who need to complete Equality Impact Assessments

Equality & Diversity
Team



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Introduction

The equalities duties provide a framework for the Trust to carry out its functions more effectively and to tackle discrimination in a proactive way, ensuring that equality considerations are consistently integrated into its day-to-day business through Equality Impact Assessments. This will not only engender legal compliance, but also help to ensure that Trust services best support the healthcare needs of the local population.

As a manager or someone who is involved in a service, policy, or function development, you are required to complete an Equality Impact Assessment [EIA] using this toolkit.

Policy	A written statement of intent describing the broad approach or course of action the Trust is taking with a particular service or issue.
Service	A system or organisation that provides for a public need.
Function	Any of a group of related actions contributing to a larger action.

What is the Equality Impact Assessment (EIA) Toolkit all about?

The EIA toolkit aims to make the process of equality impact assessing easier to understand and implement. It is designed to make it simpler for you to complete your EIA and make the process and outcomes meaningful for you and others involved. It is also intended to provide a sensible and proportionate approach that ensures the Trust gives due regard to the requirements to promote equality alongside other competing requirements such as Health & Safety.

What is an EIA?

EIA is a way of examining your services, functions and policies to see if it could have a negative or the potential for a negative impact on any of the protected characteristics.

The Equality Act covers nine protected characteristics on the grounds upon which discrimination is unlawful.

Protected Characteristic	Descriptor
Age	A person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
Disability	A person has a disability if s/he has a physical or mental impairment, which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Gender reassignment	Medical term for what transsexual people often call gender-confirmation surgery; surgery to bring the primary and secondary sex characteristics of a transsexual person's body into alignment with his or her internal self perception.

	<p>Trans man – someone who has transitioned from female to male. Note that some people, following treatment, strongly prefer to be thought of as simply a woman.</p> <p>Trans women – someone who has transitioned from male to female. Caveats as per trans man.</p>
Marriage and civil partnership	Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
Pregnancy and maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Religion and belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sex	A man or a woman.
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Aims

Why should I carry out an EIA?

First and foremost an EIA allows you to find out whether your service, policy or function has a negative or potential negative impact on the protected characteristics. The EIA process allows you to assess whether your services, policies or functions are discriminating directly or indirectly.

Very importantly EIAs allow the Trust to establish excellent outcomes for its diverse communities and address existing or potential inequalities which may result from its services, policies or functions.

- **Indirect discrimination:** Having policies or practices in place that applies to all employees however they could disadvantage people.
- **Direct discrimination:** treating staff or workers or job applicants less favourably than others because they belong to a particular equality group.

When should an impact assessment be undertaken?

An EIA should start at the same time as the process of a review of an existing or proposed service, policy or function.

Once the service, policy or function requiring an EIA has been approved and implemented, it should be monitored to ensure the intended outcome is being achieved. Any concerns about the way it is working can then be addressed.

For existing services, policies or functions, an EIA should be undertaken when formally reviewed. An EIA should be carried out on all policies every three years or when changes are required.

What are the main aims of an EIA?

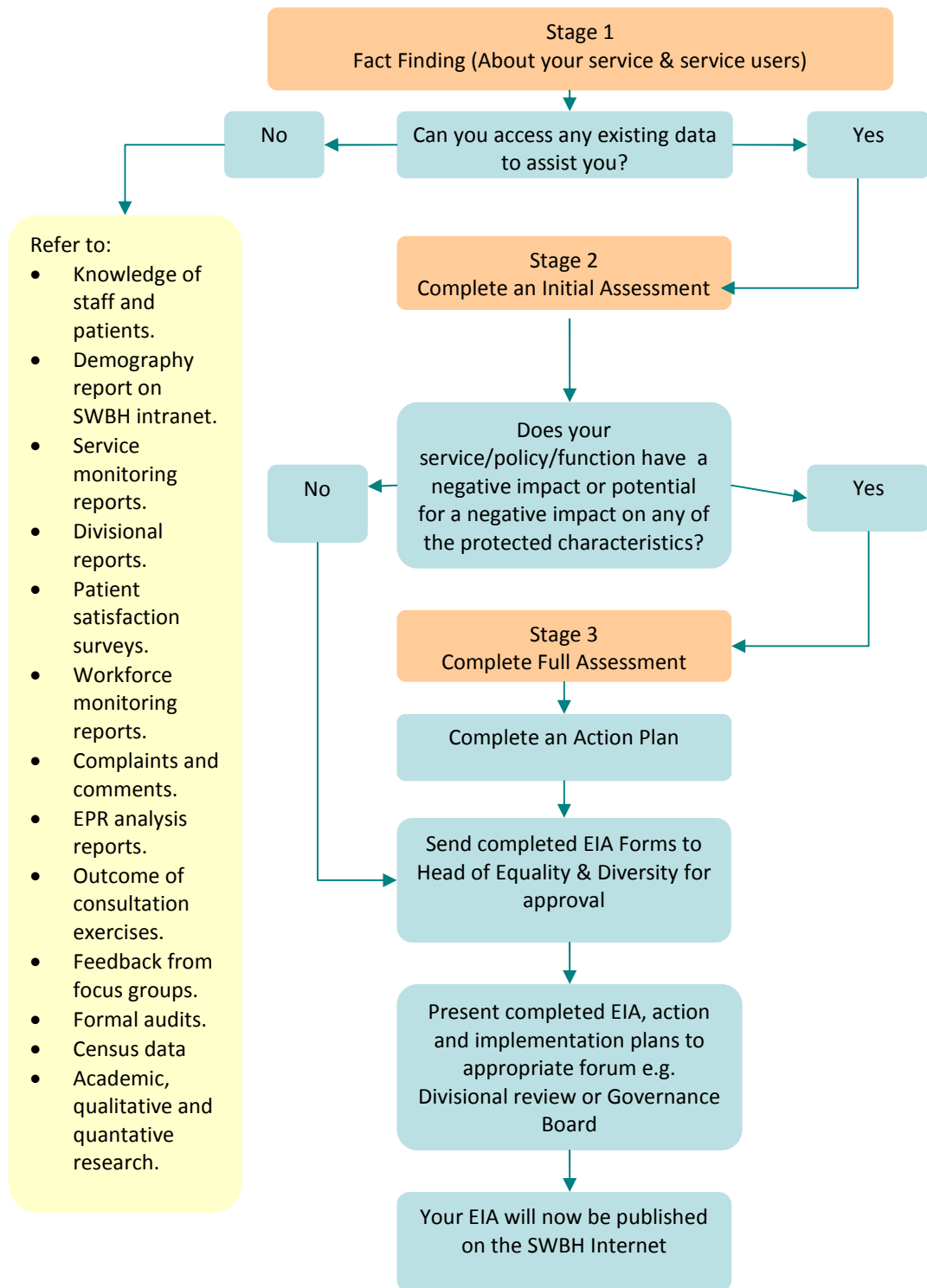
The main aim of an EIA is to:

- Take account of services provide by The Trust and those affected by what it does.
- Consider other ways of achieving the outcomes of the service, policy or policy.
- Allow you to have more contact with the diverse groups in our community.
- Change the way you think about your work and the decisions you make.
- Help you to think more about the needs of the community we serve.
- Remove any negative impact there on the protected characteristic.

How will the information collected be used?

- To Stop direct/unlawful indirect discrimination happening now and in the future.
- Make sure that your services are accessible to everyone in the local community.
- Help improve the way you treat staff and patients.
- A reminder that the process is not the most important thing - it's the outcome that matters.

EIA Process Flowchart



There are three stages to our EIA process:

Stage 1

This is the fact-finding stage where you gather as much information about the service, policy or function you intend to EIA. Who will be using the service, policy or function and the outcomes you want to achieve. It is important to make sure that your service, policy or function has clear aims and objectives.

Stage 2

This stage allows you to identify whether your policy, service or function has a negative or potential negative impact on the protected characteristics. In some cases an initial EIA (Appendix A) is all you will need to establish whether you are providing equal outcomes for staff and/or patients. On discovering a negative or the potential for a negative impact you will need to undertake a full EIA (Appendix B), unless it has already been identified as a corporate trend.

Stage 3

This stage involves questioning aspects of a proposed/existing service, policy or function and forecasting the likely effect. The answers to the questions will require time and research in order for you to answer them sufficiently. The Trust can provide you with some of the data you require, although the sources of information will vary depending on the nature of the service, policy or function, they may include the following:

Source Material:-

- EPR analysis (ethnic monitoring collection and analysis)
- The knowledge and experience of the people assisting in the service.
- SWBH demography <http://swbhweb/server.php?show=nav.00000200o002>
- Service monitoring reports / Divisional reports
- Patient satisfaction surveys
- Workforce monitoring reports
- Complaints and comments
- Outcome of consultation exercises
- Feedback from focus groups
- Feedback from organisations representing the interests of key target groups
- National and local statistics and audits
- Census data
- Academic, qualitative and quantitative research
- Ward/ Divisional reviews
- Anecdotal data

Remember, it is vital to concentrate on the main objectives of the EIA and not lose sight of the outcomes, know when to stop! Look for practical outcomes and focus on identifying

gaps in the current provision. If it is not possible for you to get data easily or immediately, this should be highlighted in your final action plan.

Action Planning

The real value of completing an EIA comes from the actions that will take place and the positive changes that will emerge through conducting the assessment. To ensure that the action plan is more than just a list of proposals and good intentions, the following should be included:

- Each action be attributed to a key person who is responsible for its completion
- An achievable timescale that is also at the same time reasonable
- Relevant and appropriate activities and progress milestones
- Any cost implications and how these will be addressed.

It is necessary that the action plan feeds into service and team plans and links to the Trusts Single Equalities Scheme (SES), which can be found on the Trusts intranet/internet site http://swbhweb/upload/pdf/SES_January_2010_Trust_Board.pdf

The action plan should include realistic and achievable actions or activities likely to have an impact. This should not be a comprehensive list of all the possible things that might help. It is unlikely that any implementation plan will have less than four activities, but an implementation plan that rolls over to six pages is unlikely to be providing sufficient focus for most activities.

Submission of completed EIAs and related documents

The Equality and Diversity Team will provide advice and support throughout the process of EIAs. Once you have completed your EIA you must submit these documents to the Equality and Diversity Team to be approved before you are able to present them.

How will EIAs help me improve my service?

EIAs will help you deliver excellent services that are accessible and which meet the varied needs of their staff, patients and service users. In its simplest form the EIA process can be seen as a foundation tool for measuring the effect of the service, policy or function on people and should encourage greater transparency about decision-making. Assessing a service, policy or function will help to identify if it has the potential to impact on any of the protected characteristics negatively and give you the opportunity to adapt it as necessary. It will also alert you to whether any groups may have particular needs.

What are the benefits of EIAs?

The EIA process will help to avoid claims of unlawful discrimination as it provides a framework that ensures the Trust meets its legislative duties. The process helps the Trust to anticipate problems and make informed and open decisions. This process will guide The Trust from where we are now to where we want to be.

Can a negative impact ever be justified?

Although unlawful discrimination can never be justified, there may be occasions where it is appropriate that an activity impacts less favourably on some people. For example, The Trust may be targeting services to a particular part of the population that have been historically referred to as 'hard-to-reach' or 'traditionally disadvantaged'. Increasing involvement levels for that community but not for some others who are traditionally easier to engage is acceptable. It will be necessary to consider whether the potential for less favourable impact on one or more communities can be justified.

Can I build the EIAs into my existing systems and processes?

Yes. It's important that the process starts at the point where the outcomes are being decided. Time needs to be factored into the development of any policy, service or function to undertake an EIA. This will ensure that the potential for impact on protected characteristics is considered from the outset.

Do I have to EIA existing functions as well as new services, functions and policies?

Yes. As well as impact assessing new services, policies and functions, The Trust also has existing arrangements that will need to be assessed. All current services and policies must be continuously monitored and checked for their impact. The difference between assessing present policies and assessing future policies is that existing information about the implementation of a present policy should indicate any negative impact.

Equality Impact Assessment

Stage 2 Initial Assessment form

The Initial Impact Assessment is a quick and easy screening process. It should:

1. Identify those policies, functions, services, functions or strategies which require a full EIA by looking at:
 - Negative, positive or no impact on any of the protected characteristics.
 - Opportunity to promote equality for the protected characteristics.
 - Data / feedback prioritise if and when a full EIA should be completed
2. Justify reasons why a full EIA is not going to be completed

Division:

Is it a Service, Policy or Function:

Lead officer:

Title of policy, function or service:

Existing:

New/proposed:

Changed:

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Q1) What is the aim of your policy/service/function (you may want to refer to the Operational Policy for your service)?

Q2) Who benefits from your policy /service/function?

Q3) Do you have any feedback data that influences, affects or shapes this policy, function or service?

Yes	No
<input type="checkbox"/> Please complete below.	<input type="checkbox"/> Please go to question 4

What is your source of feedback?

- Previous EIAs
- National Reports
- Internal Audits
- Patient Surveys
- Complaints / Incidents
- Focus Groups
- Equality & Diversity Training
- Equality & Diversity Team
- Other

What does this source of feedback reveal?

Q4) Thinking about each group below does or could the policy, function, or service have a negative impact on members of the protected characteristics below?
 (Please refer to pages 3 & 4 for further definitions of protected characteristic)

Protected Characteristic	Yes	No	Unclear
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If the answer is “yes” or “Unclear” please complete a full EIA

Q5) Who was involved in the EIA and how?

Who: <input type="checkbox"/> Staff members <input type="checkbox"/> Consultants <input type="checkbox"/> Doctors <input type="checkbox"/> Nurses <input type="checkbox"/> Local patient/user groups <input type="checkbox"/> Other <input type="text" value="Please specify"/>
How were they involved? <input type="checkbox"/> Surveys <input type="checkbox"/> Team Meeting <input type="checkbox"/> Via the Single Equality Scheme <input type="checkbox"/> Divisional Review <input type="checkbox"/> Other <input type="text" value="Please specify:"/>

Q6) Have you identified a negative/potential negative impact (direct /indirect discrimination)?

No	<input type="checkbox"/>	yes	<input type="checkbox"/>
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Q6a) If 'No' Explain why you have made this decision?

Q6b) If 'yes' explain the negative impact – you may need to complete a full EIA

If a negative impact has been identified please continue to Stage 3. If no negative impact has been identified please submit your Initial Equality Impact Assessment to Equality&Diversity@swbh.nhs.uk.

Please note: Issues relating to either interpreting/translating, ensuring single-sex accommodation or Bariatric issues have been identified as corporate trends, therefore if the negative impact you have identified falls within these categories a full impact assessment is not required. However, should you go full impact assessment the corporate trends need to be recorded within the Action Plan on page 18.

Justification Statement: As member of SWBH staff carrying out a review of an existing or proposal for a new service, policy or function you are required to complete this EIA by law. By stating that you have <u>not</u> identified a negative impact, you are agreeing that the organisation has <u>not</u> discriminated against any of the protected characteristics. Please ensure that you have the evidence to support this decision as the Trust will be liable for any breaches in the Equality Legislation.
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Completed by:

Name:	
Designation:	
Date:	
Contact number:	
Head of Service:	

This EIA has been approved by the Divisional General Manager:

Name:	
Designation:	
Date:	
Contact number:	

This EIA has been signed off by the Head of Equality & Diversity:

Name:	
Signature:	
Date:	
Contact number:	

Step 7) Now that you have ensured a full impact assessment does not need to be completed we need to publish your results for the public to view.

Tick list

- Send an electronic copy of ratified EIA to the Equality and Diversity team who will publish it on the website

Equality & Diversity team contact details

For further advice, please contact:

- Pauline Richards (Head of Equality & Diversity) 0121 507 5169
- Belinder Virk (Equality & Diversity Advisor) 0121 507 5561
- Estelle Hickman (Equality & Diversity Advisor) 0121 507 5561

Equality & Diversity Team
Arden House
City Hospital
Birmingham B18 7QH

Equality Impact Assessment

Stage 3

Full Assessment Form

Having completed the Initial EIA Screening Form (Appendix A) which identified a negative or potential negative impact, you are required to complete this Full Assessment form. This will involve you questioning aspects of a proposed/existing service or policy and forecasting the likely effect on different groups.

Step 1) What is the impact?

Why have you carried out this Full Equality Impact Assessment?

Please mention any additional impacts in the box below. This could include contributing factors or conflicting impacts/priorities (e.g. environment, privacy and dignity, transport, access, signage, local demography) that has resulted in indirect discrimination.

1a) Identify the Equality group(s) that will be affected by the negative impact:

Ethnicity	Sex	Gender Reassignment	Age	Disability	Religion or Belief	Sexual Orientation	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1b) What about other socially excluded groups or communities e.g. rural community, carers, areas of deprivation, low literacy skills, obesity? Please mention any additional issues here.

Step 2) What are the differences?

2a Explain how the Equality group(s) identified is affected in a different way to others as a result of the policy, function or service?

Step 3) You are almost there - now all you need to do is to consult!

3a Have you consulted on your policy, service or function and if so, who have you communicated with?

3b If you have not consulted yet, please list who you are going to consult with and the methods of consultation you will be using to seek their views? (Staff, specific groups or communities)

Step 4) Choose & answer the questions relevant to your EIA.

4a This EIA indicates that there is insufficient evidence to judge whether there is differential impact. Please state why below.

4b This EIA shows that the service, policy or function has a differential impact which is not negative. Please state why below.

4c This EIA reveals a differential impact which also amounts to a negative impact. Please state why below.

Scoring your adverse impact

You will also need to score each of your negative impacts and record the scoring in your Action Plan (page 18).

Matrix for Full Equality Impact Assessments (Stage 3)

- PROBABILITY** - What is the likelihood of the service, policy or function having an impact on staff or patients of the Trust? Use the table below to assign this incident a category code.

MEASURES OF PROBABILITY		
Descriptor	Level	Description
Rare	1	The service, policy or function will only impact under exceptional circumstances
Unlikely	2	The service, policy or function is not expected to have an impact but will do in some circumstances
Possible	3	The service, policy or function may have an impact on occasion
Likely	4	The service, policy or function is likely to impact, but not on a persistent basis
Almost Certain	5	The service, policy or function is likely to impact on many occasions and on a persistent basis

- SEVERITY OF IMPACT** - Identify the highest possible impact of the **service, policy or function**. (Use this table as a general guide)

Descriptor	Potential Impact on Individual(s)	The Potential for complaint/ Litigation	Potential Impact on Organisation	Number of Persons likely to be affected
Negligible 1	<ul style="list-style-type: none"> No impact or adverse outcome 	<ul style="list-style-type: none"> Unlikely to cause complaint/ litigation 	<ul style="list-style-type: none"> No risk at all to organisation 	0-1 Person
Low 2	<ul style="list-style-type: none"> Short term impact 	<ul style="list-style-type: none"> Complaint possible Litigation unlikely 	<ul style="list-style-type: none"> Minimal risk to organisation 	2-4
Medium 3	<ul style="list-style-type: none"> Semi-permanent impact 	<ul style="list-style-type: none"> Litigation possible but not certain. High potential for complaint. 	<ul style="list-style-type: none"> Needs careful PR Reportable to SHA External investigation (e.g. HSE) 	5-10 Persons
High 4	<ul style="list-style-type: none"> Permanent impact 	<ul style="list-style-type: none"> Litigation certain expected to be settled for < £1M 	<ul style="list-style-type: none"> Service closure Threat to Divisional/Directorate objectives/priorities Local publicity 	10-20 Persons
Very High 5	<ul style="list-style-type: none"> Permanent and severe impact 	<ul style="list-style-type: none"> Litigation certain expected to be settled for > £1M 	<ul style="list-style-type: none"> National adverse publicity Threat to Trust objectives/priorities 	Over 20 persons

- 3 **Equality Impact Score** - Use the matrix below to grade the risk.
 E.g. 2 x 4 = 8 = Yellow or 5 x 5 = 25 = Red

Probability	Severity of Impact				
	Negligible 1	Low 2	Medium 3	High 4	Very High 5
1 Rare	1	2	3	4	5
2 Unlikely	2	4	6	8	10
3 Possible	3	6	9	12	15
4 Likely	4	8	12	16	20
5 Almost Certain	5	10	15	20	25

Roles and Responsibilities

Equality & Diversity Team

- To review all Full Impact Assessment Action Plans.
- To review each action against the EIA Matrix
- To report all Medium, Very High and Extreme impacts to the Service & Policy Assessment Group (SPAG)

Service & Policy Assessment Group (SPAG)

- To agree and discuss likely outcome and agree actions to follow.

Examples of Discrimination according to descriptor.

Descriptor	
Negligible 1	Patient complaining that their dignity has been infringed due to having to wait in reception after eyes being dilated.
Low 2	Temporary relocation of Clinic due to refurbishment. Patients required to travel longer distance to attend clinic.
Medium 3	Uneven surfaces making it dangerous for wheelchair users to manoeuvre across.
High 4	Service excludes particular patients due to their religious requirements.
Very High 5	Emergency Fire Escape: Lack of accessible escape routes for disabled patients.

Step 5) Plan to address your Negative Impact

1. It is now time to complete your action plan using the table below. Please detail how you are going to address the negative impact, stating the timescales involved.

	Negative Impact	Negative Impact Rag Rating	Action Required	Expected Outcome	Lead	Timescale (specify dates)
1.						
2.						
3.						

NB: As a requirement of the Divisional Review process, please ensure that you include the above actions within your Implementation Plan.

Step 6) Congratulations you have made it.

Completed by:

Name:	
Designation:	
Date:	
Contact number:	
Head of Service:	

This EIA has been approved by the Divisional General Manager:

Name:	
Designation:	
Date:	
Contact number:	

This EIA has been signed off by the Head of Equality & Diversity:

Name:	
Signature:	
Date:	
Contact number:	

Step 7) Now we need to publish your results for the public to view.

Please complete the tick list below.

- Please tick to indicate that this EIA has been approved by your Divisional General Manager.
- Please send your completed EIA to the Equality and Diversity team for approval. Once approved, your EIA will be placed on the SWBH webpage for the public to view.

Please email all EIAs to Equality&Diversity@swbh.nhs.uk

Equality & Diversity team contact details

For further advice, please contact:

- Pauline Richards (Head of Equality & Diversity) 0121 507 5169
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