

Report to:	Clinical Commissioning Group Board
Date of Meeting:	31 May 2013
Subject:	Equality and Diversity – 2013/16 Plan, Objectives and Equality Delivery System Action Plan
Presented by:	Julia Mizon, Director of Commissioning and Partnerships
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STATUS OF THE REPORT:			
To approve	<input checked="" type="checkbox"/>	To endorse	<input type="checkbox"/>
To ratify	<input type="checkbox"/>	To discuss	<input type="checkbox"/>
To consider	<input type="checkbox"/>	For information	<input type="checkbox"/>

<p>PURPOSE OF REPORT: In May 2013 the Planning and Commissioning Committee considered the attached Equality and Diversity Plan 2013/16, the broad objectives for the same period and the action plan which underpins the work required to improve on the Equality Delivery System (EDS) baseline assessment. The purpose of the paper is to seek CCGB approval of the attached plan, broad objectives and EDS action plan.</p> <p>RECOMMENDATIONS: It is recommended that the Clinical Commissioning Group Board:</p> <ul style="list-style-type: none"> a) Considers and approves the attached NHS Hull Equality and Diversity Plan 2013 - 2016 and associated objectives, and b) Considers and approves the attached Equality Delivery System (EDS) action plan.
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<p>REPORT EXEMPT FROM PUBLIC DISCLOSURE</p> <p>If yes, grounds for exemption (FOIA or DPA section reference)</p>	<p>No <input checked="" type="checkbox"/> Yes <input type="checkbox"/></p>
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CCG STRATEGY NUMBER REFERENCE	ASSURANCE FRAMEWORK REFERENCE NUMBER
<p>The NHS Hull Clinical Commissioning Group (CCG) equality plan and objectives for 2013/16 focus on how we will positively contribute to a fairer society and good relations in the way we work in Hull with the population, statutory organisations and the voluntary, community and social enterprise organisations to deliver the vision of “creating a healthier Hull”.</p> <p>The plan builds on the previous work of the NHS Hull PCT as part of the Humber Cluster of PCTs, bringing together our statutory duties and covering our commitment to equality issues and Human Rights following the introduction of the Equality Act 2010.</p> <p>NHS Hull CCG has identified clinical, lay and director leads for equality and diversity.</p> <p>The EDS baseline assessment is based around the strategic aims of improving health outcomes for all and assisting commissioners in the delivery of fair and equitable care.</p>	

IMPLICATIONS:	
Finance	Financial implications will occur if the legal requirements of the Equality Act (2010) and its Duty to be applied by the Public Sector (2011) are not upheld.
HR	HR considerations are important in relation to E&D; the interaction between the population and CCG team is essential. There are E&D implications for the way the CCG leadership and culture.
Quality	Lack of engagement with marginalised and hard to reach groups will affect the quality of provision that is both commissioned and delivered to the population of Hull.
Safety	Equality Impact Assessments, especially with regard to disability will continue to ensure the safety of commissioned services.

ENGAGEMENT:

Internal engagement only at this stage. Requirements from the plan, objectives and action plan ensure community discussion and active involvement on a sustainable basis. Therefore continued and sustained engagement is a key requirement to the progress to E&D.

LEGAL ISSUES:

The E&D Action Plan is formed from the EDS Baseline for NHS Hull CCG, which is underpinned by the Equality Act (2010), with strong connection to the public duties which came into effect fully in October 2010; and the Human Rights Act (1998). Contravention of these will lead to public, organisational, reputational and financial implications. The authorisation of the CCG could also be rescinded.

EQUALITY AND DIVERSITY ISSUES:

The action plan document will provide a means to monitor and review equality and diversity practices within the organisation and enable the CCG to reach a wider audience as well as connect with harder to reach groups to ensure that they have a public voice in health.

The plan also aims to enable the CCG to excel in their provision and engagement as part of a proactive and positive organisation. It will be utilised to develop objectives which will be set and reviewed annually.

THE NHS CONSTITUTION:

All sections of the NHS constitution are covered and referenced within this document and the adherence to the Equality Act 2010 as there is inter-reliance between the two for both to be fully effective.

NHS Hull CCG Equality and Diversity Plan, Objectives and Equality Delivery System Action Plan 2013 - 16

INTRODUCTION

1. The purpose of this report is for the Clinical Commissioning Group Board to consider and approve the attached Equality and Delivery Plan and Objectives for 2013/16 and the Action Plan which underpins the development of the Equality Delivery System for the same period.

BACKGROUND

2. The NHS Hull Clinical Commissioning Group (CCG) equality plan and objectives for 2013/16 focus on how we will positively contribute to a fairer society and good relations in the way we work with the population, statutory organisations and the voluntary, community and social enterprise organisations to deliver the vision of “creating a healthier Hull”.

The plan builds on the previous work of the NHS Hull PCT as part of the Humber Cluster of PCTs, bringing together our statutory duties and covering our commitment to equality issues and Human Rights following the introduction of the Equality Act 2010.

NHS Hull CCG has identified clinical, lay and director leads for equality and diversity.

- I In accordance with the Equality Act (2010) and the Public Sector Duty (2011), NHS Hull Clinical Commissioning Group has undertaken a baseline assessment against the NHS Equality Delivery System (EDS) and the CCG commitment to equality and diversity.

The attached action plan has been prioritised in order to address the areas of the EDS which were assessed as “developing” (see key) and deliver the Equality and Diversity objectives.

INFORMATION

- 3.1 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
- Transgender
- Pregnancy, maternity and paternity
- Socio-economic background (consideration)
- Marriage and civil partnership (only in relation to the requirement to have due regard to the need to eliminate discrimination and generally only applies to workplace practices)
- Religion or belief (or lack of belief)

- Ethnicity, including ethnic or national origin, and nationality
- Gender
- Sexual orientation

3.2 The Human Rights Act (HRA) 1998, which came into force on 1 October 2000, details how the UK complies with and implements the rights and freedoms guaranteed under the European Convention on Human Rights. All public bodies have an obligation to ensure respect for Human Rights, acting in ways that positively reinforce the principles of the HRA 1998.

3.3 The NHS has introduced an Equality Delivery System (EDS) to support NHS commissioners and providers to deliver better outcomes for patients and communities, and better working environments for staff, which are fair, personal and diverse.

At the heart of the EDS there are 18 outcomes grouped into four objectives:

- Better health outcomes for all
- Improved patient access and experience
- Empowered, engaged and included staff
- Inclusive leadership at all levels

GOVERNANCE

4.1 Structure

In relation to Equality and Diversity, the following Committee's have a specific role and this is articulated as follows:

4.1.1 The Planning and Commissioning Committee is required "to meet all relevant requirements in line with equality and diversity and to have regard to the need to reduce inequalities in access to healthcare and healthcare outcomes, promote patient and carer involvement in decisions about them ("no decision about me without me") and enable patients to make choices with respect to aspects of their healthcare".

4.1.2 The Quality and Performance Committee is required "to performance manage systems, processes and outcome measures to provide assurance regarding the CCGs internal quality and financial governance arrangements".

4.1.3 The Integrated Audit and Governance Committee is required "review the establishment and maintenance of an effective system of integrated governance, risk management and Internal Control across the whole of the organisation's activities (both clinical and non-clinical) that supports the achievement of the organisation's objectives.

4.2 Processes

Each report to Committee or Board that accompanies a policy, strategy, service specification, etc should include an Equality Impact Analysis (EqIA). The cover sheet template includes an Equality and Diversity section so that authors can summarise the analysis and associated actions.

Where there has been no EqIA undertaken – the cover sheet should clearly state the reason why this is not required.

The EqIA should be authorised by the Equality and Diversity Director lead before the publication of Committee/Board papers.

The Director supporting each Committee or Board is responsible for ensuring that these requirements are adhered to.

In order to demonstrate that NHS Hull CCG is positively contributing to a fairer society and good relations in the way we work with the population, statutory organisations and the voluntary, community and social enterprise organisations to ensure that there is a continued improvement in assessments of the Equality Delivery Scheme (EDS), it is essential that the results and actions identified from undertaking the EqIAs are published.

The actions identified should be remedied and addressed within the policy, strategy being considered for approval or, where this is not possible, they are included in an action plan as part of the document being approved. These actions will be monitored by the Quality and Performance Committee and form part of our future public declarations and annual reporting to the CCGB.

All completed EqIAs are published on the CCG website as part of the Equality and Diversity publication scheme.

The GP Member, lay member and director leads have an important role to positively promote these requirements and ensure that these processes are in place and working effectively.

4.3 Roles and Responsibilities

With regard to Equality and Diversity, the CCG has nominated GP, lay member and Director leads. These individuals are:

- Dr Mark Follows, GP Member
- Jason Stamp, Lay Member
- Julia Mizon, Director

NEXT STEPS

5. Specific duties set out in the Equality Act 2010 promote a better performance of the equality duty by requiring the publication of:

- Equality objectives, at least every 4 years
- Information to demonstrate compliance with the equality duty, at least annually,

which tell us the steps we need to take to demonstrate that we are paying due regard to the general duty.

The Equality and Diversity Task and Finish Group has focussed on the development of broad objectives and an EDS action plan; highlighting key priorities with relation to equality and diversity for the CCG.

Further review via the equality impact assessment audit has also uncovered areas for development and improvement which have been reflected in the objectives for 2013/16.

The setting of these objectives will assist in ensuring that the CCG achieves continuous progression with regard to equality and diversity duties.

The EDS action plan has been devised around the 4 objectives of the Equality Delivery System baseline assessment which was previously presented to the Board. The baseline assessment identified that the CCG as “achieving/developing”. The areas in amber are those which are deemed to be a priority and for which actions are required in order to ensure that the CCG is improving on the baseline assessment to a position of “achieving”.

The actions within the E&D plan, objectives and the EDS action plan cover both short and long term goals, as well as recurring requirements for the CCG in order to ensure continued compliance with all equality and diversity legislation and duties.

It is proposed that the CCG accepts the attached documents as part of a 3 year strategy, which will be regularly monitored and reviewed annually with refreshed objectives as required.

RECOMMENDATIONS

4. It is recommended that the Clinical Commissioning Group Board:
 - a) Considers and approves the attached NHS Hull Equality and Diversity Plan 2013 - 2016 and associated objectives, and
 - b) Considers and approves the attached Equality Delivery System (EDS) action plan