

Equality, Human Rights and Fairer Scotland Duty Impact Assessment

Stage 3



Analysis of findings and recommendations

EVIDENCING COMPLIANCE WITH EQUALITY DUTY - REVIEW AND ASSESS POLICIES AND PRACTICES

Please detail a summary of the purpose of the proposal being developed or reviewed including the aims, objectives and intended outcomes

The proposal and associated recommendations will enable the Scottish Borders HSCP's Strategic Planning Group to give the Integration Joint Board assurance they are complying with the duty to review and assess policies and practices. This will be achieved by ensuring that all future reports are accompanied by a robust Equality and Human Rights Impact Assessment (E&HRIA)

They will do this by:

1. Returning reports submitted without an accompanying E&HRIA to the relevant member of the HSCP's Senior Management Team
2. Returning reports with an accompanying E&HRIA which have not been considered by the newly formed SPG's E&HR sub group back to the relevant member of the HSCP's Senior Management Team
3. Providing the IJB with confirmation that, as an SPG, they have read the accompanying E&HRIA and taken the findings into account when taking/making decisions
4. Taking future reports from the E&HR subgroup on the progress being made against the recommendations contained in the E&HRIA undertaken
5. Supporting the development, use of and audit of a public platform on which all activities relating The Regulations are published in an accessible manner

In adopting this new process, the SPG will ensure:

- Delivery of robust E&HR Impact Assessments,
- Mitigating actions to address any negative impacts are identified
- Recommendations documented in the E&HR IA are monitored and reported against
- Receipt of a quarterly report detailing progress being made in relation to the delivery of the IJB's Equality Outcomes 2023 - 2025

Equality Act 2010 – Relevant Protected Characteristics as identified in Stage 1 (remove those that do not apply)

| Protected Characteristic | Equality Duty | | What impact and or difference will the proposal have | Measures to evaluate/mitigating actions |
|---------------------------------|--|--|--|---|
| Age | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | This proposal will ensure compliance with the duty to assess and review policies and practices, as a result the impact and or difference that future reports will make to this element of the Equality Duty for this protected characteristic will be fully analysed and presented | All future measures, mitigating actions and recommendations will be documented and reported on as detailed in the recommendations of this report. |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Disability | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |

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| Gender Reassignment | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Marriage and Civil Partnership | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Pregnancy and Maternity | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Race | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |

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| Religion & Belief including non-belief | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Sex | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |
| Sexual Orientation | Eliminating discrimination, harassment, victimisation, or any other prohibited conduct | | See above | See above |
| | Advancing equality of opportunity | | See above | See above |
| | Fostering good relations by reducing prejudice and promoting understanding | | See above | See above |

Equality and Human Rights Measurement Framework Human– Reference those identified in Stage 1 (remove those that do not apply)

| Article | Enhancing or Infringing | Impact and or difference will the proposal have | Measures to evaluate/mitigating actions |
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| Education | Higher education and lifelong learning | It is anticipated that by undertaken and endorsement of robust impact assessments all future proposal will clearly identify the positive impact the recommendations are making in relation to this particular element of the measurement framework | All future measures, mitigating actions and recommendations will be documented and reported on as detailed in the recommendations of this report. |
| Work | Employment Earnings Occupational segregation Forced Labour and trafficking* | See above | See above |
| Living Standards | Poverty Housing Social Care | See above | See above |
| Health | Social Care Health outcomes Access to health care Mental health Reproductive and sexual health* Palliative and end of life care* | See above | See above |
| Justice and Personal Security | Conditions of detention Hate crime, homicides and sexual/domestic abuse Criminal civil justice Restorative justice Reintegration, resettlement and rehabilitation* | See above | See above |
| Participation | Political and civic participation and representation Access to services Privacy and surveillance Social and community cohesion* Family Life* | See above | See above |

Fairer Scotland Duty

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| Identify changes to the strategic programme/proposal/decision to be made to reduce negative impacts | The documentation, governance, monitoring and performance framework contained in this proposal will enable Scottish Borders IJB and Scottish Borders Health and Social Care Partnership to document and report on the changes made to reduce any negative impacts |
| Identify the opportunities the strategic programme/proposal/decision provides to reduce or further reduce inequalities of outcome | The documentation, governance, monitoring and performance framework contained in this proposal will enable Scottish Borders IJB and Scottish Borders Health and Social Care Partnership to document and report on the opportunities to reduce or further reduce inequality of outcome |

Are there any negative impacts with no identified mitigating actions? If yes, please detail these below:

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| Not applicable |
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Equality, Human Rights & Fairer Scotland Duty Impact Assessment Recommendations

What recommendations were identified during the HIIA process:

| Recommendation | Recommendation owned by: | Date recommendation will be implemented by | Review Date |
|--|---|--|-----------------|
| Equality and Human Rights Impact Assessment Process and Documentation | Wendy Henderson Coproducted with the E&HR Foundation Group | 12 December 2022 | 18 January 2023 |
| Approve the E&HR IA Sign Off Process | Wendy Henderson Coproducted with the E&HR Foundation Group | 12 December 2022 | 18 January 2023 |
| Establish a cross sector SBHSCP Strategic Planning Group's Equality and Human Rights Sub Group | E&HR Foundation Group | 31 January 2023 | 31 March 2023 |

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| E&HR Subgroup Terms of Reference | SBHSCP E&HR Foundation Group | 12 December 2022 | 18 January 2023 |
| Develop a Role and Remit to support E&HR Service Specialists | Wendy Henderson Coproducted with the E&HR Foundation Group | 12 December 2022 | 18 January 2023 |
| Establish a network of E&HR Service Specialists | SB HSCP's E&HR Lead Officer | Process to begin December 2022 | Progress to be reported 18 January 2023 |
| Embed an E&HRIA Quality Assurance remit into the Terms of Reference of the SPG's E&HR Subgroup | SBHSCP E&HR Foundation Group | 18 January 2023 | 31 January 2023 |
| SPG to adopt and E&HRIA scrutiny role and reject reports sent for consideration which are not supported by a robust E&HRIA | Strategic Planning Group | 12 December 2023 | 18 January 2023 |
| Explore the coproduction of an online form – one that delivers synergies with NHS Borders Health Inequality Impact Assessments and SBCs Impact Assessment processes e.g. Microsoft Forms | SBHSCP E&HR Foundation Group | 31 March 2023 | 31 March 2023 |
| SPG to take a monthly report from the Equality and Human Rights sub group with effect from Feb 2023 for a period of 6 months | SBHSCP E&HR Foundation Group | February 2023 | Ongoing |
| SPG to take a 6 monthly report with effect from December 2022 | SBHSCP E&HR Foundation Group | July 2022 | Ongoing |
| SPG to receive the Annual SBHSCP Equality and Human Rights | SBHSCP E&HR Foundation Group | December 2023 | December 2023 |

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| Report prior to being presented to the IJB | | | |
| SPG to approve the Biannual Report prior to it being presented to the IJB | SBHSCP E&HR Foundation Group | December 2024 | December 2024 |
| APG to approve the report going to the IJB in January 2023 | SBHSCP E&HR Foundation Group | December 2023 | Annually |

Monitoring Impact – Internal Verification of Outcomes

How will you monitor the impact this proposals affects different groups, including people with protected characteristics?

An online approach to documenting E&HRIA is to be explored, developed and implemented. This will include the ability to run reports by protected characteristic, the Equality and Human Rights Commission’s Equality Measurement Framework and progress against the recommendations, the mainstreaming framework and the equality outcomes.

It is anticipated that all future reporting will be delivered using the system developed and include:

- Monthly reporting to the Strategic Planning Group
- 6 monthly reporting to the Strategic Planning Group
- 6 monthly report to the Risk Committee
- Annually to the SPG
- Annually to the IJB

Procured, Tendered or Commissioned Services (SSPSED)

Is any part of this policy/service to be carried out wholly or partly by contactors and if so, how will equality, human rights including children’s rights and the Fairer Scotland duties be addressed?

No, however, the documentation and processes developed will be embedded into the Procurement Processes. This in line with requirements of the Equality Duty.

Communication Plan (SSPSED)

Please provide a summary of the communication plan which details how the information about this policy/service to young people, those with a visual or hearing sensory impairment, difficulty with reading or numbers, learning difficulties or English as a second language will be communicated.

Once the Equality and Human Rights Impact Assessment has been formally adopted by the SPG, discussions with the SBHSCP's Communications Team and the Council's Communications Team regarding the establishment of a Scottish Borders Health and Social Care Partnership's dedicated equality and human rights page. One established all documents will be uploaded into IJB webpage, in addition the plan will be available in braille, easy read version and will include the Happy to Translate logo.

Signed Off By:

Chris Myers, Chief Officer

Date 9 December 2022