

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Leicester, Leicestershire and Rutland Health and Social Care Protocol
Department and section:	Adults and Communities
Name of lead officer/ job title and others completing this assessment:	Heather Pick, Assistant Director Personal Care and Support Anna Bailey, Business Consultant
Contact telephone numbers:	Heather Pick – 0116 305 7456 Anna Bailey – 07850 521 590
Name of officer/s responsible for implementing this policy:	Heather Pick
Date EHRIA assessment started:	25 th February 2013 (old format documentation)
Date EHRIA assessment completed:	11 th July 2014

Section 1: Defining the policy

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You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>Why were Changes Needed?</p> <p>The Protocol had not been updated since 2005 and was deemed to be unwieldy, including unnecessary information and sections that would be more appropriate as separate documents; its use was inconsistent and it no longer held an appropriate level of importance within the participating organisations. It needed a much higher profile; there needed to be somewhere to report practical problems with the use of the Protocol; a consistent method of recording training undertaken and competence / delegation of tasks needed to be developed and implemented.</p> <p>The new Protocol aims to achieve:</p> <ol style="list-style-type: none">1) Improvements for individuals in receipt of health and social care services by providing a more streamlined and co-ordinated response between agencies2) Improvements in the use of resources for all agencies <p>It is important to understand that the updating of the Protocol does not change working practice of carrying out tasks with individuals that is already taking place; rather it is simply updating the underpinning documentation.</p> <p>What Changes were Made?</p> <p>The terms and language used was standardised throughout the Protocol and its supporting documents.</p> <p>The signatures of Senior Directors / Officers from each participating organisation were included at the beginning.</p> <p>New guiding principles were developed and included in the opening section. Large sections of text were removed. Content listing tasks belonging to health and tasks belonging to social care was removed. Instead, only those tasks that could be delegated from health to social care were included. The sections on equipment and medical policies were removed – these are now separate stand alone documents (and referred in the Protocol). Descriptions of tasks were carefully redefined, new tasks were added and tasks were categorised as either Generic or Specific (these terms relate to the type of training required by the social care worker). Tasks were placed into themed headings.</p> <p>The Protocol establishes a new body called the Health and Social Care Oversight Board, made up of members from each participating organisation. The remit of the Board is described in the Protocol.</p>
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>No</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The health care tasks and working arrangements described in the Protocol will be used by staff of all agencies in their work with all individuals that have both health and social care needs. The Protocol aims to ensure that individuals will receive a more integrated service, through promotion of constructive co-operation between staff of</p>

	different agencies in the interests of good quality care for individuals throughout Leicestershire and Rutland.		
4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)		
		Yes	No
			How?
	Eliminate unlawful discrimination, harassment and victimisation	✓	The health care tasks and working arrangements described in the Protocol will be used by staff of all agencies in their work with all individuals that have both health and social care needs, regardless of the equality characteristics of those individuals. The Protocol will have no more or less of an impact on any individual equality grouping.
	Advance equality of opportunity between different groups	✓	The health care tasks and working arrangements described in the Protocol will be used by staff of all agencies in their work with all individuals that have both health and social care needs, regardless of the equality characteristics of those individuals. The Protocol will have no more or less of an impact on any individual equality grouping.
	Foster good relations between different groups	✓	Not relevant to the individuals in receipt of support. However, the Protocol aims to foster good relations between staff working in the different participating organisations with the aim of providing a better service to individuals.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;		✓
	b) any potential impact of this change on them (positive and negative, intended and unintended);		✓
	c) potential barriers they may face		✓
6.	If the target groups have not been consulted directly, have representatives been consulted or research		✓

	explored (e.g. Equality Mapping)?		
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	✓	
8.	<p>*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.</p> <p>Please note: the updating of the Protocol does not change working practice of carrying out tasks with individuals that is already taking place; rather it is simply updating the underpinning documentation.</p>		

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	✓	
	b) enable open feedback and suggestions from different communities	✓	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.

Use the table below to specify if any individuals or community groups who identify with any of the '[protected characteristics](#)' may potentially be affected by this policy and describe any positive and negative impacts, including any barriers.

	Yes	No	Comments
Age		✓	The health care tasks and working arrangements described in the Protocol will be used by staff of all agencies in their work with all individuals that have both health and social care needs, regardless of the equality characteristics of those individuals. The Protocol will have no more or less of an impact on any individual equality grouping.
Disability		✓	
Gender Reassignment		✓	
Marriage and Civil Partnership		✓	
Pregnancy and Maternity		✓	

	Race		✓																					
	Religion or Belief		✓																					
	Sex		✓																					
	Sexual Orientation		✓																					
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities		✓																					
	Community Cohesion		✓																					
11.	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p> <table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td colspan="4">Part 1: The Convention- Rights and Freedoms</td> </tr> <tr> <td>Article 2: Right to life</td> <td></td> <td>✓</td> <td></td> </tr> <tr> <td>Article 3: Right not to be tortured or treated in an inhuman or degrading way</td> <td>✓</td> <td></td> <td>Health care tasks being performed under delegation will be carried out by staff that have received training and are signed off as being competent. The underpinning training programme and 'passport' ensure that both the 'common steps' and the tasks themselves are carried out to nationally recognised standards.</td> </tr> <tr> <td>Article 4: Right not to be subjected to slavery/ forced labour</td> <td></td> <td>✓</td> <td></td> </tr> </tbody> </table>					Yes	No	Comments	Part 1: The Convention- Rights and Freedoms				Article 2: Right to life		✓		Article 3: Right not to be tortured or treated in an inhuman or degrading way	✓		Health care tasks being performed under delegation will be carried out by staff that have received training and are signed off as being competent. The underpinning training programme and 'passport' ensure that both the 'common steps' and the tasks themselves are carried out to nationally recognised standards.	Article 4: Right not to be subjected to slavery/ forced labour		✓	
	Yes	No	Comments																					
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Article 4: Right not to be subjected to slavery/ forced labour		✓																						

	Article 5: Right to liberty and security		✓	
	Article 6: Right to a fair trial		✓	
	Article 7: No punishment without law		✓	
	Article 8: Right to respect for private and family life	✓		Health care tasks and record keeping being performed under delegation will be carried out by staff that have received training and are signed off as being competent. The underpinning training programme and 'passport' ensure that both the 'common steps' and the tasks themselves are carried out to nationally recognised standards.
	Article 9: Right to freedom of thought, conscience and religion	✓		Health care tasks and record keeping being performed under delegation will be carried out by staff that have received training and are signed off as being competent. The underpinning training programme and 'passport' ensure that both the 'common steps' and the tasks themselves are carried out to nationally recognised standards.
	Article 10: Right to freedom of expression		✓	
	Article 11: Right to freedom of assembly and association		✓	
	Article 12: Right to marry		✓	
	Article 14: Right not to be discriminated against		✓	
	Part 2: The First Protocol			
	Article 1: Protection of property/ peaceful enjoyment		✓	
	Article 2: Right to education		✓	
	Article 3: Right to free elections		✓	
Section 2				
D: Decision				
12.	Is there evidence or any other reason to suggest that: a) this policy could have a different affect or adverse impact on any section of the community; b) any section of the community may face barriers in benefiting from the proposal	Yes	No	Unknown
			✓	
			✓	

13.	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact <input checked="" type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website.

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒

Equality and Human Rights Assessment Report ☐

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair):



Heather Pick.....

Date: ...26/08/2014