



Argyll & Bute Health & Social Care Partnership

## **Argyll and Bute HSCP Equality and Socio-Economic Impact Assessment**

### **Guidance Document**

**July 2019**

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## 1.0 Introduction

- 1.1 This guidance sets out Argyll and Bute HSCP's Equality and Socio-Economic Impact Assessment (EQIA) process, why we have one, and how it is used. The guidance is designed mainly for staff who are legally required to complete an EQIA but may also be of use to anyone else who has a role to play or an interest in the EQIA process or equalities, more generally.
- 1.2 People with equalities duties include:
- Chief Officers and senior managers
  - Service improvement and planning staff
  - Managers/team leaders involved in service re-design
- 1.3 This guidance and associated documents replace the 'Person Centred Care Planning' EQIA guidance and forms produced by NHS Highland. It is based on Argyll and Bute Council EQIA processes.

## 2.0 Why do we do Equality and Socio-Economic Impact Assessments?

- 2.1 The EQIA process enables the HSCP to demonstrate that it delivers on its legal obligations to pay due regard to issues relating to equalities and island communities.
- 2.2 The Equality and Socio-Economic Impact Assessment serves the following purposes:
- It helps staff designing a new proposal **to check** that they have considered all equalities implications, including socio-economic inequalities, as well as impacts on island communities.
  - It helps staff **to show** that they have considered all equalities implications, including socio-economic inequalities, as well as impacts on island communities.
  - It helps people who are interested in equalities, socio-economic inequalities, and island impacts **to see** that these have been considered, and how.
  - It **enables better/more informed consultation** around proposals while they are still in development
  - It **enables better scrutiny** around decision making as issues around equalities and socio-economic inequalities are made more transparent.

- 2.3 To ensure that public authorities can demonstrate that they have paid 'due regard' to equalities issues, their legal obligation to undertake an EQIA and a record of the assessment process should be made publicly available. Thus, at the end of the EQIA process, a document is produced that can be clearly and quickly understood by people.

## 3.0 Background

- 3.1 The Equality Act (2010) sought to harmonise discrimination law that previously had been covered in a range of separate pieces of legislation, and to strengthen the law to support progress on diversity. However, not all legislation contained within the Equality Act (2010) was enacted in 2010.
- 3.2 Part 2 of the Equality Act (2010), which protects people with certain 'protected characteristics' was enacted in 2010. These 'protected characteristics' are:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Race
  - Religion or belief
  - Sex
  - Pregnancy and maternity
  - Sexual orientation.
- 3.3 Part 1 of the Equality Act (2010) was enacted by Scottish Government in late 2017, and came into force on 1 April 2018. Although in the legislation, Part 1 is referred to as the Socio-Economic Duty, it is more commonly referred to as the **Fairer Scotland Duty**. The Fairer Scotland Duty seeks to tackle socio-economic disadvantage and reduce inequalities of outcome and is available on the Scottish Government publication website.
- 3.4 As a public authority, the HSCP must consider equality issues when making strategic decisions. The Chief Officer is accountable for ensuring systems are in place to support staff to undertake and act on the findings of an EQIA. In addition to considering the impact the HSCP's activities might have on people with one or more of the nine protected characteristics listed above, there is now a requirement for the HSCP to take into account socio-economic disadvantage. To that end, the impact strategic decisions have on the following should be

considered:

- Mainland rural population
- Island populations
- Low income
- Low wealth
- Material deprivation
- Area deprivation
- Socio-economic background
- Communities of place
- Communities of interest

- 3.5 For more information see the Scottish Government's Fairer Scotland's Interim Guidance: <https://www.gov.scot/publications/fairer-scotland-duty-interim-guidance-public-bodies/>
- 3.6 In addition, there is a duty set out in the Island (Scotland) Act (2018), to consider the impact of proposals on island communities. Thus, the EQIA incorporates consideration of island communities within the wider impact assessment process.
- 3.7 NHS Highland and Argyll and Bute Council have carried out Equality Impact Assessments since the 2000s. The HSCP is now aligning paperwork although some processes remain different for the lead organisation undertaking the EQIA, specifically ratification and publication. (Please reference A&B Council Guidance and HSCP Guidance/flow charts for the appropriate 'lead body's' processes and pathways to follow).

## 4.0 What has changed?

- 4.1 Key changes between the previous and current versions of the impact assessments are:
- The content of the impact assessment has been altered to take account of the Fairer Scotland Duty and the Islands (Scotland) Act (2018).
  - There is now a single form to be completed that mirrors the A&B Council form.
  - The guidance and form have been produced as separate documents. This is intended to increase the readability of the EQIA document.
  - This replaces the 'Person Centred Planning' paperwork used by NHS Highland.

- Completed EQIAs should be tabled at a Clinical and Care Governance meeting for approval

## 5.0 How to use this guidance

- 5.1 This guidance is designed to help you to understand the HSCP EQIA process and roles and responsibilities within it. This section summarises the steps to be followed when carrying out a EQIA and should be read in conjunction with Appendices 1 to 3:
- Appendix 1: Glossary
  - Appendix 2: Sample form, with annotated notes
  - Appendix 3: Process Map for EQIA
- 5.2 An EQIA should take place in parallel with your service proposal as it will ensure that active consideration is given to equalities and island communities throughout the development and decision-making processes.
- 5.3 Carrying out an EQIA is an iterative process. Depending on the answers you develop at any particular step in the process, you may find that you have to return to an earlier step to revise or refine your proposal and EQIA.
- 5.4 The amount of effort put into completing the EQIA should be proportionate to the intended impact of the proposal being assessed.
- 5.5 The steps involved in following the EQIA process are outlined in Table 1. See also Appendix 3.

| STEP   | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Step 1 | <p>Determine whether an EQIA is required for the proposal. As a general rule, if a proposal relates to a strategic decision and involves or affects people in any way, an EQIA will be required.</p> <p><b>If staff are of the opinion that an EQIA is not required, a note to this effect must be put in the implications section of any covering report against the Equalities/Fairer Scotland Duty heading. A statement must also be included in any consultation document that is produced in connection to the proposal.</b></p> |
| Step 2 | Identify the purpose of the proposal and who should be involved in carrying out the assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Step 3 | Identify the evidence needed to carry out the EQIA, does any new information need to be gathered and who will help provide this information.                                                                                                                                                                                                                                                                                                                                                                                          |
| Step 4 | Assess the impact(s) that the proposal will have on the various groups covered by the Equality Act (2010), including those covered by the Fairer                                                                                                                                                                                                                                                                                                                                                                                      |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | Scotland Duty and island communities. Consider both service users and employees. (You may wish to consider, for example, how specific groups are affected by the accessibility of facilities and information, or the availability of transport.) Consultation and engagement with specific groups/communities should be considered as per the HSCP Engagement Framework 2019.                                                                                                                                                                                                                                                                                                                                                                                                    |
| Step 5  | Identify any negative impacts the proposal is likely to have, and consider how these will be mitigated (action plans will need to be drawn up).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Step 6  | Develop monitoring and evaluation plans to ensure the mitigating plans are put into place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Step 7  | Complete the EQIA documentation.<br><br>Staff may find it easier to complete the form as they work through the previous steps, or they may wish to leave completion until this point.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Step 8  | Sign off the EQIA at strategic level, currently HSCP Clinical and Care Governance Group: <ul style="list-style-type: none"> <li>• The EQIA must accompany a service change proposal through the approval process</li> <li>• The EQIA must be included in any consultation activity that relates to a draft proposal for service change</li> <li>• Argyll and Bute Council has a ratification process that can be also be followed for sign off</li> </ul>                                                                                                                                                                                                                                                                                                                        |
| Step 9  | It is a legal requirement to publish the EQIA when complete. This can be on the Argyll and Bute Council website or NHS Highland website<br><br>NHS Highland website on the Equalities page:<br><a href="https://www.nhshighland.scot.nhs.uk/YourHealth/Pages/Equalityanddiversity.aspx">https://www.nhshighland.scot.nhs.uk/YourHealth/Pages/Equalityanddiversity.aspx</a><br><br>A request should be raised through the NHS Highland IT service desk via the intranet page citing the page address in the request.<br><br>Argyll and Bute Council on the Equality and Social Economic Impact page:<br><a href="https://www.argyll-bute.gov.uk/equality-and-socio-economic-impact-assessments">https://www.argyll-bute.gov.uk/equality-and-socio-economic-impact-assessments</a> |
| Step 10 | Carry out a review of your EQIA whenever your proposal is reviewed and/or updated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**Table 1: Summary of steps involved in carrying out EQIA, see also the easy to read ready reckoner in Appendix 3**

## 6.0 Roles and responsibilities

6.1 Members of each of the following groups have roles to play in the EQIA process:

- The Chief Officer is accountable for ensuring systems are in place to support staff to undertake and act on the findings of an EQIA

- Senior Managers
- Area Managers
- Locality managers
- The Clinical and Care Governance meeting will review and approve the EQIA's before publication
- Team Leaders and all other staff involved in service change

These roles are described in more detail in Table 2.

| WHO                                                                                          | WHAT                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Chief Officer</b>                                                                         | <ul style="list-style-type: none"> <li>• The Chief Officer is accountable for ensuring systems are in place to support staff to undertake and act on the findings of an EQIA.</li> </ul> |
| <b>Managers</b>                                                                              | <ul style="list-style-type: none"> <li>• Act as lead officer responsible for developing/ reviewing the proposal. Lead officers are responsible for completing EQIA.</li> </ul>           |
| <b>Human Resources</b>                                                                       | <ul style="list-style-type: none"> <li>• Provide input into the EQIA where there are implications affecting staff.</li> </ul>                                                            |
| <b>Service Managers</b>                                                                      | <ul style="list-style-type: none"> <li>• Heads of Service act as 'appropriate' officers for the sign off of the EQIA document.</li> </ul>                                                |
| <b>Team Leads</b>                                                                            | <ul style="list-style-type: none"> <li>• Be involved in the EQIA process.</li> </ul>                                                                                                     |
| <b>Trades Union representatives</b>                                                          | <ul style="list-style-type: none"> <li>• Provide input into the EQIA where there are implications affecting staff.</li> </ul>                                                            |
| <b>All other staff involved in service change</b>                                            | <ul style="list-style-type: none"> <li>• Provide input into the EQIA.</li> </ul>                                                                                                         |
| <b>Stakeholders eg people with protected characteristics, community members and partners</b> | <ul style="list-style-type: none"> <li>• Should be consulted appropriately as part of the EQIA process</li> </ul>                                                                        |

**Table 2: Roles and responsibilities**

## 7.0 Further Information

### Argyll and Bute Council Process

This can be viewed here:

[https://www.argyll-bute.gov.uk/sites/default/files/approved\\_eqseia\\_guidance.docx](https://www.argyll-bute.gov.uk/sites/default/files/approved_eqseia_guidance.docx)

### NHS Highland Process

This can be viewed here:

<http://intranet.nhsh.scot.nhs.uk/Staff/EqualityAndDiversity/EqualityImpactAssessment/P>



[ages/Default.aspx](#)

For further information, contact Alison McGrory in the Public Health Department:

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Tel: 01586 865890

## Appendix 1: Glossary

**Active consideration:** Relates to ‘due regard’. When making a decision, the public authority should actively think about whether there are opportunities to reduce inequalities caused by socio-economic disadvantage.

**Area deprivation:** Areas where there are concentrations of deprived households.

**Communities of interest:** refers to groups of people who share an identity or an experience. They do not need to live in the same area, however.

**Communities of place:** refers to people who are bound together because of where they live, work, visit, or otherwise spend a continuous portion of their time. This may include rural, remote and island areas.

**Due regard:** Due regard does not mean that there is an obligation to achieve a result. Public bodies are not required to reduce inequalities of outcomes as part of any decision made under the duty. There may be good reasons why it is not desirable or possible to seek to reduce inequalities in a particular case. However, the public authority should be able to demonstrate that it has considered options and why a decision has been made. Where there are no compelling reasons for not doing so, due regard would suggest that changes should be made.

**Inequalities of Outcome:** measurable differences for communities of interest or of place. Socio-economically disadvantaged households have a higher risk of experiencing negative outcomes.

**Low income:** There is no single definition or measure of low income. Some indicators suggest that low income is where individuals living in households receive below 60% of UK median income. Scottish Government’s *Children in Families With Limited Resources Across Scotland 2014-2016* defines low income as ‘household income below 70% of the Scottish median after housing cost’.

**Low wealth:** not having access to wealth (including for example, financial products, equity from housing, decent pension, accessible saving). People who have low wealth lack protection from socio-economic disadvantage.

**Material deprivation:** Inability to access basic goods and services.

**Proportionality:** How much regard is due will depend on the relevance of the decision to the scale of the socio-economic disadvantage and inequalities of outcome in relation to each strategic issue.

**Proposal:** Within this guidance and related documentation, ‘proposal’ refers to any strategic decision. This may therefore include: policies; strategies; programmes; projects; plans. Examples where an EQIA is required include:

- Preparation of the Local Development Plan
- City deals, rural deals, or other major investment plans
- Preparing legislation
- Development of new strategic frameworks
- Development of significant new policies or proposals
- Preparation of an annual budget
- Major procurement exercises

- Decisions about the shape, size and location of the estate
- Preparing a Local Outcomes Improvement Plan as part of a CPP
- Preparing locality plans
- Preparation of a Corporate Plan
- Commissioning of a service
- Redesigning a Service.

This list is not exhaustive.

**Protected characteristics:** The protected characteristics covered by the Equality Act (2010) are: age; disability; gender reassignment, marriage and civil partnership; race; religion or belief; sex; pregnancy and maternity; sexual orientation.

**Socio-economic background:** Relates to the context in which a person has been raised or in which they live. Disadvantage may arise from parents' education, employment and income (social class).

**Socio-economic disadvantage** means living on below average incomes, with little accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services. Socio-economic disadvantage can be experienced in both places and communities of interest, leading to further negative outcomes such as social exclusion.

## Appendix 2: Sample form, with annotated notes



Argyll & Bute Health & Social Care Partnership

### Argyll and Bute HSCP: Equality and Socio-Economic Impact Assessment Section 1: About the proposal

|                                                                                                                                                                          |                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <b>Title of Proposal</b>                                                                                                                                                 |                                                                                    |
| This should be a written title that has some immediate meaning to the reader.                                                                                            |                                                                                    |
| <b>Intended outcome of proposal</b>                                                                                                                                      |                                                                                    |
| Describe in a single sentence what the intended outcome of the proposal is.                                                                                              |                                                                                    |
| <b>Description of proposal</b>                                                                                                                                           |                                                                                    |
| This should be no more than one or two paragraphs that will give the reader an overview of what the proposal is about.                                                   |                                                                                    |
| <b>HSCP Strategic Priorities to which the proposal contributes</b>                                                                                                       |                                                                                    |
| Link to the HSCP Strategic Plan 2019 - 2022                                                                                                                              |                                                                                    |
| <b>Lead officer details:</b> The lead officer is the person who has been charged with carrying out the EQIA. Normally, this would be the person developing the proposal. |                                                                                    |
| Name of lead officer                                                                                                                                                     |                                                                                    |
| Job title                                                                                                                                                                |                                                                                    |
| Department                                                                                                                                                               |                                                                                    |
| <b>Appropriate officer details:</b> The appropriate officer is normally the Head of Service for the Service in which the proposal is being developed.                    |                                                                                    |
| Name of appropriate officer                                                                                                                                              |                                                                                    |
| Job title                                                                                                                                                                |                                                                                    |
| Department                                                                                                                                                               |                                                                                    |
| Sign off of EQIA                                                                                                                                                         | Signature of the appropriate officer to confirm they approve the EQIA as completed |
| Date of sign off                                                                                                                                                         |                                                                                    |
| <b>Who will deliver the proposal?</b>                                                                                                                                    |                                                                                    |
| List the partners / services / teams that will deliver the proposal.                                                                                                     |                                                                                    |

### Section 2: Evidence used in the course of carrying out EQIA

|                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Consultation / engagement</b>                                                                                                                                                                                                            |
| Consultation / Engagement (give details of individuals / groups who have been consulted and results of the consultation; when consultation took place and methods used. This section should include details of consultation with partners). |

|                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Data</b>                                                                                                                                                                                                                                                                                                                                              |
| Data sources referred to in the process of carrying out the EQIA may include those suggested in the <a href="#">Fairer Scotland Duty Interim Guidance</a> document or the <a href="#">Scottish Government Equality Evidence Finder</a> . These, and any other sources you use (including internal and external data sources) should be referred to here. |
| <b>Other information</b>                                                                                                                                                                                                                                                                                                                                 |
| Other research (data sources consulted/accessed)<br>Existing documents that have been used to inform EQIA                                                                                                                                                                                                                                                |
| <b>Gaps in evidence</b>                                                                                                                                                                                                                                                                                                                                  |
| Gaps and uncertainties. (Areas for particular attention when monitoring (see below) need to be included in monitoring and evaluation arrangements).                                                                                                                                                                                                      |

### Section 3: Impact of proposal

In this section, and based on the evidence you have identified in Section 2, you will check the boxes that best describe the impact(s) that you think your proposal will have on the groups listed.

In addition to the protected characteristics set out in the Equality Act (2010), there are nine categories that relate to the Fairer Scotland Duty. More information about these is given in the guidance.

The Islands (Scotland) Act requires that, when you consider impacts on island populations, you bear in mind that proposals may affect different island communities in significantly different ways.

#### Impact on service users:

|                                   | Negative | No impact | Positive | Don't know |
|-----------------------------------|----------|-----------|----------|------------|
| <b>Protected characteristics:</b> |          |           |          |            |
| Age                               |          |           |          |            |
| Disability                        |          |           |          |            |
| Ethnicity                         |          |           |          |            |
| Sex                               |          |           |          |            |
| Gender reassignment               |          |           |          |            |
| Marriage and Civil Partnership    |          |           |          |            |
| Pregnancy and Maternity           |          |           |          |            |
| Religion                          |          |           |          |            |
| Sexual Orientation                |          |           |          |            |
| <b>Fairer Scotland Duty:</b>      |          |           |          |            |
| Mainland rural population         |          |           |          |            |
| Island populations                |          |           |          |            |
| Low income                        |          |           |          |            |
| Low wealth                        |          |           |          |            |
| Material deprivation              |          |           |          |            |
| Area deprivation                  |          |           |          |            |
| Socio-economic background         |          |           |          |            |
| Communities of place              |          |           |          |            |
| Communities of interest           |          |           |          |            |

#### Impact on service deliverers (including employees, volunteers etc):

|                                   | Negative | No impact | Positive | Don't know |
|-----------------------------------|----------|-----------|----------|------------|
| <b>Protected characteristics:</b> |          |           |          |            |
| Age                               |          |           |          |            |
| Disability                        |          |           |          |            |
| Ethnicity                         |          |           |          |            |
| Sex                               |          |           |          |            |
| Gender reassignment               |          |           |          |            |
| Marriage and Civil Partnership    |          |           |          |            |
| Pregnancy and Maternity           |          |           |          |            |
| Religion                          |          |           |          |            |
| Sexual Orientation                |          |           |          |            |
| <b>Fairer Scotland Duty:</b>      |          |           |          |            |
| Mainland rural population         |          |           |          |            |
| Island populations                |          |           |          |            |
| Low income                        |          |           |          |            |
| Low wealth                        |          |           |          |            |
| Material deprivation              |          |           |          |            |
| Area deprivation                  |          |           |          |            |
| Socio-economic background         |          |           |          |            |
| Communities of place              |          |           |          |            |
| Communities of interest           |          |           |          |            |

**If any 'don't knows have been identified, at what point will impacts on these groups become identifiable?**

Insert information here regarding when you will be able to identify the proposal's impact(s) on those groups where impact is currently unknown.

Note that you should consider these groups in more detail when completing Section 5, relating to monitoring and review.

**How has 'due regard' been given to any negative impacts that have been identified?**

If you have identified any negative impact(s) on any of the groups listed in the tables above, you need to explain your justification for continuing with the proposal and why it cannot be amended or changed without compromising its intended outcome.

## Section 4: Interdependencies

**Is this proposal likely to have any knock-on effects for any other activities carried out by or on behalf of the council?**

Y/N

**Details of knock-on effects identified**

In addition to describing knock-on effects, you should also include information about how you have engaged with those individuals / groups responsible for delivering activities upon which the proposal will have impact. (see HSCP Engagement specification in the HSCP Communication and Engagement Framework 2018)

## Section 5: Monitoring and review

**Monitoring and review**

How will you monitor and evaluate the equality impacts of your proposal?

You should monitor your proposal as it is being delivered to ensure that the impacts are as expected. If they are not, what will you do to address the difference?

Include dates of scheduled monitoring activity relating to the EQIA.  
In your monitoring arrangements, you should pay particular attention to any impacts you can identify on groups where you have recorded 'Don't know' in Section 3.

DRAFT

## Appendix 3: Process Map for EQIA

