



ANGUS HEALTH AND SOCIAL CARE
INTEGRATION JOINT BOARD – 23 AUGUST 2023
EQUALITY OUTCOMES AND MAINSTREAMING FRAMEWORK
REPORT BY GAIL SMITH, CHIEF OFFICER

ABSTRACT

This purpose of this report is to provide Angus Integration Joint Board with an update on the progress made in relation to compliance with The Equality Act (2010).

1. RECOMMENDATIONS

It is recommended that the Integration Joint Board:-

- (i) Acknowledge the progress made with regards to compliance with the Equality Act (2010);
- (ii) Agrees that the current Equalities Mainstreaming Report 2022-2024 should remain in place;
- (iii) Agrees that the current Equality Outcomes 2022-2026 should remain in place; and
- (iv) Request an updated Equalities Mainstreaming Report and a progress report in August 2024.

2. BACKGROUND

The Equality Act 2010 places a duty on Public Bodies to publish a set of equality outcomes every four years and produce a report describing how well they are achieving these outcomes at least every two years. An Equalities Mainstreaming Report is to be published every two years.

In August 2022 Angus Health and Social Care Partnership (AHSCP) were not fully compliant because:

- A new Equalities Mainstreaming Report was due to be published in 2020 however this was not completed as a result of the COVID-19 Pandemic meaning AHSCP had not published a report since 2018.
- A progress report on the 2018 Equality Outcomes was due in 2020, however this was not completed.
- Equality impact assessments (EQIA) were not in place for all policies and practices and, in particular, for the Strategic Commissioning Plan
- A new set of Equalities Outcomes were due to be published in 2022.
- Equality impact assessments were not published in a manner accessible to the public.

The Equality and Human Rights Commission (EHRC) are the statutory independent body who are responsible for monitoring and enforcement of equality legislation. The EHRC contacted AHSCP in August 2022 with a view to monitoring our progress until we became compliant with the legislation. An action plan was developed to progress this.

3. CURRENT POSITION

3.1 Compliance

Several actions have been progressed between September 2022 and March 2023 including:

- Production of a new Equalities Mainstreaming Report and set of Equality Outcomes, approved by the Integration Joint Board (IJB) (report no. IJB 52/22) and published on the AHSCP website here: - <https://www.angushscp.scot/wp-content/uploads/2022/11/AHSCP-Equalities-Mainstreaming-Report-2022.pdf>
- Development and implementation of a robust process for the completion of EQIA's.
- AHSCP became members of the Angus Council Corporate Equalities Group, the NHS Tayside Equality and Diversity Governance Group and the national IJB/ HSCP Equality Peer Support Network to discuss and monitor any risks/ issues as they arise.
- Process established for the publication of EQIA/FSD assessments going forward.
- AHSCP staff attended training provided by the EHRC in relation to good practice and the steps required to reach compliance.
- Retrospective exercise took place to publish all previously complete EQIA's from 2019 onwards on the AHSCP website.

The EHRC required all non-compliant HSCP's to submit their evidence of improvement by 31 March 2023.

Following submission, the EHRC confirmed in June 2023 that AHSCP are fully compliant with the Public Sector Equality Duty (PSED).

3.2 Additional Improvements

Angus Council have a well-developed e-learning module on equalities. This was previously only available to council staff however following discussion and collaborative working with Angus Council this is now available on TURAS for NHS Tayside staff to access. This will ensure that all Partnership staff have access to consistent equalities training.

An improved Equality Impact Assessment (EQIA) template & Equalities Consideration Form has been developed. Following additional training provided by the EHRC, an exercise was undertaken to identify areas of good practice within other Partnership's templates with a view to replicating this in Angus. The national IJB/ HSCP Equality Peer Support Network provided an opportunity to discuss this with other areas whilst developing the new template. The new template will ensure that EQIAs are being conducted correctly as a tool to aid the development of a policy, practice or project. An Equalities Consideration Form has also been developed for any policies, practices and projects being considered by Internal Governance Groups only which do not need to go to IJB. This will help to evidence how we have mainstreamed the duty into our services.

EQIA/ Fairer Scotland Duty training - In person training has been conducted on the new template to ensure that staff are aware of how and when the template should be used and the level of information and detail that will be required. A guidance document has also been developed.

Equalities SharePoint page - An equalities SharePoint page has been developed for all Partnership staff to access which contains useful resources, templates, guidance and links to e-learning.

3.3 Next Steps

There is an action plan in place for equalities which details a number of areas for additional improvement, including improving our communication and engagement with protected characteristic groups and continuing to deliver additional training to staff.

The Scottish Government has recently undertaken a review of the Public Sector Equality Duty however the results have not yet been published. They have provided some informal feedback to the IJB/ HSCP Equality Peer Support Network which suggests that a key change will be made to the reporting schedule for mainstreaming reports and equality outcomes. It is expected that this change will require all HSCP's to publish their reports at that same time and that the revised requirements will be in place for 2025. This will require HSCP's to begin working towards these new requirements in 2024.

The current Mainstreaming report was written to cover from 2022-2024 and the Equality Outcomes from 2022 – 2026 however on 22 August 2022, IJB members agreed (report no. IJB 52/22) that a revised Mainstreaming Report and set of Equality Outcomes would be presented for approval in August 2023.

Substantial progress has been made in the last year to ensure that the equality duty is mainstreamed throughout our services. However, as there are still a number of actions set out within the action plan and current set of equality outcomes to work towards.

4. PROPOSALS

Our current outcomes are for 2022-2026, it is expected that the new Scottish Government reporting requirements will be introduced before 2026, therefore new outcomes will need to be developed at this time. It is expected that once the outcome of the Scottish Government review is published there will be guidance for HSCPs who are due to update their mainstreaming report or outcomes in 2024. Due to this and the work completed to improve the position and compliance it is proposed that the current Mainstreaming Report and set of Equality Outcomes remain in place with a new mainstreaming report and a progress report on the current set of Equality Outcomes being presented to the IJB in August 2024.

5. FINANCIAL IMPLICATIONS

There are no financial implications for the Integration Joint Board to consider.

6. RISK

Risk Description	Equalities - As a result of the COVID-19 Pandemic and changes in staffing, the development of an updated Equalities Mainstreaming Report and set of Equality Outcomes has been delayed. There is a risk that Angus HSCP will be unable to evidence that it has paid due regard to the need to foster good relations within communities by tackling prejudice and promoting understanding, advance equality of opportunity, eliminate discrimination, harassment and victimisation and will not meet its legal obligations under the Equality Act (2010) and other relevant legislation.
Risk Category	Reputational, Strategic, Operational
Inherent Risk Level	Likelihood 4 x Impact 5 = Risk Scoring 20 (which is a Very High Risk Level)
Mitigating Actions	<ul style="list-style-type: none"> • Equalities Mainstreaming Report and set of Equality Outcomes are approved and published on the AHSCP website. • There is a current template and process in place for the completion of EQIA's. • AHSCP are members of the Angus Council Corporate Equalities Group, the NHS Tayside Equality and Diversity Governance Group and the national IJB/ HSCP Equality Peer Support Network to discuss and monitor any risks/ issues as they arise. • Process in place for the publication of EQIA/FSD assessments going forward. • Additional training been provided to AHSCP from the regulator, the Equality and Human Rights Commission on the application of the PSED, including Equality Impact Assessments. • Retrospective exercise taken place to publish all previously complete EQIA's from 2019 onwards on the AHSCP website.
Residual Risk Level	Likelihood 3 x Impact 3 = Risk Scoring 9 (which is a Medium Risk Level)
Planned Risk Level	Likelihood 3 x Impact 3 = Risk Scoring 9 (which is a Medium Risk Level)
Approval recommendation	Given our developed understanding of the situation and in line with the IJBs risk appetite, the risk is deemed to be Medium and manageable at this current time.

7. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is required and is included in Appendix 1.

8. DIRECTIONS

The Integration Joint Board requires a mechanism to action its strategic commissioning plans, and this is provided for in Section 26 to 28 of the Public Bodies (Joint Working) (Scotland) Act 2014. This mechanism takes the form of binding directions from the Integration Joint Board to one or both of Angus Council and NHS Tayside.

Direction Required to Angus Council, NHS Tayside or Both	Direction to:	
	No Direction Required	X
	Angus Council	
	NHS Tayside	
	Angus Council and NHS Tayside	

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List of Appendices:

Appendix 1 EQIA