



GUIDANCE & TEMPLATE FOR CARRYING OUT EQUALITY ANALYSIS (EA)

EQUALITY ANALYSIS (EA)

In order to meet the requirements of this duty the Trust will use the equality analysis which has been developed to be compliant with the Equality Act 2010. An equality analysis is most effective when used at the primary stages of planning and is expected to be used for a range of activities:



EQUALITY ANALYSIS (EA)

1. Equality Act 2010

The Government has stated its intention to make sure that equality and fairness are at the centre of its overall approach and the Equality Act is a key means of achieving this.

Equality legislation has developed over several decades in response to the lack of equity experienced by individuals and groups in society. The Equality Act has strengthened and harmonised the law which now covers a range of 9 protected characteristics:

1. Disability
2. Sex (man or woman)
3. Race
4. Age
5. Gender Reassignment
6. Sexual Orientation
7. Religion and/or belief
8. Marriage
9. Pregnancy and maternity

Everyone identifies with one or more of these characteristics so it is important to think across the spectrum of potential positive advantage and negative disadvantage when assessing the impact on the decision-making process when using the equality analysis.

We must make sure that all our policies, strategies, functions and activities give due regard to Section 149 of the Equality Act 2010. The Public Sector Equality Duties (PSED) has 3 aims and we must have due regard to:

1. Eliminate discrimination, harassment and victimisation
2. Advance equality of opportunity
3. Foster good relations

2. Legal Requirements of the Equality Analysis

Under the Equality Act the Trust has an obligation to:

- Evidence the analysis that has been undertaken to establish whether our policies and practices have (or would) further the aims of the general equality duty.
- Provide details of information that we have considered when carrying out an analysis.
- Provide details of engagement (consultation/involvement) that we have undertaken with people whom we consider would have an interest in furthering the aims of the general equality duty.

In order to meet the requirements of this duty the Trust should use the equality analysis template to evidence its considerations.

An equality analysis is most effective when used at the primary stages of planning and is expected to be used for the following activities:

- Organisational change
- Considering any new or changing activity
- Developing or changing service delivery
- Procuring services
- Developing projects
- Developing a policy / procedure / guidance or changing or updating existing ones

It is used to assess whether there may be any barriers or difficulties, harassment or exclusion, or in fact any positive impact such as promotion of equality of opportunity, developing good community relationships, encouraging participation and involvement by patients, carers, relatives, staff, the general public and key stakeholders.

3. Our Trusts Values & Behaviours

When completing an equality analysis also consider whether the Trusts values & behaviours are addressed. Our values & behaviours are as follows:

Patient Centred and Safe: This centres on patient safety, team work and continuous improvement.

Professional: This focuses on being open and honest, efficient and acting as a good role model.

Responsive: The expectation here is that staff will be action orientated, with a "can do" attitude and that they innovate, take personal responsibility and listen and learn.

Friendly: We would expect staff to be welcoming, treat people with respect and dignity and value others as individuals.

4. Process for Approving Equality Analysis

All equality analysis should be sent to the line manager as soon as they have been completed for sign off, with a copy sent to the Equality and Diversity Department.

Some equality analysis will be available on the trust intranet and website, and some maybe subject to audit by external organisations such as the Equality and Human Rights Commission and it is therefore important that the documents are of a high quality and accurately reflect the time and effort which staff devote to ensuring that trust services, activities and policies or procedures are progressive, seek to remove barriers and promote equality and diversity.

Please note that due to data protection and in accordance to guidance issued by the EHRC, the Trust operates an exclusion on disclosure of numbers below 9. This protects anonymity for the protected groups involved in data collection.

5. Who Should Complete an Equality Analysis?

The equality analysis should be completed by staff who have undertaken the MLE online equality analysis training which will equip staff with the tools needed to complete the equality analysis template.

6. Further Advice and Support

If you would like further advice or support to complete the equality analysis template please contact the Head of Equality and Diversity, Pamela Permalloo-Bass email: pamela.permalloo-bass@salisbury.nhs.uk

Equality Analysis (EA's) Template

1. Title of policy, programme, framework or organisational change being analysed.

Additional Duty Payments – Senior Medical Staff

2. Please state the aims and objectives of this work and the intended equality outcomes. How does this proposal link to the organisation's business plan or trust values?

The purpose of this policy is to clarify the Trust's position on the remuneration of the senior medical workforce for carrying out additional clinical duties which are over and above contract. This includes Waiting List Initiative (WLI) activity.

3. Who is likely to be affected? Eg: staff, patients, service users.

Staff and Patients

4. Using the 'Equality Definitions' template - What evidence do you have of the potential impact (positive or negative)? Include any supporting evidence eg: research, data or feedback from engagement activities.

4.1 Disability

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.2 Sex (male or female)

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.3 Race

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.4 Age

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.5 Gender Reassignment

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.6 Sexual Orientation (this will include lesbian, gay and bisexual as well as heterosexual people)

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.7 Religion and/or Belief (includes religion, belief and/or no religion or belief)

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.8 Marriage

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

4.9 Pregnancy and Maternity

Positive Impact – the policy does not discriminate and applies to all protected characteristics under the Equality Act 2010

5.0 This table should be completed with all actions identified to mitigate any negative effects

Action Plan

Person Responsible

Target Date

Review Date

None applicable

6.0 Sign off

Name and signature of person who carried out this analysis: Gary Watson

Date analysis completed: 25/7/18

Name and signature of line manager: Glennis Toms

Date analysis approved by line manager:

Copy forwarded to Equality and Diversity Department: Yes

Additional Guidance - Equality Definitions

The Equality Act 2010 identifies a number of groups or 'characteristics' protected against discrimination.

Protected Characteristic	Who to consider	Issues to consider
1. Disability	A person has a disability if they have a physical or mental impairment which has a substantial and long term effect on that person's ability to carry out normal day today activities. Includes mobility, sight, speech and language, mental health, HIV, multiple sclerosis, cancer.	Accessibility Communication formats (visual & auditory) Reasonable adjustments. Vulnerable to harassment and hate crime.
2. Sex	A man or woman	Caring responsibilities Domestic Violence Equal pay Under (over) representation
3. Race	Refers to an individual or group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	Communication Language Cultural traditions Customs Harassment and hate crime "Romany Gypsies and Irish Travellers", are protected from discrimination under the 'Race' protected characteristic
4. Age	Refers to a person belonging to a particular age range of ages (eg, 18-30 year olds)	Assumptions based on the age range

	Equality Act legislation defines age as 18 years and above.	Capabilities & experience Access to services including technology skills/knowledge
5. Gender Reassignment	" The expression of gender characteristics that are not stereotypically associated with ones sex at birth" World Professional Association Transgender Health 2011	Tran's people should be accommodated according to their presentation, the way they dress, the name or pronouns that they currently use.
6. Sexual Orientation	Whether a person's attraction is towards their own sex, the opposite sex or both sexes.	Lifestyle Family Partners Vulnerable to harassment and hate crime
7. Religion and/or belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs, including lack of belief (e.g Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition. (Excludes political beliefs)	Disrespect and lack of awareness Religious significance dates/events Space for worship or reflection
8. Marriage	Marriage has the same effect in relation to same sex couples as it has in relation to opposite sex couples under English law.	Pensions Childcare Flexible working Adoption leave
9. Pregnancy and Maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In non-work context, protection against maternity discrimination is for 26 weeks after giving birth.	Employment rights during pregnancy and post pregnancy Treating a woman unfavourably because she is breastfeeding Childcare responsibilities Flexibility