

Equality Human Rights and Fairer Scotland Duty Impact Assessment

Stage 2 Empowering People - Capturing their Views



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

Equality Human Rights and Fairer Scotland Impact Assessment Team

| Role | Name | Job title | Date of IA Training |
|-------------------------|-----------------|---|----------------------------|
| E&HR Service Specialist | Wendy Henderson | Independent Sector Lead, Partners for Integration | |
| HSCP Senior Mgt Team | Chris Myers | Chief Officer, SBHSCP | |
| Responsible Officer | Wendy Henderson | Independent Sector Lead, Partners for Integration | |
| E&HR Foundation Group | Susannah Flower | Chief Nurse, SBHSCP | |
| E&HR Foundation Group | Jenny Smith | Chief Officer, Borders Care Voice | |
| E&HR Foundation Group | Linda Jackson | SB HSCP Strategic Planning Group | |
| E&HR Foundation Group | Fiona Doig | Alcohol and Drugs Partnership | |

Evidence Gathering (will also influence and support consultation/engagement/community empowerment events)

| Evidence Type | Source | What does the evidence tell you about the protected characteristics affected? |
|---|---|---|
| Data on populations in need | Equality and Human Rights Impact Assessment Audit | Unknown |
| Data on relevant protected characteristic | Equality and Human Rights Impact Assessment Audit | Unknown |
| Data on service uptake/access | Equality and Human Rights Impact Assessment Audit | The audit found that, with the exception of one member of the Senior Executive Team, non-compliance with the requirement to present an impact assessment was evidenced across services. |
| Data on socio economic disadvantage | Equality and Human Rights Impact Assessment Audit | As the majority of papers considered by the IJB did not have an accompanying or available impact assessment therefore the IJB and the Scottish Borders Health and Social Care Partnership are unable to assess whether the decisions taken have had a positive impact or negative impact on socio economic disadvantage |
| Research/literature evidence | IJB Papers April 2020 to 2022 Audit – referred to above as the Equality and Human Rights Impact Assessment Audit | As the majority of papers considered by the IJB did not have an accompanying or available impact assessment therefore the IJB and the Scottish Borders Health and Social Care Partnership are unable to assess whether the decisions taken evidence due regard to the Equality Duty |
| Existing experiences of service information | Not available | Due to the lack of a robust approach to the undertaking of impact assessments the evidence regarding impact on the protected characteristics is unknown |
| Evidence of unmet need | Not available | Due to the lack of a robust approach to the undertaking of impact assessments the evidence regarding impact on the protected characteristics is unknown |
| Good practice guidelines | Equality and Human Rights Commissions workshops | |
| Risks Identified | Non compliance with the Equality Duty – Assess and Review Policies and Practices, progress Outcomes and mainstreaming | Due to the lack of a robust approach to the undertaking of impact assessments the evidence regarding impact on the protected characteristics is unknown |

Consultation/Engagement/Community Empowerment Events

Event 1

| Date | Venue | Number of People in attendance by category* | Protected Characteristics Represented |
|-------------------|--------------------|--|--|
| 27 September 2022 | Borders Care Voice | Wendy Henderson, Partners for Integration Jenny Smith, Chief Officer, Borders Care Voice Linda Jackson, SPG and IJB member | Adults and Older People Mental Health, Learning Disability and Carers LGBTQ+ Forum |

*Attendance by category – including but not limited to: People using the service, people not using the service - currently, unpaid carers, paid carers, key stakeholders (organisation and job title)

| Views Expressed | Officer Response |
|---|---|
| Given that invitations we sent to those willing to support the SPG and the IJB evidence compliance with the Equality Duty 2010 the role and remit of this cross sector protected characteristic representative group required clarification | It was agreed that this group will be titled the Equality and Human Rights Foundation Group, this to reflect their role is setting the foundations from which to build upon |
| Scottish Borders SPG Equality and Human Rights Subgroup require a clear Terms of Reference | Draft Terms of Reference circulated to group for comment and approval before being presented to the Strategic Planning Group |
| Network of E&HR Service Specialists required to support the development of a culture where impact assessments are embedded as a mainstream activity | Proposal to be presented to Strategic Planning Group for endorsement |
| Role and Remit for E&HR Service Specialists required to ensure that there is no confusion over whose responsibility it is to undertake and present equality and human rights impact assessments | Draft Role and Remit to circulated to the group for comment and approval before being presented to the Strategic Planning Group |

Event 2

| Date | Venue | Number of People in attendance by category* | Protected Characteristics Represented |
|-----------------|-----------|---|---|
| 21 October 2022 | Via Teams | Wendy Henderson, Partners for Integration Jenny Smith, Chief Officer, Borders Care Voice Fiona Doig, Alcohol and Drugs Partnership Linda Jackson, SPG and IJB member | Adults and Older People Mental Health, Learning Disability and Carers Alcohol & Drugs Partnership: Lived Experience Forum LGBTQ+ Forum |

| Views Expressed | Officer Response |
|--|--|
| Synergies regarding the processes to be adopted by the HSCP and the NHS were highlighted | Joint meeting between WH and Scottish Borders Councils IIA Review Group arranged for Monday 14 November 2022 Joint meeting between Chief Officer IJB, Director of Public Health and WH arranged for 7 December 2022 |
| Membership of the Equality and Human Rights Subgroup was discussed, preferable to have subgroup members with linkages to a wider network, this to support the increase in the number of contacts that will be made to participate in future Equality and Human Rights Impact Assessments | Chief Officer to send invitations to join the Equality and Human Rights Subgroup Chief Officer to deliver |
| How do we build capacity and understanding to support those invited to fully participate? | Series of equality and human rights impact assessment awareness sessions to be delivered |
| Consultation events – how do we deliver efficiencies? Who do we need to work with to deliver joint/triple events with? | Discussions with NHS Communication Lead Officer and SBC Community Planning Lead to take place |

Event 3

| Date | Venue | Number of People in attendance by category* | Protected Characteristics Represented |
|------------------|--------------------|---|---|
| 18 November 2022 | Borders Care Voice | Wendy Henderson, Partners for Integration Jenny Smith, Chief Officer, Borders Care Voice Fiona Doig, Alcohol and Drugs Partnership Linda Jackson, SPG and IJB member | Adults and Older People Mental Health, Learning Disability and Carers Alcohol & Drugs Partnership: Lived Experience Forum LGBTQ+ Forum |

| Views Expressed | Officer Response |
|---|---|
| Role of the Equality and Human Rights Subgroup to include sign posting officers and support officers engage with the appropriate forum, organisation or individuals with the relevant protected characteristics and/or lived experience | E&HR Subgroup Members to be invited by Equality and Human Rights Service Specialists to support Stage 2 of Equality and Human Rights Impact Assessments |
| Role of the Equality and Human Rights Subgroup should be extended to include quality assurance role | Terms of Reference to be amended to reflect this role if endorsed by the SPG on 12 December 2022 |