



CÙRAM IS SLÀINTE NAN EILEAN SIAR
INTEGRATION JOINT BOARD
24 MAY 2016

IJB EQUALITY MAINSTREAMING REPORT

Report by Chief Officer, Integration Joint Board

Introduction

1. On the 1st April 2016, the new arrangements for the integration of Health and Social Care to come into effect. This report is the first Equality Outcomes Report for the IJB and covers the period 30 April 2016 to 31 March 2019. It is produced in compliance with the Equality Act 2010, the Equality Act (Specific Duties) (Scotland) Regulations 2012 and the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 and 2016.
2. This report also meets the requirements of the Equality & Human Rights Commission for Scotland (the main regulatory body) and sets out what the IJB wants to achieve in respect of the nine protected characteristics over the next three years. The nine protected characteristics as laid down in the Equality Act are:
 - Age
 - Disability (learning difficulties, mental health, physical and sensory)
 - Gender re-assignment
 - Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
 - Pregnancy and Maternity
 - Race
 - Religion or Belief
 - Sex (formerly known as gender)
 - Sexual orientation

Background

3. In October 2010, the Equality Act 2010 (the Act) came into force. This was a consolidating piece of legislation gathering together 40 years of previous discrimination legislation.
4. On 5th April 2011, the Public Sector Equality Duty (PSED) came into force. The PSED replaced the separate duties on public bodies relating to race, disability and gender equality.
5. The new PSED extended the scope of equality legislation to include not only race, disability and gender but also age, gender re-assignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation. These nine categories are now known as the protected characteristics. The PSED as set out in the Act is known as the 'general equality duty' (GED). The GED requires public listed authorities in the planning and exercising of their public duties and functions to have 'due regard' to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity between people who share a relevant protected



- characteristic and those who do not; and
 - Foster good relations between people who share a relevant protected characteristic and those who do not.
6. These three areas are sometimes known as the 'three needs'.
7. Having 'due regard' in relation to advancing equality of opportunity includes:
- Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
 - Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
 - Encouraging participation in public life and other areas where representation is disproportionately low
8. Having 'due regard' in relation to the need to foster good relations includes:
- Tackling prejudice; and
 - Promoting understanding
9. On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force. These Regulations imposed duties on listed public bodies for the purpose of enabling the better performance by the listed authority of the duty imposed by section 149(1) of the Equality Act 2010, the PSED. These duties are to:
- Report progress on mainstreaming the equality duty;
 - Publish equality outcomes and report progress;
 - Assess and review policies and practices;
 - Gather and use employee information;
 - Publish gender pay gap information;
 - Publish statements on equal pay;
 - Consider award criteria and conditions in relation to public procurement;
 - Publish in a manner that is accessible;
 - Consider other matters; and
 - Scottish Ministers to publish proposals to enable better performance
10. The 2012 Regulations dictate when reports and progress reports have to be published (outcome reports every four years, progress reports every two years starting on 30 April 2013). The Regulations also state that all new and/or revised policies must be impact assessed against the needs of the GED, and that workforce profiling, gender pay gap and equal pay statements should form part of the mainstreaming report for organisations who have more than 150 employees at prescribed times. Finally, the Regulations look for listed bodies to improve their procurement activities and to publish all materials in a manner that is accessible to all.
11. On 11 June 2015 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 came into force.
12. This set of Regulations increased the number of listed bodies who are required to adhere to the Act and includes Integration Joint Boards established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014 (3). This means that the Western Isles Integration Joint Board is now subject to the duties and responsibilities of the Equality Act 2010 and its subsequent Regulations.



13. On 18 March 2016 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 came into force. This new set of Regulations (again applicable to the Joint Boards) introduced a new requirement on listed public authorities to publish the gender composition of their Boards, and to produce succession plans to increase the diversity (across all protected characteristics) of their Boards. This is addressed in the Mainstreaming Report attached at Annex A.

Equality Mainstreaming

14. Mainstreaming equality means making equality part of the day to day business of the health and social care partnership. In practice this means that equality and diversity must underpin all that the partnership does as a service planner, provider and employer (via the two parent bodies).
15. Further, by mainstreaming equality, we will ensure that equality of opportunity is a fundamental part of the culture of the partnership, and that both employees and customers benefit from an organisation where they feel valued and everyone's interests and issues are on a level par.
16. Through mainstreaming equality, we demonstrate that we are committed to the ethos of the Public Sector Equality Duty (PSED), and in the carrying out of our business and the care of their employees we will:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
 - Foster good relations between people who share a relevant protected characteristic and those who do not.
17. Training is an important method of mainstreaming equality and diversity. At present employees of both NHS Western Isles and CnES are able to take part in their respective organisation's equality and diversity awareness training and impact assessment training programmes. This will ensure that we are able to meet our general and specific duties under the equality legislation, and benefit from a skilled, motivated and culturally capable workforce that can bring about changes that will improve services and tackle inequalities.

Consultation

18. This Equality Outcomes Report details the work the IJB intends to carry out during the period 30 April 2016 to 31 March 2019 in order to progress the requirements of Section 149 (1) of the Equality Act 2010.
19. Consultation with all our communities is essential to this process and has underpinned the formation of the Strategic Plan and this Report. We are keen that communities continue to have their say, and we would welcome any comments in any language or format preferred at any time. These comments will be given the fullest consideration by the equalities leads within the two parent bodies, and will be reported to the Board for their fullest consideration with feedback being provided to the consultee.
20. We have undertaken a detailed self-assessment against the national community engagement standards and this was facilitated and written-up by the Scottish Community Development Centre. That detail can be found at Annex A.



Fairness Assessment

21. The aim of impact assessment is to ensure that no policy or function unlawfully discriminates against any of the nine protected characteristic groupings.
22. The IJB has adopted a fairness assessment process similar to the approach taken by NHS Western Isles. This looks not only to equality issues but to the human rights agenda as well, thereby giving a more holistic assessment.
23. Completed impact assessments will be published on the IJB website [currently under development].

Gender Composition of the Integration Joint Board

24. Under the new 2016 Regulations a new requirement exists for listed public bodies to publish the gender composition of their Boards, and to produce succession plans to increase the diversity - across all protected characteristics - of their Boards.
25. At present the IJB consists entirely of male voting members and while we have female non-voting members, gender balance is a matter which requires consideration. In terms of diversity succession arrangements, the parent bodies may wish to give consideration to an appropriate plan.

IJB Equality Outcomes 2016 – 2018

26. The public sector equality duty requires the IJB, in the exercise of its functions, to publish a set of equality outcomes. An equality outcome is the result which we want to achieve in order to eliminate discrimination, advance equality of opportunity and foster good relations. The public sector equality duty covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. By focusing on outcomes rather than objectives, the equality duty aims to bring practical improvements in the life chances of those who experience discrimination and disadvantage.
27. In developing these equality duties, we have sought to involve people who share a relevant protected characteristic and their representatives. This has been achieved by:-
 - Working with the Strategic Planning Group to devise appropriate outcomes, indicators and deliverables which can be traced back to a human rights framework;
 - Engaging with communities across the Western Isles to listen to views about how we can improve outcomes;
 - Undertaking an Equality Impact Assessment in respect of the proposals set out in this strategic plan;
28. The additional equality outcomes we've considered are explicitly focused on the legal responsibilities and functions of the IJB. So while the IJB will be bound by the respective equality outcomes framework of our parent bodies, we also need to devise our own equalities framework in respect of our duties in law. While the IJB is not an employing body, it does have strategic commissioning responsibilities and our obligation is therefore to ensure that we are promoting equality within this context. The IJB has four broad responsibilities against which we need to ensure we are advancing equality and human rights:
 - To develop and implement a Strategic Plan which sets out how services will



- change and develop over time to meet the needs of the population;
- To put in place robust financial planning arrangements to ensure that services are delivered within budget;
 - To support the development of Locality Planning Groups, which will help to plan services for local communities; and
 - To oversee the delivery of all of the services delegated to it by the Local Authority and the Health Board

29. The following equality outcomes framework was agreed by the Shadow IJB at its meeting in March 2016:



Equality Outcome 1: The Integration Joint Board produces a strategic plan which has been assessed for fairness and advances the human rights of people who use health and social care services.					
Protected Characteristic	What we are trying to achieve and what the evidence base tells us	Specific Activities	Measurement of Progress	Lead Officer	General Duty
Primarily age and disability	<p>A strategic plan which delivers service changes which advance equality of opportunity and fosters good community relations</p> <p>There is emerging evidence from Equalities and Human Rights bodies that framing service delivery within an explicit human rights framework will improve service user outcomes, particularly those with protected characteristics</p> <p>Evidence base: http://www.scottishhumanrights.com/care/aboutrights/whatisahumanrightsbasedapproach</p>	<p>In redesigning services, we will:</p> <p>Apply a human rights based approach, using the PANEL principles to guide reform</p> <p>Measure progress against the National Community Engagement Standards</p> <p>Equality Impact Assess each service redesign proposal taken forward within the strategic plan</p> <p>Monitoring arrangements which identify how equality and the human rights of service users improve as a result of service changes. Specific regard will be given to older people and disabled people.</p>	<p>Annual performance report of IJB will report on effective application of PANEL</p> <p>Self-assessment, reported to IJB</p> <p>Corporate oversight provided by equalities leads, with learning disseminated</p> <p>Annual performance report of IJB will report on impact of reforms on people with protected characteristics</p>	<p>Chief Officer</p> <p>Relevant head of service</p> <p>Relevant head of service</p> <p>Chief Officer</p>	<p>All three duties are relevant:-</p> <p><i>Advance Opportunity</i></p> <p><i>Foster Good Relations</i></p> <p><i>Eliminate discrimination</i></p>



Equality Outcome 2: The Integration Joint Board produces a budget and savings proposals which has involved consultation with the people who use services.					
Protected Characteristic	What we are trying to achieve and what the evidence base tells us	Specific Activities	Measurement of Progress	Lead Officer	General Duty
Primarily age and disability	<p>An integrated budget, within which savings proposals have been fully consulted on with the public and people with protected characteristics</p> <p>There is evidence that by involving people in deciding how budget choices are made, there are greater levels of understanding about why choices are made and improved democratic oversight of how those savings are implemented</p>	<p>Budget savings consultation across all five localities of the Integration Joint Board (through engagement meetings, focus groups, questionnaires, social media and involvement of relevant agencies)</p> <p>Savings proposals which have been considered within Equality and Human Rights Impact Assessments</p> <p>Where relevant, detailed consultation with equalities groups for each saving proposal</p> <p>We will also explore with national partners the potential role of a human rights budgeting framework moving forward</p>	<p>Self-assessment against the National Community Engagement Standards</p> <p>An increased number of service users participating in the consultation process</p> <p>Corporate oversight provided by equalities leads, with advice and learning disseminated, and detail steps taken to mitigate any potential impacts identified.</p> <p>Evidence of involvement from equalities groups</p> <p>A proposal, if relevant to local circumstances, will be considered by the IJB</p>	<p>Chief Officer</p> <p>Relevant head of service/ Equalities leads</p> <p>Relevant head of service</p> <p>Chief Officer</p>	<p>All three duties are relevant:-</p> <p><i>Advance Opportunity</i></p> <p><i>Foster Good Relations</i></p> <p><i>Eliminate discrimination</i></p>



Equality Outcome 3: The Integration Joint Board will establish locality planning groups which involve service users and their advocates..					
Protected Characteristic	What we are trying to achieve and what the evidence base tells us	Specific Activities	Measurement of Progress	Lead Officer	General Duty
Primarily age and disability	<p>The IJB is required to develop Locality Planning Groups (LPGs), to support more localised planning and delivery of services. We will produce guidance which supports LPGs to ensure that they are constituted in a way which involves services users and advocates and which ensures that the LPGs promote equal opportunity</p> <p>Several sources of evidence point to the importance of gender balance and more general inclusion on working groups/boards.</p>	<p>LPGs locally undertake to promote equality of representation within their structures</p> <p>LPGs to assess the effectiveness of the IJB in responding to the needs of localities, as described in annual locality plans. Information will be ingathered through questionnaires and focus groups</p>	<p>Gender balance; Involvement of disabled people; Involvement of older people</p> <p>Satisfaction report to IJB</p>	<p>LPG Chairs</p> <p>Chief Officer/ LPG Chairs</p>	<p>All three duties are relevant:-</p> <p><i>Advance Opportunity</i></p> <p><i>Foster Good Relations</i></p> <p><i>Eliminate discrimination</i></p>



Equality Outcome 4: The Integration Joint Board will integrate the front-line delivery of services to ensure that people have a better experience of care and will monitor how the integration of services advances equalities and human rights

Protected Characteristic	What we are trying to achieve and what the evidence base tells us	Specific Activities	Measurement of Progress	Lead Officer	General Duty
Primarily age and disability	Ensure that services are more joined-up and better respond to the needs of service users	The IJB will oversee the development of integrated management and front-line service arrangements. This process will also engage third and independent sector partners to ensure that integrated working cuts across all sectors. This work will also signal a more focused attempt to implement an assets based approach, to work with the strengths and capabilities of services users to meet needs, and to connect more effectively to community support arrangements like lunch clubs, community transport initiatives or social/church groups.	<p>IJB Reports on operational integration include section on advancing equalities and human rights</p> <p>Service satisfaction measures</p> <p>Performance measures:</p> <p><i>Proportion of last 6 months of life spent at home or in community setting.</i></p> <p><i>Percentage of adults with intensive needs receiving care at home.</i></p> <p><i>Number of days people spend in hospital when they are ready to be discharged.</i></p>	<p>Chief Officer</p> <p>Relevant Heads of Service</p>	<p>All three duties are relevant:-</p> <p><i>Advance Opportunity</i></p> <p><i>Foster Good Relations</i></p> <p><i>Eliminate discrimination</i></p>



Monitoring of Mainstreaming Activities

30. We will comply with all current equality and diversity legislation requirement as detailed under section 1 of this report, and have in place effective monitoring arrangements

Alternative Formats

31. This document will be made available in different formats and in different languages upon request. If you would like a copy in another language or format, please email hsc@cne-siar.gov.uk or phone 01851 211 335



Annex A: National Standards for Community Engagement

Self-Evaluation

Planning Standard

There is a clear purpose, scope, resources and timescale for the engagement

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

Agreed score:

Comment: The group advised that timescales for the engagement were tight and were imposed by legislation, by law the plan had to be ready for April 2016. The first phase of the engagement was a more informal process giving

participants the opportunity to find out more about the proposed strategic plan and to raise issues and concerns. The group described this as the listening phase. The second phase was better advertised. There were limitations in staff time and concerns about the opportunity costs of having a large number of staff members attending events. The group advised that they were trying to use resources prudently and effectively.

Working Together Standard

We will work together effectively to achieve the aims of the engagement.

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

Agreed score:

Comment: There was good communication and planning amongst those involved, partners included: Health, 3rd Sector, Local Authority, Health Council, and community councils. The partnership was an organic process rather

than a formal agreement. The planning group identified and used community assets and knowledge e.g. elected members and community councils to link into communities and to find out the best way (time/venue/process) to engage. All partners felt that they could make positive suggestions and contributions to the engagement process.



Shared Understanding Standard

We will collaboratively identify the needs and aspirations that the engagement

6	5	4	3	2	1	0
<i>to reach a</i> Excellent	Very Good	<i>Understanding</i> Good	Satisfactory	Weak	Unsatisfactory	Don't Know

engagement, the desired approach is a process where the community is more involved in research about their community's health.

Agreed score:

Comment: In the first phase residents were able to put their ideas forward but they were not actually involved in the planning to any degree. The group agreed that this is a Standard that they will have to address in any future

Inclusion Standard

We will identify and involve the people and organisations that are affected by the focus of the engagement.

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

which equates to around a 1% turnout for each community. Attendees were also community representatives and therefore had a role to represent others in the community and voice their concerns.

- Equalities was an issue – this is a weakness. There were no thematic events e.g. a carers event or any engagement with learning disability groups.
- The group noted that it is difficult to get people to engage with a strategic plan
- There was no attempt to reach people through the organisations that support them. It was also recognised that there is no representative group for ethnic minorities on the western isles.

Agreed score:

Comment: The public meetings had a good degree of community involvement, there were:

- Around 120 people engaged in the various events



Methods Standard

We will use methods of engagement that are fit for purpose.

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

responses from staff and wider members of the public. The public meetings were appropriate and were more of a conversation rather than a one way process – it was described by the group as a relaxed approach. The approach was considered to be really good as it was more conversation style rather than a top down style. The process evolved as the engagement progressed, for example some of the group work exercises didn't work and were therefore abandoned. People were informally saying that they had a chance to have their say and had the information they needed to contribute effectively, however, this would have been better collected as feedback forms completed at the event. There was an email address where people could comment on the plan which was posted online. At some of the events there were no copies of the strategic plan available for participants to respond to, which was a weakness.

Agreed score:

Comment: The group highlighted that mixed methods were used in the engagement process. As well as public meetings there was a questionnaire sent out with questions about how to integrate services. There were around 50

Support Standard

We will identify and overcome any barriers to participation.

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

needed hearing loops, large font materials, care for dependents etc. The group also identified that there were no refreshments (water/tea/coffee) available for participants at events even though they may have travelled significant distances to attend.

Agreed score:

Comment: More attention should have been given to providing transport or co-ordinating this with the comm./vol. sector groups. There was no follow-up to encourage people to identify support needs e.g. asking if potential participants

Feedback Standard

We will share information regularly during the engagement process and we will

6	5	4	3	2	1	0
<i>affected or</i> Excellent	Very Good	Good	<i>an interest.</i> Satisfactory	Weak	Unsatisfactory	Don't Know

Agreed score:

Comment: The group identified some significant weaknesses in terms of the format of the materials – there was no easy read version (although there was no request



for this from participants) and the strategic plan was not available at all events. On a positive note, materials went out in Gaelic and information was communicated about the events via local radio. The plan itself is in an accessible format. There were notes from each of the events but it was difficult for a single person to facilitate discussions and capture the discussion in note form. More administrative support is needed to capture the discussions at community engagement events, the group suggested that this could happen through existing community groups who have had training (or could have training) in this field. As a follow-up the group agreed to use the community email list to send information (copies of the revised plan) out to participants.

Impact Standard

We will analyse the impact of the engagement and what has been achieved

6	5	4	3	2	1	0
Excellent	Very Good	Good	Satisfactory	Weak	Unsatisfactory	Don't Know

Agreed score:

Comment: The group felt that the various events and community voices have contributed to the final Strategic Plan. The process would have benefited from a feedback form to indicate if participants felt that it was a good process

e.g. basic participant questions like:

1. Did you have an opportunity to have your say?
2. Do you feel that your views were taken on board?
3. Did you have the information you needed to contribute effectively?
4. Do you feel this was a good community engagement process?
5. Is there something that you can do to help achieve the aims of this process?



