



EQUALITY ANALYSIS TOOL & GUIDANCE

We need to undertake Equality Analysis because:

- ❖ Under the Public Sector Equality Duty of the Equality Act 2010 all public bodies need to carry out Equality Analysis of their existing or proposed policies, services, functions, etc.
- ❖ The Equality and Human Rights Commission recommends that public bodies draw on the experience they have gleaned through using equality impact assessments
- ❖ As an NHS Trust, we need to make sure that we are properly serving our diverse local communities and our services are accessible to all
- ❖ Equality analysis actively supports the delivery of our Equality & Inclusion Strategy and Policy and helps us meet our equality & inclusion objectives, as a service provider, procurer of services, employer & decision making body

What is Equality Analysis?

Equality analysis is a systematic way of looking at equalities information and the outcome of engagement in order to understand the effect of decisions on different protected characteristic groups; protected characteristic groups are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It covers current and proposed policies,

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services, functions etc. Equality analysis helps you to anticipate any consequences of your policies, services and functions etc. so that as far as possible any negative consequences for any “protected characteristic” group can be eliminated, minimised or counterbalanced by other measures. It also helps you to advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not and to create more targeted and outcome-focused policies and services.

Equality analysis needs to be undertaken in regard to all the protected characteristic groups, except :

- In relation to marriage and civil partnership, the analysis only applies to the elimination of discrimination

The good relations duty, which previously only applied to race, and in a slightly different way to disability, also now applies across all protected characteristic groups. In particular, public bodies must have due regard to the need to tackle prejudice and promote understanding between people who share a protected characteristic and those who do not.

When should you undertake Equality Analysis?

- ❖ During the early stages of developing your policy, service, function etc. so that it can help you become aware of any relevant information, which will enhance your policy/service development
- ❖ During a review of your policy etc – it will enable you to identify any relevant equality & inclusion issues as well as making you aware of any opportunities to promote equality & inclusion

Why else should we carry out Equality Analysis?

It helps us to:

- ❖ Consider any alternatives to address any adverse impact arising and exploit all opportunities to seek positive benefits, such as improving community relations, addressing health inequalities etc.
- ❖ Embed equality & inclusion considerations in all our policymaking and service delivery

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- ❖ Focus our services and resources more efficiently and thus improve the quality of our services, employment, decision making and engagement
- ❖ Show our stakeholders and regulators our systematic and holistic approach to equality & inclusion

What else will Equality Analysis help us to achieve?

We want to be innovative in the way we carry out equality analysis of the effects of our policies and services etc., to make them into a business tool to change health outcomes for our patients and customers for the better, improve our employment practices for our staff and become a more inclusive decision making organisation, which actively and holistically engages with all our diverse communities. Carrying out equality analysis will help us do all of this, as well as to meet our regulatory duties. It will also help us to ensure that we work within a human rights framework of equality and fairness, dignity and respect for all.

Whose responsibility is it?

Equality Analysis is an integral part of policy development. It is most effective when it is integrated into day-to-day policy making, business planning and other governance and corporate decision making. Whenever a review of a policy or service etc. is required, the manager responsible for that policy or service is responsible for carrying out the equality analysis. She/he needs to get a team of people together to do the equality analysis together and arrange in advance of this for all team members to access the training on how to carry out equality analysis. This team should include a “critical friend”, someone outside the work area (this could be a service user, staff side partner or relevant colleague from a different department). Carrying out equality analysis as a team not only will enable you to develop any ideas you have about the policy or service better, it will also allow you to have a more holistic idea of its impact, since the project team will bring together different experiences. The equality analysis should be entered into the e-tool, with each section agreed by the team. It may be that the specific policy/function/service etc. is closely connected to another one within the service; in this case, it may make sense to undertake a joint equality analysis.

What are the possible outcomes of your equality analysis?

Your assessment should show that you have reached one of three possible outcomes:

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Outcome A – Your policy/service/function is not likely to result in any adverse impact for any “protected characteristic” group and promotes equality of opportunity.

Action - You need to have the completed equality analysis approved by your Director, stored in a shared drive and sent through to the Communications Team for publication on the Trust’s website. You still need to ensure you complete the monitoring and review section in this proforma to enable you to check that any desired outcomes are delivered.

Outcome B – The equality analysis shows that your policy/service/function is not likely to result in any adverse impact for any “protected characteristic” group but equally does not promote equality of opportunity.

Action – As a member of an NHS Trust dedicated to continuously improving its services and organisational practice, you should look further to see if there is any lawful positive impact which could be delivered and discuss this with members of your project team. If there are any relevant actions which could be taken, please include them in the Action Plan, then follow the same steps as Outcome A.

Outcome C – The equality analysis shows that your policy/service/function is likely to have an adverse impact on particular “protected characteristic” groups or individuals.

Action – You need to consider whether the policy/service/function is lawful, for which you may need specialist advice and if not then how to mitigate or eliminate any adverse impact. This may involve:

- ❖ Finding another way to meet your policy or service objectives
- ❖ Adapting the policy/function/service etc. so that any adverse impact is removed
- ❖ If the equality analysis shows that some groups within “protected characteristic” groups face particular barriers or have different needs, identifying whether these can be addressed either through changing the policy/function/service or through another way

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Action planning

Any actions you have identified which need to be carried out need to be put into your action plan, showing who will be responsible for carrying them out and the timescales.

Monitoring & review

You will need to monitor your action plan to ensure the actions included have been carried out and have achieved their intended outcomes. After three years you need to revisit your equality analysis as a matter of good practice; this needs to happen sooner if there are any changes to your policy/service/function which might result in adverse impact on any of the “protected characteristic” groups.

What happens once you have completed your equality analysis?

The manager, whose service/policy/function is being equality analysed, needs to send this through to her/his Service Director for approval. The equality analysis then should be placed on the relevant section on the shared drive and simultaneously sent through to the Communications Team for publication on the Trust’s website.

Who can help if you have any queries?

The Equality Analysis e-tool has prompts and learning points to assist managers and teams with completion of the equality analysis. The Equality Analysis face-to-face training will take staff through specific areas of difficulty/importance and a range of relevant scenarios. For any further assistance, please contact the Equality & Inclusion Team.

Further information on equality analysis can be found in the Equality & Human Rights Commission Guide on Equality Analysis at:

www.equalityhumanrights.com/uploaded_files/EqualityAct/PSED/equality_analysis_guidance.pdf

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INITIAL SCREENING TOOL

Title of policy/service/function/procedure/programme/ or strategy being assessed: Whistleblowing Policy

(Please remember that even informal policies & procedures need to be equality analysed.)

Is it new **or revised**

(If revised, please attach a copy of the original Equality Analysis.)

Senior Manager Responsible Tony Crabtree

Department Workforce

Section _____

EQUALITY ANALYSIS SCREENING TEAM (Please enter below the names of the project team members who carried out this initial screening with you and their role in the screening (e.g. team colleague or critical friend).

Name	Department	Role
Lindsay Koppenhol	HR	HR Manager - Projects
Steve Sale	Workforce Directorate	Head of Operational Workforce Modernisation
Andrew Buchanan	HR	Senior HR Manager
Peter Hannell	A&E Operations	Paramedic
		Critical friend

Date of screening _____

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Please summarise below the aims and objectives of this policy/service/function etc. including any intended outcomes.

The objective of this policy is to provide guidance to staff who wish to raise a serious concern which threatens the interests of the Service or its stakeholders. The policy aims to ensure that those who make disclosures in the public interest will be protected under the terms of the Public Interest Disclosure Act 1998 and that all whistleblowers are treated fairly and consistently.

Please state below who is intended to benefit from this policy/service/function etc. and in what way.

The whistleblowing policy is designed to benefit for all staff members to raise concerns of wrongdoing relating to public interest.

Please state in the table below whether the policy/service/function etc. could have any potential impact on anyone from a “protected characteristic” group, whether service users, staff or other stakeholders

“Protected Characteristic Group”	Is there likely to be a positive or neutral impact in regard to:	If the impact is adverse, can this be justified on the grounds of promoting equality of opportunity for a “protected characteristic” group or for another reason?
Age	Neutral	
Disability	Neutral	
Gender Reassignment	Neutral	
Marriage and Civil Partnership (duty only applies to elimination of discrimination)	Neutral	
Pregnancy and	Neutral	

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Maternity		
Race	Neutral	
Religion or Belief	Neutral	
Sex	Neutral	
Sexual Orientation	Neutral	

Can the policy/service/function etc. be used to advance equality and foster good relations, including for example, participation in public life? If so, how?

No

Please provide and summarise below any relevant evidence for your declaration above, including any engagement activities – this could include for example the results of specific consultations, complaints or compliments, customer satisfaction or other surveys, service monitoring and take-up, comments from stakeholders and demographic data.

The policy is designed to apply equally to all employees, agency workers, people who are in training with the Trust, non-executive directors, volunteers and self-employed workers, irrespective of whether an individual is part of a protected characteristic group. There is currently no monitoring data available on the take-up of the whistleblowing process by any of the protected characteristic groups.

Are there any gaps in the evidence you have which make it difficult for you to determine whether there would be an adverse impact?

No **Yes**

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If yes, please state below how you intend to acquire this evidence and your timescales for doing so.

N/A

You must complete a full Equality Analysis if you have identified a positive or negative potential impact for any “protected characteristic” group, which is not legal or justifiable or if you have identified any gaps in evidence which make it difficult for you to determine whether there would be adverse impact. Please insert below any issues you have identified/recommendations for the full Equality Analysis.

N/A

If you have only identified a neutral or positive impact on any “protected characteristic” group then no further action is required, other than having your Director sign off this form, a copy stored on the shared drive and sent to Communications for publication on the Trust’s website.

Name of Director: Tony Crabtree

Signature:



Date:

13/11/13

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