

Equality Impact Assessment
on the Safeguarding Policy (Adults and Children) updated September 2016
North Somerset CCG

Authors	Jayne Chidgey-Clark, Susan Masters
Approved By	Jacqui Chidgey-Clark
Ratification Date	15.9.2016
Review Date	15.9.2019

EQUALITY IMPACT ASSESSMENT FRONT SHEET

POLICY Being Assessed: Safeguarding (Adults and Children), September 2016

Is this a new or existing policy, practice, service, etc.?	Existing policy updated Sep 2016 to reflect changes to the Care Act (2014)
--	---

State the context for this EIA (e.g. service redesign, service commissioning, a QIPP programme, policy or strategy development or review)	Policy – updated to reflect changes to the Care Act (2014)
---	--

On which protected characteristics has this Equality Impact Assessment been carried out? (Write Y or N)

Race	Y	Disability	Y	Sex	Y	Religion or Belief	Y	Marriage or Civil Partnership	Y
Age	Y	Sexual Orientation	Y	Gender reassignment	Y	Pregnancy and Maternity	Y		

Name of person carrying out this Equality Impact Assessment	Jayne Chidgey-Clark Interim Clinical Lead for Transformation Outcomes
Senior manager responsible for this project	Sue Masters Head of Safeguarding
Signature	
Date	Insert date

CONTENTS

		Page
1	Background summary	4
2	Establishing relevance to the public sector equality duty	5
3	Scoping the equality impact assessment	6
4	Analysing equality information	8
5	Monitoring and review	8

1. Introduction

1.1. Policy summary

- 1.1.1. The main aim of the Safeguarding Policy (Adults and Children) policy is to set out North Somerset Clinical Commissioning Group's (NSCCG) arrangements for, and the approach to, the safeguarding of adults and children. The policy aims to ensure that no act or omission on the part of the services commissioned by NSCCG puts a child or adult inadvertently at risk.
- 1.1.2. Everybody has the right to live a life free from abuse and neglect and this right is actively promoted by North Somerset CCG as it commissions safe, effective and high quality services for local people, with particular duties to those patients who are less able to protect themselves.
- 1.1.3. NSCCG is a statutory member of the Local Safeguarding Children's Board (LSCB) and the Local Safeguarding Adults Board (LSAB). Working Together to Safeguard Children (2015) reinforces the central role of LSCB's. All NHS and NHS funded organisations are expected to participate fully with their LSCBs and as a commissioner the CCG must use contractual mechanisms to reinforce and monitor this requirement.
- 1.1.4. The Safeguarding Policy sets out the collective and individual expectation for NSCCG staff to comply with legislation, codes of conduct and behaviours required as an employee of NSCCG. The policy describes the definitions of abuse for both children and adults; it sets out how employees should report such abuse and describes the inter-related Human Resources (HR) policies that should be read in conjunction with this policy
- 1.1.5. Definitions of harm and abuse include behaviours defined as harassment under the Equality Act 2010: "Unwanted behaviour related to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them."
- 1.1.6. NHS bodies have a statutory duty to ensure that it makes arrangements to Safeguard and promote the welfare of children and young people, to protect adults at risk from abuse or the risk of abuse and support the Home Office Counter Terrorism strategy CONTEST, which includes a specific focus on PREVENT (preventing violent extremism / radicalisation).

1.2. Who is responsible for implementing, monitoring and/or developing the policy or practice?

- 1.2.1. The Policy clearly sets out (page 8) the accountabilities and responsibilities of different parts of the CCG for developing, implementing and monitoring the Policy. This includes the Organisation, the Head of Safeguarding, Designated Safeguarding Professionals, the Safeguarding Team, the Lead Director for Safeguarding (Director of Nursing and Quality), the Governing Body, Line Managers and All Staff

2. Establishing relevance to the public sector equality duty

2.1. Does the policy or practice affect service users, employees or the wider community, and therefore potentially have a significant effect in terms of equality?

2.1.1. The policy has the potential to affect any users of services commissioned by NSCCG, employees of NSCCG and the wider community and therefore potentially could have a significant effect in terms of equality.

2.2. Does or could the policy or practice affect different “protected groups” differently?

2.2.1. This policy is consistent in its approach regardless of the nine protected characteristics.

Protected Group	Impact on group
Age	The policy applies to all people and therefore is consistent in its approach regardless of age.
Disability including physical and mental impairment	This policy is consistent in its approach regardless of any disability
Gender reassignment	This policy is consistent in its approach regardless of gender reassignment
Marriage and civil partnership	This policy is consistent in its approach regardless of marriage or civil partnership status
Pregnancy and maternity	This policy is consistent in its approach regardless of pregnancy and maternity
Race including nationality and ethnicity	This policy is consistent in its approach regardless of race. In particular, the principals of the Children Act states that race, religion and culture must be taken into account when working with children.
Religion or belief	This policy is consistent in its approach regardless of religion and belief. In particular, the principals of the Children Act states that race, religion and culture must be taken into account when working with children.
Sex	This policy is consistent in its approach regardless of sex.
Sexual orientation	This policy is consistent in its approach regardless of sexual orientation.

2.3. Does it relate to an area with known inequalities (for example, access to public transport for disabled people, racist/homophobic bullying)?

2.3.1. An analysis of the impact on equality considers what effect activities have on:

- Eliminating unlawful/unjustifiable discrimination and harassment;
- Advancing equality;

- Fostering positive relationships between different groups of people, thereby
- Improving community cohesion
- Promoting positive attitudes towards disabled people, including positive actions to help people with protected characteristics overcome disadvantage.
- Involving people in decisions regarding their health and social care, and their access to services.

2.3.2. The Department of Health in their report “Safeguarding Adults: The role of health services. Analysis of the impact on equality (2011)” summarise wide ranging evidence in relation to the harm, abuse and neglect that people with a protected characteristics experience (see appendix 1 of [Safeguarding Adults: The role of health services. Analysis of the impact on equality.](#))

2.3.3. Thus a successful outcome from the implementation of this policy by the CCG in its commissioning responsibilities will be to have a positive impact on equality issues in relation to the nine protected characteristics:

- Health services improve the prevention of neglect and abuse as they take positive action to meet the needs of people with protected characteristics and their carers.
- Where neglect and abuse occurs, services provide appropriate protective care.
- Staff uphold the rights of people to make decisions about their safety and involve them throughout the safeguarding process.
- Staff take account of the person’s lifestyles, beliefs and rights to private life when developing protection plans with them.
- Protection plans are least restrictive of the person’s rights.

3. Scoping the equality impact assessment

3.1. Describe the policy/practice that is being developed or reviewed.

3.1.1. The main aim of the Safeguarding Policy (Adults and Children) policy is to set out North Somerset Clinical Commissioning Group’s (NSCCG) arrangements for, and the approach to, the safeguarding of adults and children. The policy aims to ensure that no act or omission on the part of the services commissioned by NSCCG puts a child or adult inadvertently at risk. The Policy operates in the context of all commissioned services for the population of North Somerset.

3.1.2. The positive impact of the policy is that it has been developed to provide a clear process, commissioning and policy framework for the CCG to fulfil its legal duty to safeguard and promote the welfare of children and adults in line with section 11 Children Act 2004 and the Care Act 2014.

3.2. What aspects of the policy or practice are most relevant to equality?

3.2.1. All areas of the policy are relevant to equality.

3.3. Is the policy or practice intended to benefit patients, communities and employees with all the nine characteristics protected by the Equality Act 2010?

3.3.1. Yes

3.4. Which protected groups and which parts of the public sector equality duty is the policy or practice relevant to?

The policy addresses risk of harm of abuse which is known to be of greater risk to people identified for protected characteristics. It also advances equality of opportunity between people who share a protected characteristic and those who do not.

3.5. What equality information is available about the relevant protected groups?

3.5.1. North Somerset Joint Strategic Needs Assessment, North Somerset CCG Equality Information 2015

3.6. What is the equality profile of the population that is intended to benefit from the policy?

3.7. As this policy addresses any person (adult or child) at risk of harm from abuse or neglect the whole populations within the protected characteristics group are intended to benefit from the implementation of this policy.

Group description		North Somerset population (2011 Census)
Characteristic	Total Applicants/ Population	100% (202,566 people)
Ethnic origin	Black or Minority Ethnic Origin (excluding 'White Irish', 'Other White' and "Gypsy, Traveller or Irish Traveller groups)	2.7%
	White Irish, Other White, Gypsy, Traveller or Irish Traveller Ethnic Origin	3.2%
	White British Ethnic Origin (including English, Welsh, Scottish, Northern Irish)	94.1%
Disability	People with a limiting long term illness	19.2%
Sex	All population, all ages	49% male 51% female
Gender identity	Transgender population	0.2**%
Sexual Orientation	Lesbian, Gay or Bisexual	6.0**%
	Heterosexual	94*%
Religion or Belief	Christian	61%
	Other religion or belief	1.5%
	No religion or belief/ Atheism	30%
	Unknown	7.5%

Group description		North Somerset population (2011 Census)
Age	Aged 0-15	18.1%
	Aged 16-64	60.9%
	Aged 65+ (85+)	21.0% (3.2%)

*Gender Identity Research and Education Society (GIRES) estimate (2011)

**2005 Treasury estimate for the UK population, reported on Stonewall's website (2013)

3.8. What consultation and engagement activities have already been undertaken regarding this policy or practice?

3.8.1. The policy was taken to the multiagency safeguarding boards for information and comments invited. The police was also shared with Health Watch for comment. The policy has also been reviewed internally at Quality Assurance Meeting.

3.9. State the key outcomes of the consultation and engagement

3.9.1. No comments were received.

3.10. What further consultation is planned to inform this impact assessment?

3.10.1. No further consultation is planned to inform this impact assessment unless less further changes to statutory guidance need to be incorporated.

3.11. Analysing equality information

3.11.1. Assessment of the outcomes of the policy or practice

3.11.1.1. This policy has the potential to affect more positive outcomes to protected groups in relation to the public sector equality duty?

3.11.2. Assessment of the legality of the policy or practice

3.11.2.1. Assessment of this policy indicates that this policy will not disadvantage any particular groups or discriminate unlawfully. The implemented policy will advance equality through robust commissioning framework to ensure providers meet their Safeguarding obligations.

3.11.3. How does the policy or practice help to deliver the organisation's wider business objectives?

3.11.3.1. This Policy is key in supporting the NHS Constitution, the NHS Outcomes Framework and the CCG's Operational Plan.

3.11.4. What steps will you take in response to the findings of your impact assessment?

3.11.4.1. **No major change** – This impact assessment demonstrates that the policy or practice is robust and the evidence shows no potential for discrimination and that it has taken all appropriate opportunities to advance equality and foster good relations between groups.

3.12. Action planning

3.12.1. No action plan required as a result of this equality impact assessment.

4. MONITORING AND REVIEW

4.1. How will you review the actual effects of the policy or practice after implementation?

4.1.1. Policy implementation will be monitored and reviewed by the Head of Safeguarding with support from commissioning and contracting leads.

4.1.2. When commissioning services the CCG will use safeguarding standards in contracts for all providers. The standards are informed by legislation, statutory guidance and research evidence. The CCG will seek assurance that these standards are met via the Quality Schedule and contract monitoring undertaken by the CCG Integrated quality and performance group. Providers will submit an annual safeguarding report to their own board and a copy of this will be sent to the Head of Safeguarding which will need to provide assurance of compliance with these standards.

4.1.3. CCG staff mandatory training will be monitored by the Head of Safeguarding.