

Item 6

Equality Impact Assessment

Name of Proposal being assessed: BNSSG CCG Ethical Framework for Decision Making

Does this Proposal relate to a new or existing programme, project, policy or service? New framework

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Key decision which this EIA will inform and the decision-maker(s)	The principles contained in the Ethical Framework for Decision Making. Commissioning Executive will make a recommendation for Governing Body to approve the framework for adoption by the CCG. Governing Body will approve the framework.

Step 1: Equality Impact Assessment Screening

- Does the project affect service users, employees and/or the wider community? Yes**
- Could the proposal impact differently in relation to different characteristics protected by the Equality Act 2010?**

Assessment of Impact of Proposal on Protected Characteristics				
Protected Characteristic	Positive Impact	Negative Impact	Neutral Impact	Please provide reasons for your answer and any mitigation required
Age* [eg: young adults, working age adults; Older People 60+]	✓	✗	✓	The following principles contained in the draft could have a positive impact <ul style="list-style-type: none"> Inclusive – the draft states that “Decisions should be arrived at through a fair and non-discriminatory
Disability Physical Impairment; Sensory Impairment; Mental Health;	✓			

Assessment of Impact of Proposal on Protected Characteristics				
Protected Characteristic	Positive Impact ✓	Negative Impact ✗	Neutral Impact ✓	Please provide reasons for your answer and any mitigation required
Learning Difficulty/ Disability; Long-Term Condition				<p>process that...Reinforces the concept of equality of opportunity of access to healthcare. It also states the decision making should not discriminate on the characteristics which are irrelevant to health conditions and how effective a treatment is</p> <ul style="list-style-type: none"> • Clear and open to scrutiny – decisions should be transparent and easily understood. • Promote health for both individuals and the community – this states that there may be times when it is appropriate to target some demographic groups...in order to reduce inequalities in health outcomes. <p>However, in order for the positive impact to be realised, the people making decisions using this framework will need to receive some training and education to ensure that they fully understand the principles and what it means to make decisions by “consensus” which is the proposal contained in the draft framework.</p>
Gender Reassignment [Trans people]	✓			
Race [including nationality and ethnicity]	✓			
Religion or Belief	✓			
Sex [Male or Female]	✓			
Sexual Orientation	✓			
Pregnancy and Maternity	✓			
Marriage and Civil Partnership	✓			

* Under-18s are only protected against age discrimination in relation to work, not in access to services, housing, etc. Children’s rights are protected by several other laws and treaties, such as: The Children Act; the Human Rights Act 1998; the UN Convention on the Rights of the Child; the European Convention on Human Rights; the UN Convention on the Rights of Persons with Disabilities; and the UN Convention on the Elimination of Discrimination against Women.

3. Relevance to the Public sector Equality Duty:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.

The Ethical Framework for Decision Making is relevant to this element of the Public Sector Equality Duty as it has the potential to eliminate unlawful discrimination in commissioning decision making.

Advance equality of opportunity between people who share a protected characteristic and those who do not.

The Ethical Framework for Decision Making is relevant to this element of the Public Sector Equality Duty as it contains a principle “Promote health for both individuals and the community” and states within this principle that “There may be times when it is appropriate to target some demographic groups of health issues in order to reduce inequalities in health outcomes and promote the wellbeing of the community as a whole.”

Foster good relations between people who share a protected characteristic and those who do not.

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4. Health Inequalities:

Does the proposal relate to an area with known Health Inequalities? **Yes**

On the basis of this screening assessment do you consider this proposal to be relevant to the General Duty or to any particular protected characteristic? **Yes**

5. If no, then set out reasons and evidence here:

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6. Conclusion:

Internal conversations have taken place in terms of the suitability of the statement in Principle 2 – Inclusive that decisions should be arrived at through a process that “balances the rights of individuals with the rights of the wider community”. There was concern that it might be misinterpreted as the CCG **always** prioritising the needs of the many over the needs of the few rather than considering both. It was agreed to leave the wording as is. The screening described above demonstrates that the Ethical Framework for Decision Making does not need a full Equality Impact Assessment.

Proceed to full EIA? No

Signed: AKWebber

Date: 30 November 2018