

Attachment 09

**North East Lincolnshire CCG**

|  |  |
| --- | --- |
|  |  |
| **Report to:** | NEL CCG Partnership Board |
| **Presented by:** | Lisa Hilder |
| **Date of Meeting:** | 12th November 2015 |
| **Subject:** | Annual Equality and Diversity update |
| **Status:** | [x]  OPEN [ ]  CLOSED |

|  |
| --- |
| **OBJECT OF REPORT:** |
| This report updates the Partnership Board on 1. Compliance with current statutory requirements in respect of Equality and Diversity
2. Forthcoming statutory requirements in respect of Equality and Diversity
3. Recent organisational achievements related to Equality and Diversity
 |

|  |
| --- |
| **STRATEGY:** |
| Compliance with requirements in relation to Equality and Diversity contribute towards one of the CCG’s key strategic aims in relation to reducing health inequalities across the Borough of North East Lincolnshire. Through ensuring that people with protected characteristics are catered for appropriately by our providers, the CCG tackles disadvantage, which can impact significantly on health and wellbeing. |

|  |
| --- |
| **IMPLICATIONS:** |
| The incoming standards for Accessible Information and Interpreting and Translation will require awareness-raising and development for all local providers including GP practices. |

|  |
| --- |
| **RECOMMENDATIONS (R) AND ACTIONS (A) FOR AGREEMENT:** |
| Recommendation:  | The Partnership Board notes this report and supports the proposed ongoing actions to maintain compliance and good practice in relation to Equality and Diversity |
|  |  |
|  |  |
|  |  |

|  |  | **Yes/****No** | **Comments** |
| --- | --- | --- | --- |
|  | Does the document take account of and meet the requirements of the following: |  |  |
| i) | Mental Capacity Act | Y |  |
| ii) | CCG Equality Impact Assessment | Y |  |
| iii) | Human Rights Act 1998 | Y |  |
| iv) | Health and Safety at Work Act 1974 | Y |  |
| v) | Freedom of Information Act 2000 / Data Protection Act 1998 | Y |  |
| iv) | Does the report have regard of the principles and values of the NHS Constitution?[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\_113613](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113613) | Y |  |

**North East Lincolnshire CCG Partnership Board**

**Equality and Diversity Annual update November 2015**

**Ongoing compliance with statutory requirements**

As a Commissioner of services NELCCG is required to ensure that all of its providers are complying with the requirements of the Equality Act 2010 and to use the contractual frameworks and mechanisms at its disposal to require providers to provide assurance of compliance.

NELCCG is also required to publish a declaration of compliance with the legislation (typically this is via the organisation’s website) for both the General Duty and the Specific Duty for Public Bodies

General Duty

The Equality Act 2010 came into force on 1 October 2010. The Act brings together and replaces the previous anti-discrimination laws with a single Act, which aims to simplify and strengthen the law, removing inconsistencies and making it easier for people to understand and comply with it. The Act covers the following protected characteristics:

• Age.

• Disability.

• Gender reassignment.

• Marriage and civil partnership (only in relation to the requirement to have due regard to the

 need to eliminate discrimination).

• Pregnancy and maternity.

• Religion or belief (or lack of belief).

• Race, including ethnic or national origin, colour or nationality.

• Sex.

• Sexual orientation.

The Act also includes a general equality duty that replaces previous separate duties on race, disability and gender equality. This came into force on 5 April 2011.

The aim of the general equality duty is to ensure that public authorities, and those carrying out public functions, consider how they can positively contribute to a fairer society through advancing equality and fostering good relations in their day to day activities. The duty ensures that equality considerations are built in to the design of policies and the delivery of services and that they are kept under review.

We are required to have due regard of the need to:

* Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
* Advance equality of opportunity between people who share a relevant characteristic and those who do not.
* Foster good relations between people who share a relevant characteristic and those who do not.

To make sure we comply with the Act we must:

* Remove or minimise disadvantages experienced people due to their protected characteristics.
* Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
* Encourage people with protected characteristics to take part in public life or in other activities where their participation is disproportionately low.

Specific Duty

The specific duty of the Equality Act required us to prepare and publish equality objectives by 6 April 2012, and at least every four years after that. Work is currently being undertaken in conjunction with local key providers to develop new objectives for publication and implementation in April 2016.

Each public body is required to demonstrate that the principles of Equality and Diversity are considered at all levels of the organisation, including strategic leadership, and this is evidenced through updates and decisions taken at the Partnership Board. The CCG has been assessed internally and externally as compliant with the general and specific duties of the Act.

In order to ensure that the CCG complies with the Equality Act 2010 with regard to its own practice and in relation to the services it commissions, we convene a multi agency group which works collaboratively to identify local Equality and Inclusion issues and address them effectively and efficiently together

Joint areas of work have included:

* Sharing training
* Sharing best practice
* Developing joint Equality objectives
* Responding to emerging policy requirements collectively
* Providing support and guidance on complying with contractual requirements

**Forthcoming statutory requirements in respect of Equality and Diversity**

There are two significant forthcoming requirements in respect of Equality and Diversity, namely the Accessible Information Standards and the Interpreting and translation Standards

**Accessible Information Standard**

The new Accessible Information Standard was approved on JUne 24th 2015 by NHS England

***SCCI1605 Accessible Information – the ‘Accessible Information Standard’ – directs and defines a specific, consistent approach to identifying, recording, flagging, sharing and meeting the information and communication support needs of patients, service users, carers and parents, where those needs relate to a disability, impairment or sensory loss.***

The Standard applies to service providers across the NHS and adult social care system, and effective implementation will require such organisations to make changes to policy, procedure, human behaviour and, where applicable, electronic systems.

Commissioners of NHS and publicly-funded adult social care must also have regard to this standard, in so much as they must ensure that contracts, frameworks and performance-management arrangements with provider bodies enable and promote the Standard’s requirements.

Successful implementation will lead to improved outcomes and experiences, and the provision of safer and more personalised care and services to those individuals who come within the Standard’s scope. The scope of the Standard is significant and so is its intended impact. It is unashamedly ambitious in seeking to set the framework and provide clear direction for a dramatic improvement in the ability of the NHS and adult social care system to meet the information and communication support needs of disabled people. Applicable organisations have a legal duty to follow this standard.

***All NHS and Social Care providers are at liberty to implement the requirements of the standard immediately, however they are required to have completed that implementation and be fully compliant by July 31st 2016.***

The link below leads to an Easy Read document explaining the standard and giving an example of the types of materials that this Standard is intended to promote.

<https://www.england.nhs.uk/wp-content/uploads/2015/07/access-info-upd-er-july-15.pdf>

**Interpreting and Translation Standards**

NHS England is currently consulting on a new set of standards in relation to Interpreting and Translating provision for health services based on eight quality principles, listed below

1. **Access to Service** - Patients must be able to access primary care services in a way that ensures their language and communication needs do not prevent them receiving the same quality of healthcare as others.
2. **Booking of Interpreters -** Staff working in primary care provider services should be aware of how to book interpreters across all languages including BSL and to book them when needed
3. **Timeliness of Access** - Patients requiring an interpreter should not be disadvantaged in terms of the timeliness of their access.
4. **Personalised Approach** - Patients can expect a personalised approach to their language, communication and access requirements recognising that “one size does not fit all”.
5. **Professionalism and Safeguarding -** High ethical standards, a duty of confidentiality and safeguarding responsibilities are mandatory in primary care and this duty extends to interpreters
6. **Compliments, Comments, Concerns & Complaints -** Patients and clinicians should be able to express their satisfaction with the interpreting service in their first or preferred language and using multiple formats (written, spoken, signed etc.) as appropriate
7. **Translation of documents -** Patients and healthcare professionals should have timely access to appropriately and effectively communicated documentation that will enable and support their healthcare.
8. **Quality Assurance & Continuous Improvement** - The interpreting service should be subject to systematic monitoring for quality assurance and to support continuous improvement to ensure it remains high quality and relevant to local needs.

In a recent review of the uptake of Interpreting services in primary care, only 12 out of 30 practices accessed any kind of interpreting support in the 12 months leading up to February 2015. This comprised consultations with only 20 patients from the entire population of North East Lincolnshire

Considerable work will need to be undertaken to underline the importance of utilising independent interpreters to ensure appropriate confidentiality and reduce the risk of safeguarding incidents.

The CCG is continuing to monitor the output of the NHSE consultation and will work with practices accordingly to ensure that they have access to the right level, the right quality and the appropriate means of interpreting and translation support to

**Recent organisational achievements related to Equality and Diversity**

During 2014/15 The Equality and Diversity core group did some focussed work in conjunction with the contracting and procurement team to ensure that the organisation is compliant with the Equality Act 2010 and passed on relevant requirements to providers through our contracting arrangements.

Leading on from this we presented our good practice at a Regional Equality and Diversity Network conference in January 2015 and took the opportunity to enter a competitive awards scheme run by the Employers Network for Equality and Inclusion ( open to organisations across the globe) and hosted by the Law Society.

NELCCG was shortlisted for two awards

* Inclusive Procurement
* Flexible/Agile working

In both categories we were highly commended – essentially runners up. For Inclusive procurement we came second only to Ford Motor Company and for Flexible/Agile working we came second only to the Post office – both significant acknowledgements of the quality of our work in these areas.

In recognition of our achievements, we were selected from all of the entrants as small employer of the year 2015

Full details are available via the weblinks below

<http://www.enei.org.uk/pages/small-employer-of-the-year-2015.html>

The full awards publication is available below and the CCG received local media coverage for this achievement

<http://www.enei.org.uk/data/files/Awards_2015/enei_Awards_Brochure_2015_-_LR.pdf>

**Lisa Hilder**

**November 2015**