

Nuffield Orthopaedic Centre NHS Trust

Equality Impact Assessment Policy

1. Policy

The Nuffield Orthopaedic Centre NHS Trust is committed to delivering the very highest standards of access and care to patients from a diversity of cultures, differing age groups, and with a wide range of disabilities and needs, as well as, enabling every individual working within the Trust to maximise their potential and contribution to the organisation. The Trust strives to design and implement services, policies and measures that meet the diverse needs of our service population and workforce, ensuring that none are placed at a disadvantage over others.

This policy aims to support this commitment, by ensuring that Equality Impact Assessments are carried out on all strategies, services and policies to make sure that the Trust does not discriminate and that, where possible it promotes equality.

2. What is an Equality Impact Assessment (EIA) ?

The EIA process is a way to make sure individuals and teams think carefully about the likely impact of their work on patients, staff and the local community and take action to improve services, policies, and projects, where appropriate.

The EIA focuses on systematically assessing and recording the likely equality impact of a service, policy or project. There is a focus on assessing the impact on certain groups of people known as equality target groups. This involves anticipating the consequences of policies and projects on these groups and making sure that, as far as possible, any negative consequences are eliminated or minimised and opportunities for promoting equality are maximised.

The flowchart (appendix 1) is designed to help you to consider the needs and assess the impact of your policy, protocol, proposal or service on all groups within our local community. This flow chart is to be used in conjunction with the Equality Impact Assessment Tools – Stage 1 and Stage 2 (Appendix 2 and 3).

3. Background

3.1 Why ‘impact assess’?

Under the Race Relations Amendment (2000) and our Race Equality Scheme 2005-2008 we have a legal responsibility to assess our policies and functions, and to set out how we will monitor any possible negative impact on race equality. We also have to consult on proposed policies and train our staff about this law. We have a positive duty to promote good relationships among communities.

Although equality target groups are women, black and minority ethnic people and people with disabilities other anti-discrimination legislation covers the areas of age, religion and sexual orientation. It therefore seems appropriate to ‘impact assess’ across the whole range of human rights issues at one time when carrying out our assessment of our services and policies.

3.2 Other reasons

- It increases user/public/staff trust
- It enhances value for money
- It informs business plans
- It increases social inclusion
- It promotes understanding and sensitivity
- It has a user focus

4. Scope

The policy applies to all areas of the Trust's work.

4.1 Who is responsible for EIA?

The intention is for EIAs to become mainstreamed or part of what we do as an organisation with the final responsibility resting on the Chief Executive Officer.

The following also share this responsibility:

- The Executive
- The Trust Operational Board
- The Trust's Equality and Diversity Steering Group
- Directorate Management Teams who agree a programme of EIAs as part of the business planning process

4.2 Who should be involved when completing the EIA Screening Process?

The task team responsible for completing the screening process should be a diverse range of individuals, including frontline staff and managers where possible.

5. Guidance

5.1 What is the link between monitoring and EIA?

Equalities monitoring is the process used to collect, store, and analyse data about people's ethnic backgrounds, gender and disabilities. It is also used to highlight possible inequalities and to investigate their underlying causes.

Equalities monitoring is a crucial part of how we assess the impact of our services on different equality target groups. It gives us information about the number of people from certain groups who are using our services and are part of our workforce. It also shows the make-up of our employees and patients and it helps us to understand how different policies, services and projects affect different groups.

Without monitoring information we will only ever be able to rely on hearsay when assessing the impact of what we do. We won't know whether the actions we took or the changes we made had any influence.

5.2 When to carry out an EIA

The following policies, services and projects will require screening:

- All Strategic plans
- Policies and projects that each Directorate identify as requiring an EIA, as part of the business planning process each year. These should be policies and projects that are:
 - Policies, major services and projects that are in their initial planning stages or undergoing a revision
 - Existing policies, protocols and services

If there is any doubt as to whether a project or policy requires initial screening, managers should contact the Trust's Equality and Diversity Lead to clarify. The EIA is carried out in two parts following the EIA Flow Chart in conjunction with Stage 1 and Stage 2 assessment forms.

5.3 EIA the Screening Process

The EIA Stage 1 Screening Form is used after it has been decided that a specific policy, service or project requires an initial screening.

Once the Initial Screening Form has been completed, the project is only required to go through to completing Stage 2 Screening if:

- Any equality target group or sub-section of an equality target group would be negatively affected
- That impact is assessed as of high significance
- At the screening stage, we endeavour to assess obvious negative or positive impact, or importantly, gaps in our knowledge about likely impact.

5.3.1. Preparation

Before meeting to commence the screening process a member of the task group will need to undertake the following preparatory work:

- Review existing monitoring information and compare it to 2001 equality census categories (Census Data). This is the most effective ways of assessing whether certain groups are over or under represented. If you do not have any monitoring data this might an outcome of the initial screening process.
- Secure and summarise information available from a variety of diversity and equality related good practice guidance
- Identify any local or national consultation or research, which have already been undertaken.

A simple internet search might yield a wealth of information or the Trust's Equality and Diversity steering group may be able of offer advice.

Some questions can be difficult to answer, for example in areas where there is little or no information. In these cases, it is recommended to note the lack of data and move on to the next part of the form. The lack of data should not be a reason to halt the process or not complete the form but action should be planned to acquire that information.

Not every policy, service or project has a high impact and requires an extensive assessment. Stage 1 of the EIA will identify any inequalities that may arise.

5.3.2. Impact

What is meant by an impact?

Three possible impacts are considered as part of the assessment:

A negative or adverse impact

Where a policy disadvantages one or some of our equality target groups. This disadvantage may also be differential in the sense that where the negative impact on one particular group of individuals or one equality target group is likely to be greater than on another eg. An event that was held in a building with no induction loop facilities would have a negative or adverse impact on some attendees with a hearing impairment.

It should be noted that some negative impacts might be intended eg. services for particular groups eg. women, children.

A positive impact

Where a policy has a positive influence on an equality target group or some equality target groups, or improves equal opportunities and/or relationships between groups.

A targeted training programme for black and minority ethnic women would have a positive differential impact on black and minority ethnic women, compared with its impact on white women and all men. It would not, however, necessarily have an adverse impact on white women or men.

Positive impact should be recorded on the Stage 1 Screening Form where action has already been taken.

Neutral impact

Applies when a policy, service or project has a similar impact upon groups, whether they belong to an equality target group or not.

5.3.3 What to look out for when assessing 'impact'

- Accessible information and communication
- Cultural sensitivity
- Safety
- Physical access

- Mobility
- Use of language, visual signals and humour

All these aspects should be examined in their widest sense.

5.3.4 Completing the Assessment

EIAs are designed to be a challenging process, but they are not intended to be over-complicated or about 'getting it right'. It is not an exact science and a 'common sense' approach can be taken.

Those leading the process need to be prepared for changes to the service, policy, or project that the EIA identifies as and when necessary. It should not be a last minute check.

When carrying out an EIA, the aim should be to try to take the perspective of someone outside of the Trust, such as a potential patients.

The form does not need to be completed by one person in isolation; neither does the Stage Screening Form require completion all in one go.

Completing the form as a team with diverse membership, who can provide a different perspective, will help.

It is particularly important that managers realise they have a legal duty to assess the impact of the strategy, policy, or project on black and minority ethnic communities, and to consider the promotion of race equality. From December 2006 the Trust will have the same duty towards Disability Equality.

5.3.5 Action

If the assessment throws up any actions that need to be take, these may include:

- Training and/or awareness raising
- Further consultation or opportunities to discuss alternatives, which will widen access
- A more flexible approach, such as flexible working arrangements for carers
- Effective monitoring of users – to include ethnicity and other criteria
- A complete rethink of how services are publicised to some groups

Following the completion of the the Stage 1 Screening Form, the changes required to the policy or project, and other actions required should be outlined on the form.

6. Publishing Information

Copies of all Initial Screening Forms should be retained on file in the Governance Department. The public should be able to view completed EIA forms, if requested, and information about EIAs will be made available on the Trust's website.

7. Partnership Projects

The Trust aims to also be an exemplary organisation in relation to equalities and to champion equal opportunities across the board. The statutory requirements to assess the impact of policies and functions on race equality apply to partnerships and contractual relationships and the procurement of services.

The EIA procedures apply to all policies, services and projects where we are the lead agency in a multi-agency project or group project. On joint projects and initiatives where the Trust is not the lead organisation, the Trust representative should raise the issue of the need to carry out an EIA to comply with the requirements of the Race Relations (Amendment) Act 2000. The Trust should carry out an EIA screening before deciding to participate in the project.

8. Training and Communication

At least one person in the task team should have attended EIA Training. The training will be provided in-house at least annually. Awareness of the EIA process will be part of new managers' induction. Support and advice will be available from members of the Trust's Equality and Diversity Steering Group.

9. Appendices

Appendix 1 – The Equality Impact Assessment Process Flow Chart

Appendix 2 - The Equality Impact Assessment Stage 1 Form

Appendix 3 - The Equality Impact Assessment Stage 2 Form