

Equality Scheme

December 2008

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INTRODUCTION

- 1 The NHS Litigation Authority is committed to equality and to ensuring that its services are accessible, appropriate and fair. To do this, the Authority recognises the need for a diverse workforce, capable of understanding and addressing the needs and culture of its customers (principally NHS trusts in England), and communicating effectively with them.
- 2 This is not a policy or procedure and is not only about employment or Human Resources (HR) issues. It is the Authority's scheme to ensure that equality and diversity are considered throughout the organisation in how it delivers its services, develops all its policies and procedures, accounts to the public and in its employment practices.
- 3 The Authority has a number of statutory general and specific public duties to promote equality. The purpose of the specific duties is to help public bodies like the Authority to meet its obligations under the general duties. The aim of the equality duties is to address the structural inequalities that some groups face.
- 4 The Race, Disability and Gender Equality Duties require public bodies such as the Authority to have due regard to the need to eliminate discrimination and to promote equality. There are many similarities in the requirements under each of these equality duties, for example, shared duties to assess and consult on the impact of proposed policies, monitoring existing policies and monitoring key employment processes. There also are a number of specific equality requirements, for example, a requirement under the race equality duty to promote good race relations; a requirement under the disability equality duty to treat disabled people preferentially if necessary in order to deliver equality; a requirement to involve disabled people in developing the Disability Equality Scheme and a requirement to promote positive attitudes towards disabled people. The Equality and Human Rights Commission is responsible for enforcing these requirements.
- 5 This Equality Scheme also sets out the Authority's commitments in respect of equality on the grounds of religion or belief, sexuality and age. Whilst there are no specific public equality duties in respect of these three strands, the planned Equality Act, which is likely to become law in 2009, is likely to extend the duty, whilst providing a clearer and simpler legal framework. The same approach is not appropriate for all six of the strands as some of the specific duties are not relevant or applicable in the same way to each. These specific requirements and how the Authority will meet them are outlined in this document.
- 6 This Equality Scheme includes the Authority's Race, Disability and Gender Equality Schemes. It is a practical tool to ensure the Authority meets the needs of its users, employees and potential employees and thereby to reduce inequalities. Whilst recognising the benefits of producing a Single

Equality Scheme the Authority is mindful of the need to ensure that the specific requirements of each separate duty are addressed.

STATUTORY FRAMEWORK

- 7 The Authority's Equality Scheme covers the public sector equality duties under the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 1995 (amended by the Disability Discrimination Act 2005), and the Equality Act 2006 (Gender Duty).

Race Relations (Amendment) Act 2000

- 8 The Race Relations (Amendment) Act 2000 requires public bodies, such as the Authority, to pay due regard to the need to:
- eliminate unlawful racial discrimination;
 - promote equality of opportunity between persons of different racial groups; and
 - promote good relations between persons of different racial groups.
- 9 The elements of the duty are complementary and therefore all three aspects need to be addressed in order to show that the duty is being complied with.
- 10 There is also a specific duty on public bodies, such as the Authority, to publish a Race Equality Scheme which sets out how we intend to meet the general duty outlined above and to review the scheme every three years.
- 11 In addition, the Act places specific duties on the Authority including:
- assessing and consulting on the likely impact of proposed policies on the promotion of race equality;
 - monitoring policies for any adverse impact on promoting race equality;
 - publishing the results of any assessments, consultations and monitoring;
 - ensuring public access to information and services provided;
 - training on the Race Equality Duty.
- 12 There is also a specific duty in relation to employment issues which requires the Authority to monitor:
- employees in post;
 - applicants for employment, training and promotion;
 - employees receiving training;
 - employees who benefit or suffer detriment as a result of performance assessments;
 - employees involved in grievance and disciplinary procedures; and
 - employees leaving the organisation.

Disability Discrimination Act 1995

- 13 The Disability Discrimination Act 1995 has been amended by the Disability Discrimination Act 2005, so that there is now a duty on all public authorities, when carrying out their functions, to have due regard to the need to:
- promote equality of opportunity between disabled persons and other persons;
 - eliminate discrimination that is unlawful under the Act;
 - eliminate harassment of disabled persons that is related to their disabilities;
 - promote positive attitudes towards disabled persons;
 - encourage participation by disabled persons in public life; and
 - take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.
- 14 There is also a specific duty on public bodies, such as the Authority, to publish a Disability Equality Scheme which sets out how we intend to meet the general duty outlined above and to review the scheme every three years. Our Disability Equality Scheme is included within this Single Equality Scheme and the following has been set out:
- a statement of the way in which disabled people have been involved in the development of the scheme;
 - methods for carrying out impact assessments;
 - the steps to be taken to fulfil the general duty;
 - arrangements for the gathering of information in relation to employment; and
 - plans for using the information that has been gathered in an effective manner, in reviewing the effectiveness of our action plan and in preparing subsequent Disability Equality Schemes.
- 15 The overarching aim of the general duty is to promote equality of opportunity for disabled people, in a society where they are often excluded and marginalised. Disabled people are often constrained in their life choices, socially and economically. They often experience poverty and social exclusion, not as the inevitable result of their disabilities, but as a result of attitudinal and environmental barriers. Where the general and specific duties are discharged, disabled people are able to participate equally in society.

Equality Act 2006

- 16 The Equality Act introduced a duty on public bodies to promote gender equality. Discrimination on the basis of a person's gender is prohibited in relation to employment and the provision of goods, facilities and services, under the Sex Discrimination Act 1975. The gender equality duty requires public bodies to actively promote gender equality as they undertake their key functions. The general Gender Equality Duty requires public authorities to have due regard to:

- eliminate unlawful discrimination with regard to obligations under the Sex Discrimination Act 1975 and the Equal Pay Act 1970 and to take steps to ensure compliance with these Acts; and to
- promote equality of opportunity between men and women and take active steps to promote gender equality when carrying out functions and activities.

17 There are also specific duties to assist public bodies to meet their obligations under the general duty:

- Publishing gender equality schemes, including equal pay policies, in consultation with employees and stakeholders
- Monitoring progress and publishing progress reports every three years
- Conducting and publishing gender impact assessments on major new legislation and policy

18 The Authority's gender equality scheme is part of this Equality Scheme.

Equality in Employment Regulations (Religion or Belief) 2003

19 These Regulations make it unlawful on the grounds of religion or belief to discriminate directly or indirectly against anyone; subject someone to harassment, victimise someone because they have made or intend to make a complaint or allegation or intend to give evidence to a complaint of discrimination on the above grounds or to discriminate or harass someone in certain circumstances after the working relationship has ended.

20 It is unlawful for a public authority involved in providing goods, facilities or services to discriminate on grounds of religion or belief by:

- refusing to provide a person with goods, facilities or services if they would normally do so to the public, or a section of the public to which the person belongs; and
- providing goods, facilities or services of an inferior quality rather than those which would normally be provided, or in a less favourable manner (for example, hostile or less courteous) or on less favourable terms than would normally be the case.

Equality in Employment Regulations (Sexual Orientation) 2003

21 These Regulations make it unlawful on the grounds of sexuality to discriminate directly or indirectly against anyone; subject someone to harassment, victimise someone because they have made or intend to make a complaint or allegation or intend to give evidence to a complaint of discrimination on the above grounds or to discriminate or harass someone in certain circumstances after the working relationship has ended.

22 It is unlawful for a public authority involved in providing goods, facilities or services to discriminate on grounds of sexual orientation by:

- refusing to provide a person with goods, facilities or services if they would normally do so to the public, or a section of the public to which the person belongs; and
- providing goods, facilities or services of an inferior quality rather than those which would normally be provided, or in a less favourable manner (for example, hostile or less courteous) or on less favourable terms than would normally be the case.

Age Equality Regulations 2006

- 23 The Employment Equality (Age) Regulations make it unlawful to discriminate against workers, employees, job seekers and trainees because of their age. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training.

Gender Recognition Act 2004

- 24 The Gender Recognition Act 2004 (GRA 2004) provides for the legal recognition of the transsexual person in their acquired gender and their opportunity to acquire a new birth certificate for their new gender. This is called a Gender Recognition Certificate (GRC) and this will replace the originating birth certificate in all official documentation.
- 25 This also creates an offence of unauthorised disclosure in Clause 22 of the Act. It is now an offence for a person to disclose information acquired in an official capacity about the gender history of the holder of a Gender Recognition Certificate (GRC) as this is protected information. The holder of a GRC is not obliged to inform their employer that they have one, but if they choose to do so this information on their gender history must be clearly established as protected information.
- 26 It is not possible to hold a GRC until two years post transition and even then valid reasons exist for some transsexual people not to apply for legal recognition in their acquired gender. They may be married, for example and not intending to divorce. Nonetheless, in respect of either situation, it is good practice and in keeping with the letter of the law to regard all those who have transitioned gender identity as if a GRC is held, from the point of social (or presenting) gender change onwards.

Human Rights Act

- 27 The Human Rights Act protects the right of individuals to enjoy the freedoms outlined under the Act, which include the rights to life, liberty, freedom of expression, a private life and freedom of thought, conscience and religion, without discrimination on any ground such as sex, race, colour, language, religion and political or other opinion. It covers both employment and service delivery.

LOCAL POPULATION

- 28 The Authority serves the NHS in England. The majority of its 140 or so employees are based at offices in London, with others at Harrogate in North Yorkshire and at home.

AUTHORITY'S COMMITMENT

- 29 The Authority is striving to build a diverse workforce reflective of the community it serves and is committed to eliminating discrimination and promoting equality for employees, job applicants and service users. It will ensure that all staff and officers are made aware of the statutory duties and commitment of the organisation under the Act, and are fully involved in the implementation of the Scheme.
- 30 This commitment is underlined by the *Concordat between bodies inspecting, regulating and auditing healthcare*, which the Authority signed in June 2004. This requires inspecting bodies to have proper regard for issues of equality and diversity, including the needs and interests of people with disabilities and black and minority ethnic communities. Inspections demonstrate cultural relevance (practice 2.3). More details are available at www.concordat.org.uk.

ORGANISATIONAL FRAMEWORK

- 31 The Authority's Board will take the lead in delivering the Equality Scheme. It will receive and consider regular summary reports on equality issues on a regular basis. The Board will receive reports on compliance with statutory duties and a review of progress in implementing the arrangements specified in the Equality Scheme.
- 32 The Chief Executive has overall responsibility for equality in the Authority but the lead will be taken jointly by the senior management team with support provided by senior managers within their teams.
- 33 The lead manager and contact for queries on the Equality Scheme is:

David Bell
Director of Human Resources
NHS Litigation Authority
Napier House
24 High Holborn
London WC1V 6AZ
E-mail: equality.scheme@nhsla.com

ASSESSING RELEVANCE OF FUNCTIONS AND POLICIES

- 34 The Authority is required to ensure that all relevant activity of the Authority is scrutinised for any real or potential adverse impact on equality. All functions of the Authority are listed in Appendix I together with an assessment of their

relevance under the legislation and a timetable for assessment of impact on equality.

- 35 Priorities and targets will be reviewed each year to evaluate progress and set new priorities and ensure all functions are covered over a period of not more than three years. A full review of functions will be conducted in a similar manner every three years.
- 36 Existing written policies and protocols will be scrutinised by the relevant managers to ensure they do not inadvertently discriminate against or have adverse impact on any group and this review will be recorded in the policy document.
- 37 During the period of the previous Equality Scheme a wide range of functions and policies was assessed, including all employment policies.

ASSESSING ANY ADVERSE IMPACT ON EQUALITY

- 38 To ensure that equality is considered as part of the mainstream planning, employment and service delivery activities of the Authority, all service areas will be required to:
- carry out a local assessment of their functions for relevance
 - assess whether there is any adverse impact of policies or practices on any groups of the population
 - where an adverse impact is identified, investigate the causes and propose remedial action
 - draw up priorities and targets and
 - monitor progress and review their plan on an annual basis
- 39 A similar process will be conducted at corporate level bearing in mind, where relevant, the following:
- Consultation with groups who may be affected
 - Relevant past data
 - Relevant research findings
 - Population data
 - Comparisons with similar policies in other authorities
 - Survey results
 - Ethnic group data relating to service users
 - One-off data gathering exercises
 - Specially commissioned research
- 40 Where potential negative impact on equality is identified in policies or protocols this will be reported to the Board of the Authority together with recommendations for any changes required. Further guidance and a form for recording Equality Impact Assessments are available in appendix IV. This process has been in operation effectively for two years.

- 41 There are many written procedures and protocols that govern how services are delivered. In order to help identify those that are relevant to equality, staff, the public and other stakeholders are invited to report any concerns to the director concerned for their delivery or the Director of Human Resources so that issues can be addressed and any adverse impact remedied.

PROMOTING GOOD RACE RELATIONS

- 42 The Authority will promote good race relations in its service provision and employment practices. Policies and practices will be reviewed in consultation as appropriate to ensure that this obligation is met across all areas of organisation. Reports on the operation and effectiveness of the Race Equality elements of this Scheme and its action plan will be included in regular reports to employee groups and the Board.

EMPLOYMENT

- 43 This Equality Scheme is also required to set out action to meet the specific employment duties to monitor by group the numbers of

- Staff in post
- Applicants for employment and those who are offered posts
- Applicants for training and those who receive training
- Staff who are promoted
- Performance assessments
- Staff involved in formal employment procedures
- Staff who leave the Authority
- Publish the results of this monitoring annually

- 44 The action plan in appendix III outlines how the results of monitoring will be used to check whether the Authority's recruitment, promotion, training and other human resources policies and procedures (e.g. disciplinary and grievance) are adversely impacting on a particular group or groups, and how such adverse impact, if identified, will be addressed.

- 45 Equal opportunity employment practices across recruitment, selection, training and promotion are vital to ensure we have a workforce reflective of the population we serve and to help the Authority deliver culturally sensitive services.

TRAINING

- 46 The Authority has a programme of diversity training for all its employees and members of the Board to ensure, amongst other issues, that everyone involved in the delivery of the organisation's services is aware of the content and implications of the Equality Scheme and that they understand their role in its implementation. It will be particularly important to ensure that the members of the Board understand their responsibilities and that managers

have the necessary understanding and skills to screen policies, undertake impact assessments and consult on these issues.

- 47 The Authority will evaluate the effectiveness of staff training and the raising of awareness on the Equality Scheme along with other equality issues and continue to provide it as required. Managers involved in impact assessments have been trained.
- 48 The Agenda for Change Knowledge and Skills Framework on which every employee is assessed on an annual basis includes a level of knowledge and commitment to equality and diversity appropriate to the post, which is reflected in individual personal development plans. This provides a key mechanism for maintaining a high profile for equality and diversity issues in the organisation and in keeping them in the mainstream of the Authority's service delivery and employment practice.

CONSULTATION

- 49 This document has been subject to direct consultation with all employees and their representatives and on the public website during its development. Employee representatives are routinely consulted on policies affecting their working lives to promote and develop equality. The Authority is reviewing its arrangements for consultation with other stake holders.

PUBLICATION OF THE SCHEME

- 50 To ensure transparency and public accountability the scheme will be published, via the Authority's website, www.nhsla.com.

MONITORING AND PUBLICATION OF RESULTS OF MONITORING

- 51 The Authority will improve its mechanisms for review and audit its own performance in relation to these standards and other targets and priorities. The Chief Executive will be accountable to the Board for progress.
- 52 Informal channels for receiving feedback from staff, other NHS organisations and the public will complement formal mechanisms, such as the regular client satisfaction survey. Employees will be made aware of their responsibilities to ensure the Authority complies with the law. They will be invited to report any concerns to the lead manager for the Equality Scheme, the Director of HR.
- 53 Progress against agreed targets and priorities is reported to the Board and discussed with employee representatives.

PUBLIC ACCESS TO INFORMATION AND SERVICES

Information about our organisation

- 54 The Authority will continue to be pro-active in communicating with employees

and interested external parties about the Authority and new developments and review the effectiveness of the format of this information.

Access to services

55 The Authority will continue to review and improve the accessibility and sensitivity of its services.

Gathering and monitoring information

56 The Authority will continue to take a pro-active approach to improving collection of data for monitoring purposes.

57 Strategies may include:

- Training for groups of staff responsible for collection of data
- Resources explaining the purpose of data collection and stressing confidentiality
- Use of the data to note any variations between different groups that might need addressing

58 In 2008 an exercise to gather information on the profile of employees was undertaken to ensure that data on ethnic origin and disabilities are up-to-date and extended to cover religion or belief and sexual orientation. The Authority will continue to review data collection on service users.

Employee information

59 Data showing the breakdown of the Authority's workforce in 2008 are published in appendix II.

GOOD CORPORATE CITIZEN

60 The Authority's Good Corporate Citizen action plan, which sets out our sustainable development agenda, is underpinned by the principles of equality and community involvement.

SUB-CONTRACTORS

61 The Authority has an obligation to ensure that the principles of equality and diversity, including the public duties on race, gender and disability equality, are applied by current and future sub-contractors carrying out its functions and will integrate the required duties in the procurement processes and performance management standards for delivering the service.

COMPLAINTS

62 If anyone believes the Authority is failing to comply with its Equality Scheme or its public duties in relation to equality please let us know by contacting:

David Bell
Director of Human Resources
NHS Litigation Authority
Napier House
24 High Holborn
London WC1V 6AZ
E-mail: equality.scheme@nhs.uk

REVIEW OF THE EQUALITY SCHEME

- 63 A formal review of the Equality Scheme will be carried out before 30 November 2010, in consultation with interested parties. We will evaluate its effectiveness in meeting our statutory duties and make any amendments necessary to ensure continuous improvement.

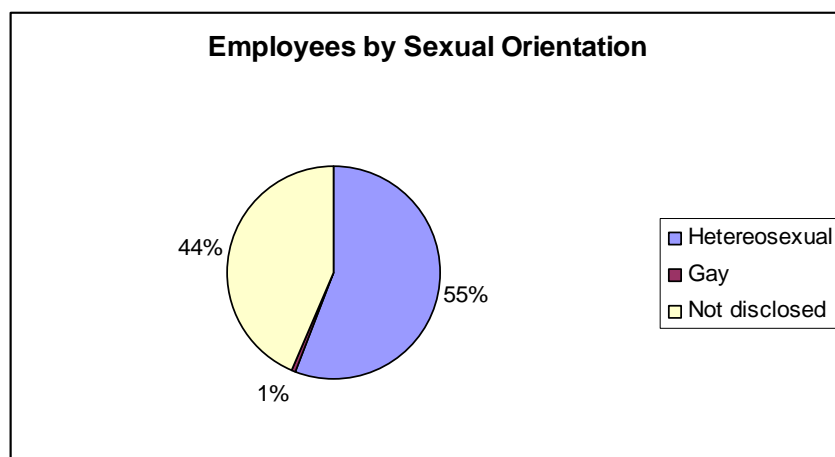
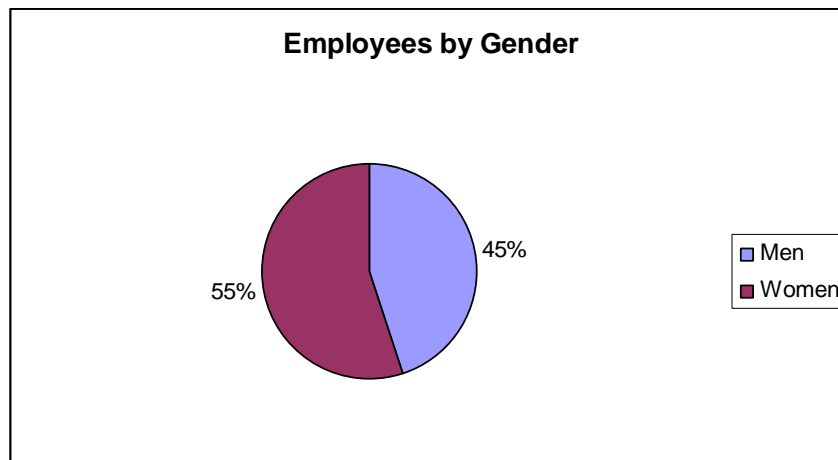
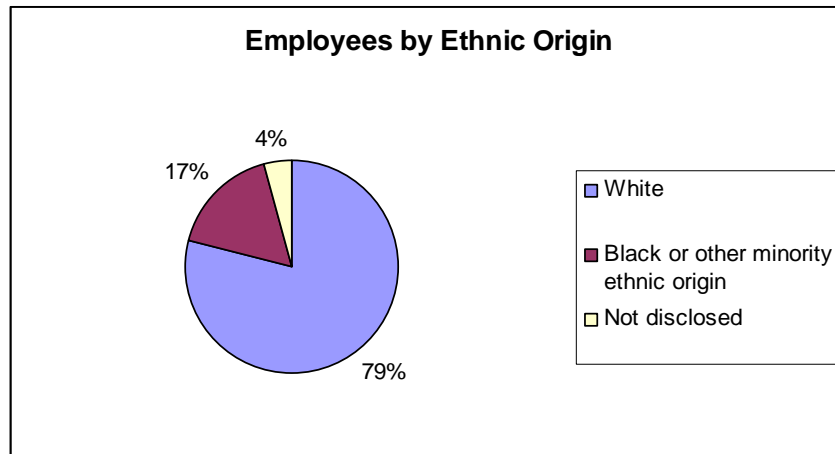
ASSESSMENT OF FUNCTIONS

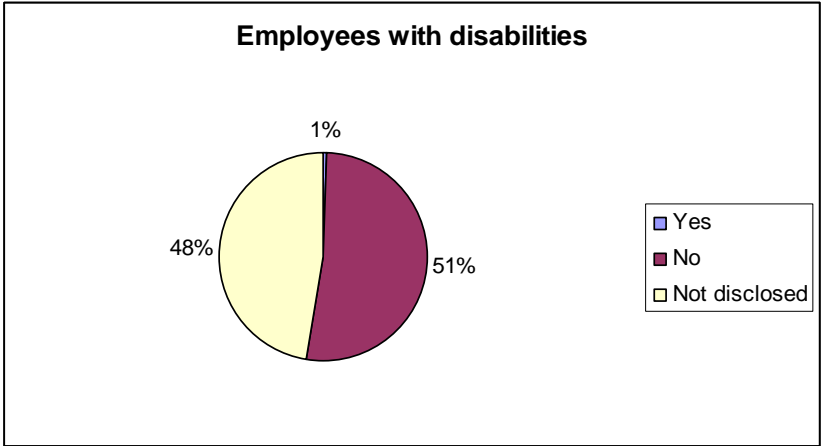
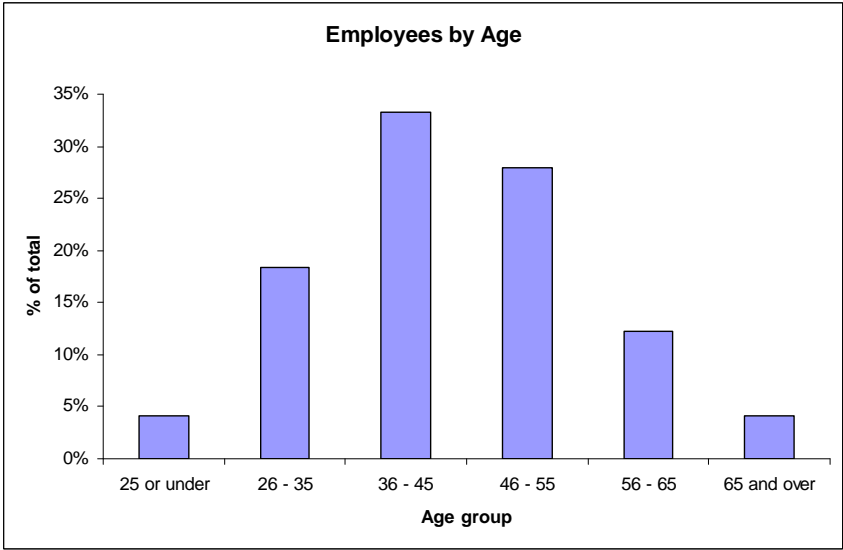
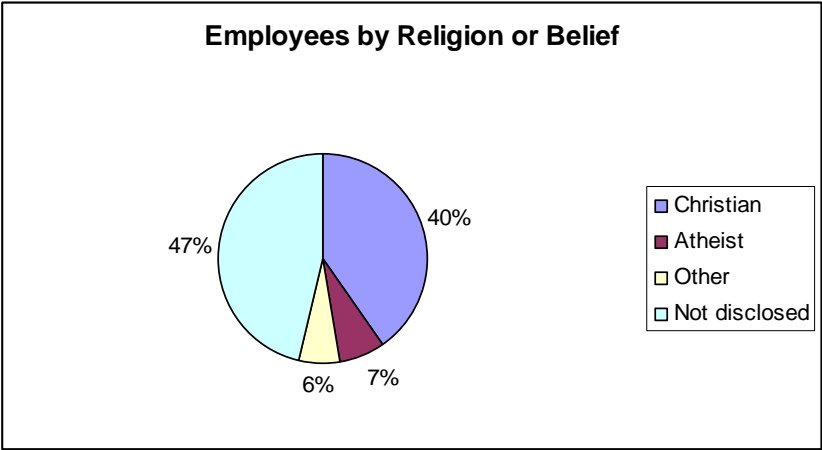
FUNCTION	HOW THE FUNCTION IS RELEVANT	IMPACT ASSESSMENT IN YEAR
Executive	<ul style="list-style-type: none"> • Corporate Governance, standing orders adopted by Board, organisational management • Internal and external communications • Overseeing policy development & management • Other areas not covered elsewhere 	2
Finance & IT	<ul style="list-style-type: none"> • Allocating resources & setting budgets • Buying goods & services • IT • Policies 	1
Governance	<ul style="list-style-type: none"> • Audit • Complaints 	2
Planning & Review of Services	<ul style="list-style-type: none"> • Annual negotiations with DoH re level & type of services, cost pressures, service developments & associated levels of funding • Drawing up priorities in these areas & planning for changes in service requirements or to meet new policy initiatives 	2
Employment	<ul style="list-style-type: none"> • All arrangements relating to staff, including policies 	2
Clinical and employer's and public liability claims	<ul style="list-style-type: none"> • Interaction with claimant representatives & claimants in person • Liaison with members of schemes • Liaison & management of panel solicitors 	2
Risk Management	<ul style="list-style-type: none"> • Liaison with members of schemes • Liaison & management of risk assessors 	2
	<ul style="list-style-type: none"> • Internal policies and procedures 	1
Provision of Information	<ul style="list-style-type: none"> • Clarity of language & presentation 	2
Family Health Services Appeals	<ul style="list-style-type: none"> • Interaction with appellants and representatives • Liaison with trusts • Provision of information and reporting on services 	1

Year 1 – before 30 November 2009; year 2 1 December 2009 to 30 November 2010

Employment profile 2008

The Authority serves the whole of England, which the 2001 census indicated as having a white population of 90.9%; London's population was 71.15% white and Harrogate, where about 9% of the Authority's work force is based had a white population of 98.4%. These profile data are based on an invitation to all employees to provide this information in 2007 and when newly appointed and are held on ESR (the NHS Electronic Staff Record).





EQUALITY ACTION PLAN 2009- 2010

EQUALITY DUTY	AUTHORITY OBJECTIVE	TASKS	TARGET DATE	OFFICER	COMMENTS
1. Monitor staff in post	Building a workforce reflective of the local community	Information now collated sexual orientation and religious or other belief in addition to disability and ethnic origin	Achieved	Director of HR	Updated in 2008 across all employees
		Equal pay audit on basis of sex and ethnic origin by pay band	Annually	Director of HR	Used in successful defence of equal pay claims
		Ensure staff are asked to complete monitoring form when joining the Authority	Ongoing	Executive PA	
		Compile statistical analysis of data	Ongoing	Director of HR	Appendix II contains data for 2008
		Continue to analyse data to assess/identify any patterns of inequality or adverse impact and report to the Board and JNC	Ongoing	Director of HR	

EQUALITY DUTY	AUTHORITY OBJECTIVE	TASKS	TARGET DATE	OFFICER	COMMENTS
2. Monitor applicants for employment and those who are offered posts	Eliminate discrimination, reduce any adverse impact in recruitment and take action as appropriate	Details reported and analysed for Board and JNC	Annually	Director of HR	Increased proportion of applicants from BME background identified. No action identified as required.
3. Monitor applicants for training and those who receive training	Eliminate discrimination, reduce any adverse impact in the provision of training	Develop process to monitor participation and report	Dec 09	Director of HR	ESR has proved difficult to use for these purposes and so there has been no reporting in this area
4. Monitor employees promoted	Eliminate discrimination and reduce any adverse impact in promotion	Data reported and analysed for all recruitment decisions	Annually	Director of HR	Data collected by using NHS jobs for all new external and internal appointments on a collective basis because of the small number of episodes involved.
		Explore sponsoring, mentoring, acting up schemes to develop management capability among under represented groups	Ongoing	Director of HR	Mentoring arrangements already in place for some employees. Breaking Through programme for BME managers publicised.

EQUALITY DUTY	AUTHORITY OBJECTIVE	TASKS	TARGET DATE	OFFICER	COMMENTS
5. Monitor employees involved in formal procedures	Reduce any adverse impact in these areas	Analyse the data to assess/identify any patterns of inequality or adverse impact and report to Board and JNC	Annually	Director of HR	Data analysed and presented to the Board and JNC annually; small numbers of cases and no pattern identified
6. Monitor employees leaving the Authority	Eliminate discrimination and reduce any adverse impact in employment practices	Analyse the data to assess/identify any patterns of inequality or adverse impact and report to Board and JNC	Annually	Director of HR	Data reported in 2008; no pattern identified.
		Continue to use exit interviews	Ongoing	Director of HR	Exit interviews offered to employees who resign
7. Eliminating discrimination and promoting equality	Improve awareness of equality and diversity issues in employment and service provision	Equalities and diversity training programme for managers and employees	Ongoing	Director of HR	All employees participate in equality and diversity training as part of induction; regular updates for managers; programme planned for managers; equality is an issue for every employee in KSF reviews Managers trained in impact assessment issues by a partner from Capsticks solicitors.
	Improve access for disabled people	Engage with disabled people to address any disparities in service provision and identify resources required	December 2010	Chief Executive	Plans to improve external stake holder involvement

EQUALITY DUTY	AUTHORITY OBJECTIVE	TASKS	TARGET DATE	OFFICER	COMMENTS
		Engage with disabled people to address disparities in employment and identify resources required	Ongoing	Director of HR	Consultation with JNC; review of individual cases; improvements to access made with specialist software
	Improve access to information and services	Review access arrangements to information and services, including physical access to premises	Ongoing	Director of HR/Head of IT	Software for reading internet site and for employees being considered.
	Review client satisfaction survey	Ensure survey covers all interested parties and action taken to address issues raised	Dec 2010	Chief Executive	No issues raised in latest survey
	Improve access to employment, promotion and development for disabled people	Retain Job Centre two-ticks symbol "positive about disabled people"	Ongoing	HR Director	Achieved in 2006
8. Publish results of monitoring	Improve public accountability and participation	Reports to Authority Board and JNC; Authority website & intranet; Authority Annual Report equality and diversity statement	Ongoing	HR Director	Regular reporting underway

CONDUCTING IMPACT ASSESSMENTS

An Equality Impact Assessment (EIA) is a way of systematically and thoroughly assessing the effects that a function or policy (actual or proposed) is likely to have on a groups of individuals in respect of differences in their race, disability, gender, religion or belief, sexuality and age.

For the Authority the main purpose of conducting an EIA is to pre-empt the possibility that any of our functions or policies could affect some groups unfavourably and to consider alternative ways of achieving the same ends that either cause no or less adverse impacts.

Undertaking impact assessments

The Authority undertakes equality impact assessments of functions or policies by following two steps:

1 Screening

The policy, function or procedure will be screened by the manager responsible for managing or drafting it to see whether it has an equality dimension or whether it is applicable to the Authority's duty to promote equality. This process will be recorded in a policy document in a separate section headed "Equality Impact Assessment". If no detriment is identified, it will be recorded with the following wording:

Equality Impact Assessment

As part of its development, this policy and its impact on equality have been reviewed in consultation with trade union and other employee representatives in line with the Authority's Equality Scheme and Equal Opportunities Policy and no detriment was identified. The purpose of the assessment is to minimise and if possible remove any disproportionate impact on employees on the grounds of race, sex, disability, age, sexual orientation or religion or other belief. No detriment was identified.

2 Full Impact Assessment

Once it has been determined that a new policy is relevant to the duty to promote equality, a full impact assessment will be conducted to assess whether the policy is likely to have any adverse effects on the grounds of race, sex, disability, age, sexual orientation or religious or other belief. This will require the links between the six equality strands to be considered individually, especially when assessing the impact of functions and policies on different groups.

As part of the full impact assessment the manager(s) responsible for the policy or function should follow these nine steps:

- 1 Consider the specific aims and objectives of the function or policy - what is it trying to achieve? What are the desired outcomes or success measures? Who is intended to benefit? Who are the main stakeholders? How does it fit with the Authority's objectives?
- 2 Consider and assess all the evidence for discrimination, promotion of equality or good relations, using the available evidence – are there any data available? Could we collect other data?
- 3 Analyse the function or policy – how effective is the policy in promoting and improving equality and eliminating discrimination? Consider the six strands individually and as a whole to address equality issues across the service
- 4 Assess the likely impact of the function or policy - does the available evidence indicate any adverse impact? If so, is it justifiable or unjustifiable?
- 5 Consider any alternatives where unjustifiable adverse impacts have been identified – how could the same objective be achieved differently?
- 6 Consult with appropriate stakeholders on the proposed policy
- 7 Make a decision – summarise the findings and the reasons for the decision and develop an action plan to implement any changes necessary
- 8 Report and publish the results; the form below, which is intended to be completed electronically, provides a means for reporting and publishing
- 9 Make arrangements to monitor and review the impact, including a further Equality Impact Assessment

Further guidance is available from NHS Employers and the Equality and Human Rights Commission.

Consultation as part of impact assessments

The Authority is committed to consultation with employees and their representatives, in particular with the Joint Negotiating Committee. Regular staff surveys and client satisfaction surveys are also conducted.

The Authority does not routinely consult or monitor claimants in its clinical negligence or employer's and public liability schemes or their representatives nor advertise its services, as they are provided solely to member organisations, which are primarily NHS trusts.

As a public body, the Authority is committed to publishing details of its performance across a wide range of criteria, which will allow our stakeholders, principally the Department of Health and NHS trusts, to monitor our performance. The Authority will ensure that this information will be made available in a range of accessible formats on request.

Full Equality Impact Assessment

Function or policy to be assessed	
Manager responsible for function/policy	
Full impact assessment conducted by	
Date of completed impact assessment	
1 Aims and objectives of policy or function	
2 Sources of data	
3 Analysis of function or policy	
4 Assessment of impact on equality	
5 Consideration of alternatives	
6 Consultation	
7 Decision and reasons for decision	
8 Publication of results	
9 Monitoring and review	