



# Equality Impact Assessment Record Form 2012-16

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. The purpose is to avoid inadvertent disadvantage or discrimination resulting from decisions.

EIA is not a fixed process – it will vary according to the scale and type of activity. The form and guidance are designed to cover all eventualities. Officers should not be discouraged by the form, but should use their discretion in using it flexibly according to the activity they are assessing.

EIA does not happen at a single point in time. It is an ongoing and integral part of the development of the activity or proposal. This EIA template should be kept open and live as a planning document, and updated as the activity or proposal progresses.

## Section 1 – Service Details and Summary of EIA Activity

<b>Title of activity:</b>	Public Health Complaints, Compliments and Comments Procedure April 2013
<b>Lead Officer responsible for this EIA:</b>	Lee Downey, Complaints and Information Governance Manager
<b>Telephone:</b>	01325 388401
<b>Service Group:</b>	Resources Group
<b>Service or Team:</b>	Complaints and Information Governance Team
<b>Assistant Director accountable for this EIA</b>	Elizabeth Davison, AD Finance and HR
<b>Who else will be involved in carrying out the EIA:</b>	

### What stage has the EIA reached?

This table provides a 'cover note' of progress to be maintained as the EIA is developed over time.

Stage categories 1-3 listed below refer to the funnel model. Note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Provide details of population/individuals affected in Section 2

Stage	Date	Summary of position
<b>Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified</b>	17 June 2013	Any person who uses a service provided by us or on our behalf in relation to the discharge of our public health functions and any person in receipt of another service for which the Director of Public Health has responsibility.
<b>Stage 2: Further Assessment. Target Population likely to be affected identified</b>	7 August 2013	Any person who uses a service provided by us or on our behalf in relation to the discharge of our public health functions.
<b>Stage 3: Further Assessment. Individuals likely to be affected identified</b>	13 August 2013	Individuals who access public health services in the community, via their GP or in a pharmacy.
<b>Stage 4: Analysis of Findings</b>		
<b>Stage 5: Sign-Off</b>		
<b>Stage 6: Reporting and Action Planning</b>		

## Section 2 – The Activity and Supporting Information

<p><b>Details of the activity (including the main purpose and aims)</b></p> <p>Introduction of a new Complaints, Compliments and Comments Procedure for Public Health as required under the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 (the Regulations).</p> <p>The procedure is an adaptation of the Adult Social Care Complaints, Compliments and Comments Procedure implemented to ensure the Council considers complaints about adult social care services in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. The rationale behind this is that the new regulations are very similar to the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 under which public health complaints were considered prior to the transfer of public health to local authorities from the NHS.</p> <p>The Council has not received any complaints from people with protected characteristics regarding the accessibility of the Adult Social Care Complaints Procedure since it was implemented in April 2010.</p>
<p><b>Who will be affected by the activity?</b></p> <p><b>See the guidance on carrying out equality impact assessment within the Equality Scheme 2012-16. Provide details of the groups and numbers of people affected below, updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.</b></p>
<p><b>Whole population</b></p> <p>Individuals who access public health services in the community, via their GP or in a pharmacy. People accessing services including, but are not limited to, smoking cessation services, interventions to tackle obesity such as community lifestyle and weight management services, locally-led nutrition initiatives, addiction services, public mental health services, public dental services and behavioural and lifestyle campaigns to prevent cancer and other long term conditions.</p>
<p><b>Target population</b></p> <p>While there is no specific target population identified individuals accessing the kinds of services outlined above will undoubtedly possess one or more of the protected characteristics outlined in the Act.</p>
<p><b>Individuals</b></p> <p>The procedure is designed to identify individual needs and make provisions to accommodate those needs so that individuals are able to access the procedure.</p>
<p><b>What data, research and other evidence or information is available which is relevant to the EIA?</b></p>

The procedure was developed to meet legislative requirements in respect of public health complaints. As the procedure is an adaptation of the existing Adult Social Care Complaints, Compliments and Comments Procedure it is not anticipated that the operation of the procedure will result in an adverse impact on groups or individuals with characteristics protected in UK equality law.

This conclusion is based on this equality impact assessment and our experience of the operation of the existing Adult Social Care Complaints, Compliments and Comments Procedure which was implemented on 1 April 2010. A Disability Equality Impact Assessment and an equality impact assessment were undertaken in relation to the Adult Social Care, Complaints, Compliments and Comments Procedure in February 2010.

**Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?**

## Section 3: Officer Assessment

**Use this table to record your views on potential impact on Protected Characteristics. As the activity and the assessment develop your views may change – record them here. It is important to be searching and honest about this – many Council activities are planned to be of positive benefit to identified target groups but can often have the potential for inadvertent effects on other groups.**

Protected Characteristics	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact				Summary of Impact
<p>Please note that the following information is contained within the Public Health Complaints, Compliments and Comments Procedure in order to ensure it is accessible to individuals with one or more protected characteristics.</p> <p>We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure our complaints procedure is easily accessible we:</p> <ul style="list-style-type: none"> <li>• use plain language;</li> <li>• accept complaints over the phone or in person, in writing, by e-mail, via our website or by any other reasonable means;</li> <li>• provide information and responses in Braille, large print, audio, easy read format and other languages where needed; and</li> <li>• provide translators (including sign language translators) where needed.</li> </ul> <p>The procedure also contains information on the provision of advocacy.</p>								
<b>Age</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Race</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will ensure making representations is accessible for people whose first language is not English.
<b>Sex</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Gender Reassignment</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Disability (summary of detail on next page)</b>	P	N	NA	H	M	L	nil	<p>As the procedure is based on the Adult Social Care Procedure it is envisaged that it will ensure making representations is accessible for disabled people and for the Council to use the information provided to improve service provision to disabled people.</p> <p>Where an individual is unable to physically attend the Town Hall but would like to speak to someone in order to make a complaint the CIG Team will visit them at a convenient location.</p>

<b>Religion or belief</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Sexual Orientation</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Pregnancy or maternity</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.
<b>Marriage/ Civil Partnership</b>	P	N	NA	H	M	L	nil	No perceived positive/negative impact.

## Section 3: Officer Assessment - continued

The Council must have due regard to disabled people's impairments when making decisions about 'activities'. This list is provided only as a starting point to assist officers with the assessment process. It is important to remember that people with similar impairments may in reality experience completely different impacts. Consider the potential impacts and summarise in the Disability section on the previous page. Officers should consider how the 'activity' may affect a disabled person.

<b>Mobility Impairment</b>	P	N	NA	H	M	L	nil	Where an individual is unable to physically attend the Town Hall but would like to speak to someone in order to make a complaint the CIG Team will visit them at a convenient location.
<b>Visual impairment</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people who are visually impaired to make representations.
<b>Hearing impairment</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people who are hearing impaired to make representations.
<b>Learning Disability</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people with a learning disability to make representations.
<b>Mental Health</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people who experience mental health problems to make representations.
<b>Long Term Limiting Illness</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people who have a long term limiting illness to make representations.  Where an individual is unable to physically attend the Town Hall but would like to speak to someone in order to make a complaint the CIG Team will visit them at a convenient location.

<b>Multiple Impairments</b>	P	N	NA	H	M	L	nil	As the procedure is based on the Adult Social Care Procedure it is envisaged that it will be accessible for people who have multiple impairments to make representations.
<b>Other - Specify</b>	P	N	NA	H	M	L	nil	

### Cumulative Impacts

The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this section of the EIA.

<b>Change activities</b>	<b>Potential cumulative impacts</b>
There are no other change activities that I am aware of that would, in addition to these changes, have a cumulative impact on people with Protected Characteristics.	



## Section 4: Engagement Decision

The decision about who to engage with, and how and when to engage, is the key to effective EIA. Please see Annex 2 of the Equality Scheme for guidance on the engagement decision.

<b>Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?</b>	<b>No</b>
<b>If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.</b>	
<p>Having considered the potential impact in relation to each of the protected characteristics I do not consider it necessary to undertake further engagement activity with people who have protected characteristics, as I do not believe the changes to the manner in which complaints about public health services will be considered as a result of the Regulations will affect the accessibility of the complaints procedure for those groups/individuals.</p> <p>As previously stated this procedure is an adaptation of the current Adult Social Care Complaints, Compliments and Comments Procedure. While I appreciate past data is not entirely relevant and each activity should be assessed on its merits, previous impact assessments have ensured the Adult Social Care and the Council's other Complaints, Compliments and Comments Procedures are accessible for people with protected characteristics.</p>	

**If you have come to the conclusion that engagement is not required, seek ratification from the Corporate Equalities Group through your service Equalities Co-ordinator.**

**If engagement is not required but the officer assessment has identified changes that should be made to the activity, please complete Sections 7 and 8. If not the assessment can be signed-off at Section 9.**

**Any reports to decision-makers during the development of the activity, for example feasibility or options appraisal reports, should include content on the latest thinking and findings of the EIA even though, like the activity, further development of the EIA may be required before final reporting.**

**The findings of the officer assessment should be included in any reports to decision-makers. These may be feasibility or options appraisal reports where the activity is at an early stage of development, but it is essential that any equality findings are taken into account in formal decisions at all stages of development of the activity.**

## Section 5 – Involvement and Engagement Planning

<b>Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people? Yes</b>
Race, Disability, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments. Specific provisions are made within the procedure to ensure that information is provided in appropriate formats for individuals whose first language is not English and for those people who require information in Braille for example as a result of a visual impairment. Complaints can be submitted via a number of methods as detailed in the procedure to ensure individuals with those protected characteristics outlined above are able to make a complaint. Advocacy is also provided for individuals who require support as a result of their disability.
<b>Will the differential treatment advance equality for people with Protected Characteristics? Yes</b>
See above.
<b>Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? No</b>

**From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups and individuals likely to be affected by the activity.**

**There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.**

**The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.**

## Involvement and Engagement Plan

Which organisations, groups and individuals do you need to involve or engage and how?

Date of plan entry	Organisation, Group or Individuals	Date of event or activity	Type of activity – venue, channels, method and staffing
4 April 2013	Public Health Team	4 April 2013	Discussion around requirement of regulations, development of procedure, recording/reporting.
4 April 2013 – 11 June 2013	Lee Downey, Complaints and Information Governance Manager		Drafted procedure.
11 June 2013 – 1 July 2013	Public Health Team	11 June 2013 – 12 June 2013	Consulted on draft procedure.
17 June 2013 – 7 August	Jane Lowes, Solicitor	17 June 2013 – 7 August 2013	Advice on procedures compliance with regulations.
8 August 2013	Public Health Team	8 August 2013	Presented final draft to be approved by Cabinet.

**Engagement to identify impacts works best in face-to-face and small group settings**

## Section 6: Engagement Findings

	<b>Date/summary of engagement carried out</b>	<b>Summary of impacts identified</b>
<b>Age</b>	See page 11	No additional impacts identified through engagement activity
<b>Disability</b>	See page 11	No additional impacts identified through engagement activity
<b>Mobility Impairment</b>	See page 11	No additional impacts identified through engagement activity
<b>Visual impairment</b>	See page 11	No additional impacts identified through engagement activity
<b>Hearing impairment</b>	See page 11	No additional impacts identified through engagement activity
<b>Learning Disability</b>	See page 11	No additional impacts identified through engagement activity
<b>Mental Health</b>	See page 11	No additional impacts identified through engagement activity
<b>Long Term Limiting Illness</b>	See page 11	No additional impacts identified through engagement activity
<b>Multiple Impairments</b>	See page 11	No additional impacts identified through engagement activity
<b>Race</b>	See page 11	No additional impacts identified through engagement activity
<b>Sex</b>	See page 11	No additional impacts identified through engagement activity
<b>Gender Reassignment</b>	See page 11	No additional impacts identified through engagement activity
<b>Religion or belief</b>	See page 11	No additional impacts identified through engagement activity
<b>Sexual Orientation</b>	See page 11	No additional impacts identified through engagement activity
<b>Pregnancy or maternity</b>	See page 11	No additional impacts identified through engagement activity
<b>Marriage / Civil Partnership</b>	See page 11	No additional impacts identified through engagement activity

## Section 6: Engagement Findings – Continued

**Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.**

<b>a) How will the proposal help to eliminate discrimination, harassment and victimisation?</b>
<b>b) How will the proposal help to advance equality of opportunity?</b>
<b>c) How will the proposal help to foster good relations?</b>
<b>During the engagement process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.</b>

**This completes the assessment, but there will be further work to do to contribute to the reporting and implementation stages of the activity. First though, it is important to draw a line under the assessment to maintain a separation between assessment of impacts and any proposals to manage those impacts. The assessment should therefore be signed-off at this stage.**

## Section 7 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	
	Date:	
	Job Title:	
Assistant Director:		
Signed	Name:	
	Date:	
	Service:	

## Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics - continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact
d)	Negative impact identified - stop activity and provide an explanation why

## Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date

Performance Management	
Date of the next review of the EIA	
How often will the EIA action plan be reviewed?	
Who will carry out this review?	

