

Equality Analysis

Guidance & Template for Primary Care Organisations across the North East



Introduction

The general equality duty that is set out in the Equality Act 2010 requires public authorities, in the exercise of their functions, to 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.

The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty.

This Equality Analysis template is designed for staff members to help them comply with the general duty.

Please complete the template by following the instructions in each box. Should you have any queries, please contact:

Ben Murphy Equality and Diversity Lead on 0783 666 8591 or email ben.murphy@middlesbroughpct.nhs.uk

What is an Equality Analysis?

An Equality Analysis (EA) is a way of finding out whether an existing or proposed policy, function or service has differential impact on particular persons and, if so, whether the differential impact is adverse or positive and whether it can be justified or not.

Completing an EA is a necessary step to ensure opportunity for all is achieved with a new service or project or a 'significant' change to an existing service.

EA will show where there are gaps in services/ projects and so can be used to ensure that Primary Care Organisations across the North East are commissioning the services that are right for local communities and ensure we can cater to the needs of our diverse and ever changing population.

The aim of the EA process is to assess:

- The extent of the impact upon the identified equality groups
- Whether that impact is negative or positive
- If there are ways in which to remove or reduce any negative impact

The EA process has 2 stages, the first being a Screening Process which must be conducted to determine if there is a potential negative and/or positive impact to the identified equality groups. If there is, a full Equality Assessment must then be carried out to make an appropriate adjustment.

The Equality Analysis is designed to make sure that you:

- Think clearly about the likely impact your work has on all the protected characteristics and vulnerable groups
- Take action to improve services
- Make sure that any negative impact is eliminated
- Maximise opportunities for promoting equality

Some Guiding Principles

Equality Analysis's (EA) need to be part of the early stages of project or service planning development so that any mitigating actions can be introduced before the project / decision is implemented. Whilst they can be used retrospectively for projects already approved and functions already in operation, they should never be considered a "bolt-on" to complete the project development process.

Incorporating EAs into the project planning process will enable Primary Care Organisations across the North East to integrate and embed equality principles into all aspects of service delivery.

Legislation dictates that outcomes of all screening and Equality Analysis's are public projects that must be published. It is therefore vital that outcomes of assessments and completed Equality Analysis are published on trust websites.

Key Points

- It is meant to be a worthwhile and challenging process, but it is also a subjective process. Therefore a common-sense approach to the analysis is required.
- EA must be embedded into the project planning and service development process.
- Always try to 'step outside' of your own role when conducting an EA. Try to see the project or service as an outsider would view it.
- It's not just a paper exercise - time should be allowed for potential collaboration on the EA in partnership with stakeholders.
- Where a likely impact is not known, action should be taken to try to acquire that information.
- Use existing data and networks where possible to help assess the likely impact.

Guidance for Completing the Equality Screening

People reading the EA may not be familiar with the areas of activity which it relates to so it is vital to start the assessment process by providing a short summary of the service or project that you are assessing.

When doing so you should consider the following:

- What are the aims of the project/service?
- How will the project be put into practice?
- What are the intended outcomes of the project?
- How will the achievement of outcomes be measured?
- Who are the stakeholders of the project?
- If the project involves partnership work with other organisations, how will this take place?
- How will the effectiveness of the project be measured?

The next step will be to identify the groups who could be affected by the proposed service or project, such as:

- Intended service user groups
- Other groups who may be recipients of project measures
- Groups who may be affected – both positively and negatively
- People who are excluded from the benefits of the project / service
- Staff involved in the delivery of the project / service

The process then goes on to consider these groups by protected characteristic. These are listed in the box below:

Disability, Age, Race, Sex, Sexual Orientation, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity and Religion or Belief.

Guidance for Completing a Full Equality Analysis

Part 1 - Identify the aims of the project / service

You should already have identified from the Equality Screening Template what the key issues are in relation to the project / service, and which equality groups are potentially affected, in either a positive or negative way. You will need to state what the overall aim of the project is and what the intended outcomes are.

Part 2- Data Analysis

Data Analysis should be used to identify who are the actual and potential users or recipients of the service / project and any significant findings across the protected characteristics. Quantitative and qualitative information is often already available in-house, from local authorities, stakeholders, complaints and from service user surveys.

Part 3- Access the likely impact in regards to Legislative Compliance

You must consider the questions in this section in light of the legislative requirements specified below, which we **must** comply with. If the project does not comply with these legislative requirements then unless the non-compliance is legal and justifiable the project or service **will not be lawful**.

Human Rights Considerations

The Human Rights Act (1998) also has an impact on the way we provide our services. There are some rights under the Act which are less relevant for healthcare organisations however the most relevant rights for healthcare organisations are:

- The right to life (Article 2)
- The right not to be tortured or treated in an inhuman or degrading way (Article 13).
- The right to liberty (Article 5)
- The right to respect for private and family life, home and correspondence (Article 8)
- The right not to be discriminated against in relation to any of the rights contained in the European Convention (Article 14).

Considering Alternatives

Could your project or service provision potentially discriminate against any minority group, or could your development potentially affect anyone's human rights? If **'Yes'**;

- Can the project/service be amended to avoid this?
- If you make changes will this have an impact on another equality group?
- If so, are these changes legal and / or justifiable?

Gathering Information

Gathering information is essential to the EA process. You will need to look at the groups you believe are potentially affected by your service / project and work with them. This includes working in partnership with various community groups. Only by collecting a variety of information will you be able to complete a full EA. A great deal of the information that you require to work out the likely impact of the project is likely already to be in existence. Information is broken down into two forms;

Qualitative; anecdotal evidence from people, such as feelings, actions, words, personal stories, comments, and experiences.

This could include:

- Information from organisations directly in touch with particular groups within the community that we serve, e.g. Voluntary and Community Sector (VSC) Groups;
- Results of recent consultations;
- Recommendations from inspection and audit reports;
- Analysis of the outcome of similar projects/services in other organisations.
- Comments from staff questionnaires;
- Comments from patient surveys;
- Patient's complaints / comments / letters of appreciation;
- Recent research findings – e.g. those published in a professional journal;

Quantitative; information collected from data and relevant research, including census data, records of attendance, applicants for a vacancy by equality strand or service activity. While undertaking your Equality Analysis assessment you may find some of your information overlaps into both groups. You don't need to specify which group your information comes from as long as you or your group can demonstrate all types of information have been considered. Examples of quantitative data include;

- Local demographics / census information;
- Patient / service data by equality strand
- Workforce information by equality strand;
- Other internal reports and external reports;
- Research relating to project you are assessing;
- Staff survey data;
- Complaints data;
- Risk assessment data;
- National survey data;
- Results from local questionnaires.

When you have all your information from all your sources only then can your group make any informed recommendations.

Partnership Working, Consultation and Involvement

There is a specific legal duty to consult with people in the cases of Gender and Race, however in the area of Disability we should not only consult, but we also have a specific legal duty to involve disabled people. This could include engaging with staff, staff associations or trade unions, other public bodies or voluntary and community groups who will have particular knowledge, skills and experience in relation to the project that is being impact assessed. If relevant and recent consultation data exists, which can be analysed, then this may be used. If this is not available, then you will need to undertake engagement as part of the full EA process.

You will need to speak to all groups who may be affected by your project. Some ways you may choose to do this include:

- focus groups
- staff diversity groups or networks
- community panel members
- community groups related to an equality strand
- union groups
- staff / patient surveys

Equality Analysis Screening Template

Primary Care Organisations across the North East: Equality Analysis Screening Template

An EA is a tool to improve the work of an organisation by making sure it does not discriminate and, where possible, it promotes equality. It is a way to make sure staff think carefully about the likely impact of their work on equality groups and take action to improve services and projects where it has a positive or negative impact.

Firstly, complete the table below to give a brief overview of your project or service.

Title of Policy / Project / Service:	
Short description of Policy / Project / Service (e.g. aims and objectives):	
Directorate Lead:	
Is this a new or existing policy / project / service?	

Next complete the table below, considering whether the project/ service could have any potential positive, neutral or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic/census data, JSNA, Mori surveys, user surveys, local consultations, evaluation forms, comments and complaints or PALS data.

Equality Group	Does this policy/project/ service have a positive, neutral or negative impact on any of the equality groups? Please state which for each group.	Please describe why the impact is positive, neutral or negative?
Age <i>You need to consider different age groups. The way young people access services is different to the way older people access services. Think about the service and how it is user friendly.</i>		
Disability <i>This could be physical disabilities or learning difficulties. Remember not all disabilities are visible. You must consider:</i> <ul style="list-style-type: none"> • <i>Accessibility- venue, location, signage</i> • <i>Disability Awareness Training for staff delivering project/ service</i> • <i>Involving service users</i> • <i>Hearing Loops/ Interpreters</i> • <i>Referral System/ partnership working</i> • <i>Language including BSL users</i> • <i>Plain English</i> • <i>Visually Impaired service users</i> 		
Gender Reassignment <i>Trans gender people should be offered a non judgemental and user friendly environment. If your service/ project is targeted at this population you will need to consider staff training, confidentiality, and communication skills.</i>		

<p>Marriage And Civil Partnership</p> <p><i>Being Married or in a Civil Partnership should not affect the level of service that the individuals receive. Staff should be trained in confidentiality and not to assume the partner is aware of their partner's access to the service/ project.</i></p>		
<p>Pregnancy And Maternity</p> <p><i>The service/ project should be fully accessible to all, for example flexible hours of the service/ project. Is there access to private area for breastfeeding mothers?</i></p>		
<p>Race</p> <p><i>You will need to consider and understand the demographic data that affects your service/ project. What is the size of the BME communities your service/ project affects?</i></p> <p><i>What language/s do these communities speak?</i></p> <p><i>What support for accessing the service/ project can you offer?</i></p> <p><i>Cultural issues- mixed gender activities, hygiene, clothing, physical activities.</i></p> <p><i>How will you make your service/ project accessible for the diverse local population?</i></p> <p><i>Staff Training on issues relating to the BME community.</i></p>		
<p>Religion Or Belief</p> <p><i>You should ensure that the service/ project is accessible to all individuals/ communities with a religion or belief. Do you know what these are in the communities that your service/ project is targeting?</i></p> <p><i>Have you thought about prayer times, meal times,</i></p>		

<p><i>food (some religions do not eat meat), religious holidays e.g. Ramadan, flexibility.</i></p> <p><i>Training of staff</i></p> <p><i>Respecting differences</i></p> <p><i>Religious beliefs e.g. blood transfusions</i></p>		
<p>Sex</p> <p><i>Delivering your service/ project you must consider the impact on males and females</i></p> <p><i>For example, same sex accommodation, Same sex groups/ activities</i></p> <p><i>Timing of services/ projects- shift workers</i></p> <p><i>Location-in general men do not access health services as much as women, could location of service/ project improve access e.g. workplace?</i></p>		
<p>Sexual Orientation</p> <p><i>Using language that respects LGBT people and acknowledges same-sex relationships is needed for person-centred care. Communication - LGBT people should be able to disclose their sexual orientation and/or gender identity to their health provider without fear of prejudice.</i></p> <p><i>Respect rights</i></p> <p><i>Awareness training for staff</i></p> <p><i>Do not assume that someone is heterosexual/ straight</i></p>		
<p>Carers</p> <p><i>Does your service/ project impact on carers?</i></p> <p><i>You will need to consider timings of events/ activities</i></p> <p><i>Support with their caring responsibilities</i></p> <p><i>Access</i></p>		

Location/ Venue		
-----------------	--	--

Screening Completed By	Job Title and Directorate	Organisation	Date completed	Contact number and email address

Directors Name	Directors Signature	Organisation	Date

If you have identified a **positive** or **negative** potential impact for any of the protected characteristics then you must complete a full Equality Impact Assessment.

If you have only identified a **neutral** impact on any of the eight protected characteristics then no further action is required. Please upload to your trust website for publication (this is a legal requirement).

Full Equality Analysis Template

You must complete a Full EA if your screening has identified that your project/ service could have:

- A significant negative impact
- A significant positive impact
- Both significant negative and positive impacts

Action Plan

You also need to prepare an action plan. You should base your action plan on:

- The evidence you find to support your decisions
- The challenges you identify

- The opportunities you identify

Title of Policy / Project / Service:	
Short description of Policy/Project / Service: (e.g. aims and objectives)	
Directorate Lead:	
Is this a new or existing policy / project / service?	

Please enter the name/s of the individuals completing this EA

Name	Job Title and Directorate	Contact Details	Date

Part 1- Identify the aims of the policy/ project/ service

What is the purpose of the proposed or existing policy / service / project?

Who is intended to benefit from the policy / service / project and how?

Is the responsibility for the project shared with another directorate or organisation?

What other groups or organisations have an interest in the policy / service / project?

What are the intended outcomes of the policy / service / project?

Part 2- Data Analysis

Data Analysis should be used to identify who are the actual and potential users of the service or those affected by the project, and any significant findings across the protected characteristics. Quantitative and qualitative information is often already available in-house, from local authorities, stakeholders, complaints and from service user surveys.

If your service/ project is for a particular equality group you will need the demographic data of that group. This is available from various sources including census data, JSNA, Mori surveys, user surveys, local consultations, evaluation forms, comments and complaints or PALS data.

If there is limited data, perhaps around sexual orientation, you can use local knowledge for the analysis as well as national data.

If your service is for the general population you will need the demographic data of the area for which the service is commissioned.

Nationally and locally Collected Data: Census, deprivation indicators, Mori surveys, User surveys, local consultations, evaluation forms, comments and complaints, PALS data etc.	Demographic Significance	Mitigating Actions
Age <ul style="list-style-type: none"> • <i>You need to consider different age groups.</i> • <i>The way young people access services is different to the way older people access services.</i> • <i>Think about the service and how it is user friendly.</i> 		
Disability <p><i>This could be physical disabilities or learning difficulties. Remember not all disabilities are visible. You must consider:</i></p> <ul style="list-style-type: none"> • <i>Accessibility- venue, location, signage</i> • <i>Disability Awareness Training for staff delivering project/ service</i> • <i>Hearing Loops/ Interpreters</i> • <i>Referral System/ partnership working</i> • <i>Language including BSL users</i> • <i>Plain English</i> • <i>Visually Impaired service users</i> 		
Gender Reassignment <p><i>Trans gender people should be offered a non judgemental and user friendly environment. If your service/ project is targeted at this population you will need to consider staff training, confidentiality, and communication skills.</i></p>		
Marriage And Civil Partnership		

<p><i>Being Married or in a Civil Partnership should not affect the level of service that the individuals receive. Staff should be trained in confidentiality and not to assume the partner is aware of their partner's access to the service/ project</i></p>		
<p>Pregnancy And Maternity <i>The service/ project should be fully accessible to all, for example flexible hours of the service/ project. Is there access to private area for breastfeeding mothers?</i></p>		
<p>Race <i>You will need to consider and understand the demographic data that affects your service/ project. What is the size of the BME communities your service/ project affects?</i></p> <ul style="list-style-type: none"> • <i>What language/s do these communities speak?</i> • <i>What support for accessing service/ project can you offer?</i> • <i>Cultural issues- mixed gender activities, hygiene, clothing, physical activities</i> • <i>How will you make your service/ project accessible for the diverse local population?</i> • <i>Staff Training on issues relating to the BME community- literacy issues will staff give extra support</i> 		
<p>Religion Or Belief</p> <ul style="list-style-type: none"> • <i>You should ensure that the service/ project is accessible to all individuals/ communities with a religion or belief. Do you know what these are in the communities that your service/ project is targeting?</i> • <i>Have you thought about prayer times, meal times, food (some religions do not eat meat), religious holidays e.g. Ramadan, flexibility?</i> • <i>Training of staff</i> 		

<ul style="list-style-type: none"> • <i>Respecting differences</i> • <i>Religious beliefs e.g. blood transfusions</i> 		
<p>Sex <i>Delivering your service/ project you must consider the impact on males and females For example: Same sex accommodation.</i></p> <ul style="list-style-type: none"> • <i>Same sex groups/ activities</i> • <i>Timing of services/ projects- shift workers</i> • <i>Location- men do not access health services as much as women, could location of service/ project improve access e.g. workplace?</i> 		
<p>Sexual Orientation <i>Using language that respects LGBT people and acknowledges same-sex relationships is needed for person-centred care.</i></p> <ul style="list-style-type: none"> • <i>Communication - LGBT people should be able to disclose their sexual orientation and/or gender identity to their health provider without fear of prejudice.</i> • <i>Respect rights</i> • <i>Awareness training for staff</i> • <i>Do not assume that someone is heterosexual/ straight</i> 		
<p>Carers <i>Does your service/ project impact on carers?</i></p> <ul style="list-style-type: none"> • <i>You will need to consider timings of events/ activities</i> • <i>Support with their caring responsibilities</i> • <i>Access</i> • <i>Location/ Venue</i> 		

Can you identify any experts / relevant groups / service users / carers whom you can / should approach and explore their views on the issues? They may have useful ideas about how to improve accessibility and reduce negative impacts.

Part 3 Assess the Likely Impact.

Parts 1 & 2 will have provided sufficient information for you to judge what impact the policy/ service/ project will have or is having across the protected characteristic questions.

Please record if the project/ service will have a **negative**, **neutral** or **positive** impact for each protected characteristic, using the table below.

	Age	Disability	Gender Reassignment	Marriage And Civil Partnership	Pregnancy And Maternity	Race	Religion Or Belief	Sex	Sexual Orientation
Impact on discrimination across the protected characteristics?									
Impact on promotion of equal opportunity?									
Impact on relations between different groups									
Encourage participation in public life? This could be through being involved in shaping how services are delivered									

Impact on promotion of positive attitudes and images to different groups?									
---	--	--	--	--	--	--	--	--	--

If, having completed the above EA, you have no actions then please give a brief explanation below of EA outcomes

Action Plan

If you have identified actions you must now complete the Action Plan detailing the agreed outcomes of this Equality Analysis.

All actions must be **SMART** (Specific, Measurable, Achievable, Realistic and Time-bound).

Protected Characteristic	Issue	Action Required / Taken	How will you measure the impact / outcome?	Timescale	Lead

--	--	--	--	--	--

If having completed the above EA you have no actions then please give brief explanation below of EA outcomes

--