
Report To:	Inverclyde Integration Joint Board	Date:	25 September 2023
Report By:	Kate Rocks Chief Officer, Inverclyde Health & Social Care Partnership	Report No:	IJB/46/2023/CG
Contact Officer:	Craig Given Head of Finance, Planning and Resources, Inverclyde Health & Social Care Partnership	Contact No:	
Subject:	Public Sector Equality Duty Compliance Update		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to provide the Integration Joint Board with a progress update on the Public Sector Equality Duty (PSED) Compliance and Improvement Plan.
- 1.3 The Equalities and Human Rights Commission (EHRC) previously advised Inverclyde IJB that it deemed it to be non-compliant with its Public Sector Equality Duties under the Equality Act 2010 and associated Regulations.
- 1.4 An Improvement Plan was developed by HSCP officers and approved at the March 2023 IJB meeting. Good progress has been made towards compliance and embedding equalities practice across the HSCP. Appendix 1 sets out progress to date.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Inverclyde Integration Joint Board:
1. Notes the progress made against the Improvement Plan set out at Appendix 1 of this report.
 2. Notes that a further report will be presented to the March 2024 meeting of the Integration Joint Board with an update on progress in implementing the Improvement Plan, along with the new Equality Outcomes for 2024-28 and the Equalities Mainstreaming Report for 2022-24.

Kate Rocks, Chief Officer, Inverclyde Health and Social Care Partnership

3.0 BACKGROUND AND CONTEXT

- 3.1 The Equality Act 2010 and Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 hold public bodies accountable for advancing equality and protecting people with protected characteristics rights within Scottish society. Integration Joint Boards were added to the public bodies listed in the Equality Act (general and specific duties) in June 2015.
- 3.2 The Equality and Human Rights Commission (EHRC), who are the regulator for the Public Sector Equality Duty, undertook a review of all IJBs' compliance with this duty in 2022. They advised Inverclyde IJB that at that time they considered Inverclyde IJB to be non-compliant with its duties under the Equality Act 2010 and associated Regulations. Several other IJBs across Scotland were also assessed as being non-compliant.
- 3.3 To ensure compliance with the Duty, an Improvement Plan was developed with clear actions; timescales and responsibilities, and this plan was approved at the IJB meeting in March 2023.

4.0 PROPOSALS

- 4.1 The Planning Officer (Equalities) assumed post in early April 2023 which has provided capacity to progress this agenda. Good progress has been made in delivering against the improvement plan to date, and key relationships established within services, and across other HSCPs. Appendix 1 provides a full update on the plan however key achievements to date include:
 - Establishment of both the HSCP Strategic Equalities Group and the HSCP Equalities Champions Network.
 - A training and awareness programme developed for staff, senior managers, SPG and IJB Board members to ensure everyone understands their role in mainstreaming equalities across all our health and social care services.
 - A retrospective audit of all IJB reports since April 2021 was undertaken to ensure Equality Impact Assessments (EQIAs) were completed for all new policies/ functions / strategies or substantive changes to policies /functions /strategies, and any outstanding have now been completed. Meetings and close working with individual services took place to support this process.
 - Review of Equality Impact Assessment (EQIA) process underway.
 - EQIA master tracker now in place to ensure consistency and monitoring across all HSCP services. This allows for central oversight of the EQIA process.
 - Interim Equality Outcomes are now published on the HSCP website and work is underway to develop new Equality Outcomes. Work will also take place to provide an update report on our current Equality Outcomes.
 - Evidence gathering is underway, to inform our new Equality Outcomes and Mainstream report. Work with the equalities champions will be key to capturing evidence of services key development work. Work is taking place with other HSCP Equality leads.
 - Work is underway to develop a staff questionnaire on equalities.
 - A Communications and Engagement plan is in place for community engagement taking place during September 2023, alongside our strategic plan engagement.
 - Professional relationships established with all other HSCP Equalities Leads, NHS Board Equalities team and Council Corporate Equalities Group.
- 4.2 HSCP Officers are in contact with the Equality and Human Rights Commission (EHRC) to ensure relationships are developing and all opportunities for training and support by the EHRC are attended, where applicable. A Scotland wide HSCP Equalities Network has been established to provide peer support, training, and advice with regular attendance and engagement by Inverclyde HSCP officers. This open communication and networking are key to ensuring we are up to date and compliant with any future regulatory changes to the Public

Sector Equality Duty (PSED). A working group is also being established to develop key equalities resources and plan for a national equality leads event. Inverclyde HSCP will be part of this working group.

- 4.3 The HSCP Senior Management Team are committed to ensure all aspects of the Public Sector Equality Duty (PSED) are embedded across HSCP practice and delivery. A further report will be presented at the March 2024 IJB meeting to provide further progress updates; approve the new Equality Outcomes for 2024-28; and approve the Equality Mainstreaming Report for 2022-24.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic Plan Priorities	X	
Equalities, Fairer Scotland Duty & Children and Young People	X	
Clinical or Care Governance		X
National Wellbeing Outcomes	X	
Environmental & Sustainability		X
Data Protection		X

5.2 Finance

There are no financial implications arising from this report.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

5.3 Legal/Risk

The Equality and Human Rights Commission (EHRC) has various enforcement powers available to it in terms of the Equality Act 2010. This includes the power to issue a formal compliance notice under Section 32 of the Equality Act 2010 should the Council fail to take the necessary steps towards compliance as requested in their correspondence.

5.4 Human Resources

Nil to note.

5.5 Strategic Plan Priorities

This report will help to deliver all six Big Actions set out in the Strategic Plan.

5.6 Equalities

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
x	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Equality Outcomes

How does this report address our Equality Outcomes?

Our Strategic Plan sets out how the HSCP will support our community.

Equalities Outcome	Implications
People, including individuals from the above protected characteristic groups, can access HSCP services.	New equalities outcomes will be developed in line with the legislation
Discrimination faced by people covered by the protected characteristics across HSCP services is reduced if not eliminated.	New equalities outcomes will be developed in line with the legislation
People with protected characteristics feel safe within their communities.	New equalities outcomes will be developed in line with the legislation
People with protected characteristics feel included in the planning and developing of services.	New equalities outcomes will be developed in line with the legislation
HSCP staff understand the needs of people with different protected characteristic and promote diversity in the work that they do.	New equalities outcomes will be developed

	in line with the legislation
Opportunities to support Learning Disability service users experiencing gender based violence are maximised.	New equalities outcomes will be developed in line with the legislation
Positive attitudes towards the resettled refugee community in Inverclyde are promoted.	New equalities outcomes will be developed in line with the legislation

(c) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
x	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

(d) **Children and Young People**

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
x	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 **Clinical or Care Governance**

There are no clinical or care governance implications arising from this report.

5.8 **National Wellbeing Outcomes**

How does this report support delivery of the National Wellbeing Outcomes?

National Wellbeing Outcome	Implications
People are able to look after and improve their own health and wellbeing and live in good health for longer.	None

People, including those with disabilities or long term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community	Disability is covered under the protected characteristics
People who use health and social care services have positive experiences of those services, and have their dignity respected.	None
Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.	None
Health and social care services contribute to reducing health inequalities.	Socioeconomic status is covered under Fairer Scotland Duty
People who provide unpaid care are supported to look after their own health and wellbeing, including reducing any negative impact of their caring role on their own health and wellbeing.	None
People using health and social care services are safe from harm.	None
People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.	None
Resources are used effectively in the provision of health and social care services.	None

5.9 Environmental/Sustainability

Summarise any environmental / climate change impacts which relate to this report.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
x	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.10 Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
x	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 DIRECTIONS

6.1	Direction to:	
	1. No Direction Required	x

Direction Required to Council, Health Board or Both	2. Inverclyde Council	
	3. NHS Greater Glasgow & Clyde (GG&C)	
	4. Inverclyde Council and NHS GG&C	

7.0 CONSULTATION

7.1 The report has been prepared by the Chief Officer of Inverclyde Health and Social Care Partnership (HSCP) after due consideration with relevant senior officers in the HSCP.

8.0 BACKGROUND PAPERS

8.1 None.

Inverclyde Health & Social Care Partnership Improvement Plan – Equalities (2023) – Update for September IJB

The public sector equality duty is referred to as the 'general equality duty' which is part of the Equality Act (2010). The general equality duty applies to Inverclyde Integration Joint Board (IJB), which has a legal obligation to pay due regard to meet the need to;

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

The HSCP also has the responsibility to produce an Equality and Diversity Mainstreaming report every **two years** and an Equality and Diversity Mainstream Report and Outcomes every **four years**.

Specific equality duties:

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 place duties (specific duties) on listed public authorities. An Integration Joint Board is a listed public authority in terms of those regulations.

- Regulation 3 – the duty to report progress on mainstreaming the equality duty – requires listed authorities to publish a report on the progress it has made to make the equality duty integral to the exercise of its functions. Such reports must be published at intervals of not more than 2 years.
- Regulation 4 – the duty to publish equality outcomes and report progress – requires listed authorities to publish a set of equality outcomes which it considers will enable it to better perform the equality duty. Such sets must be published at intervals of not more than 4 years and a report must be published on the progress made at intervals of not more than 2 years.
- Regulation 5 – the duty to assess and review policies and practices - requires listed authorities, where and to the extent necessary to fulfil the equality duty, to:
 - (1) Assess the impact of applying a proposed new or revised policy or practice against the needs mentioned in the general duty,
 - (2) Consider relevant evidence relating to people who share a protected characteristic
 - (3) Take into account the results of their assessment in developing the policy or practice
 - (4) Publish within a reasonable period the results of any assessment, and
 - (5) Review, and where necessary, revise any policy or practice that it applies in the exercise of its functions to ensure that in exercising those functions it complies with the equality duty

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 lists specific duties which apply to Inverclyde Integration Joint Board.

1. Produce and publish an equalities mainstreaming report every two years
2. Develop and publish Equality Outcomes every four years
3. Produce and report on these Equality Outcomes every two years
4. Undertake and publish Equality Impact Assessments of all policies and practices, including one for the Strategic Plan
5. Develop and implement a functioning Equality Impact Assessment (EIA) system which includes a quality assurance process.

Improvement Action 1 – Ensure Leadership and organisational commitment to Equalities, Diversity and Inclusion

Local Action(s)	How will we know/Measure?	Responsible Officer /	Target Date	Progress Commentary and RAG Status
Establish an Equalities Group at Service Manager level chaired by a Head of Service to oversee all Equalities work.	<ul style="list-style-type: none"> Group established and meets quarterly Agenda developed 	Chief Officer/Heads of Service	April 2023	Group established. TOR agreed. Schedule of meeting dates in diary for 2023. COMPLETE BLUE
Identify resources and recruit to a Planning Officer with responsibility for embedding equalities across the HSCP.	<ul style="list-style-type: none"> Planning Officer in post and delivering to work plan 	Head of Finance, Planning and Resources/Service Manager Planning and Performance	May 2023	In post commenced early April 2023 until August 2024. COMPLETE BLUE
Develop a meaningful equality training programme for IJB Board members to ensure awareness and understanding of their role in equality duties.	<ul style="list-style-type: none"> Training programme developed and delivered No. of attendees. Pre and post training awareness levels 	Chief Officer	September 2023	IJB presentation will be delivered during September. Presentation/training delivered with focus on the IJB governance role of analysing and scrutinising the equality impact across HSCP services. ON TRACK GREEN
Establish a peer Equalities network (Champions) from across all HSCP service areas (team leader level) and support with appropriate training and development to carry out their role within services.	<ul style="list-style-type: none"> Training programme developed and delivered Improved awareness / knowledge and communications across the HSCP 	Heads of Services/ Service Manager Planning and Performance	June 2023	Peer Network established with 15 members across HSCP services. Framework agreement in place. Presentation delivered to all members. Tools/resources shared. Bespoke training being delivered in September. Ms teams channel in place for safe sharing of documents. ON TRACK GREEN

<p>Review HSCP website and ensure all equalities information is accessible.</p>	<ul style="list-style-type: none"> Audit of Information on HSCP website is available and easy to access 	<p>Service Manager Planning and Performance/Service Manager Business Support and Advice Services</p>	<p>September 2023</p>	<p>Ongoing. When EQIAs are signed off they are now uploaded to website. Regular time in diary to review content on website and contact with other HSCPs regarding their website content. IJB page now has link to Equalities HSCP page. Accessible information / websites shared via equalities champions – work will continue on developing this further. ON TRACK GREEN</p>
<p>Ensure as part of induction all staff undertake the E learning module on equalities on commencing employment.</p>	<ul style="list-style-type: none"> No. of staff completed the module 	<p>Heads of Service</p>	<p>May 2023</p>	<p>Report collated on status for both council and NHS staff. Monthly stats now monitored. Continued work with equalities champions to encourage uptake of e-learning modules. Equalities bulletin being developed which will include training opportunities also. COMPLETE BLUE</p>

<p>Work with HSCP champions and services to identify all good practice in relation to mainstreaming equalities.</p>	<ul style="list-style-type: none"> • Examples of good practice 	<p>Service Manager Planning and Performance</p>	<p>Ongoing/March 2024</p>	<p>Ongoing. Work has commenced with equalities network establishing user friendly reference documents, FAQ and e-learning quick reference guides. This work will continue as the network develops. ON TRACK GREEN</p>
<p>Report to IJB two yearly on all Equalities work (Mainstreaming Report).</p>	<ul style="list-style-type: none"> • Mainstreaming Report to IJB and published on website 	<p>Chief Officer</p>	<p>March 2024 Then March 2026</p>	<p>Tip cards / fact sheets and equalities staff forum information shared via equalities champions. Timeline in place for reporting timescales. Evidence gathering is underway. Monthly meeting now in place with other HSCP leads, who are working to same timescales. ON TRACK GREEN</p>



Improvement Action 2 - Develop and publish Equality Outcomes every four years

Local Action(s)	How will we know/Measure?	Responsible Officer	Target Date	Progress Commentary and RAG Status
Develop evidence base for Inverclyde HSCPs Equality Outcomes	<ul style="list-style-type: none"> Evidence of Review previous Equality Outcomes/NHS GGC and Inverclyde Council Outcomes/ Review Strategic Needs Assessment 	Service Manager Planning and Performance	September /October 2023	Evidence base started and all work completed so far will help inform our equality outcomes. Work with other HSCP equality leads regarding good practice and evidence gathered previously, with support via IJB/HSCP network. Monthly meeting now in place with other HSCP leads. ON TRACK GREEN
Creation of and distribute Equalities questionnaire for staff across Inverclyde HSCP to help inform the Equality Outcomes.	<ul style="list-style-type: none"> Questionnaire develop and return rate 	Service Manager Planning and Performance	September 2023	Questionnaire drafted on Microsoft forms and cascade plan in place. Further work to be done to amend questions before cascading to HSCP staff. To look at NHS GG&C question set due out in August. NEEDS PROGRESSED RED
Undertake wider community consultation (Involve people with protected characteristics) and engagement to identify key areas for inclusion in Equality Outcomes.	<ul style="list-style-type: none"> No. of community consultations Feedback from engagement 	Service Manager Planning and Performance	September 2023	Engagement/comms being developed and will take place throughout September alongside strategic planning engagement work. Reach out to services to work with groups already established. Will factor in process for capturing equalities data /

				attendance at engagement events. Comms/Engagement plan in place. ON TRACK GREEN
Develop a set of Equalities Outcomes based on evidence of need that have clear specific measurable Equality Outcomes.	<ul style="list-style-type: none"> Equality Outcomes developed 	Chief Officer/Service Manager Planning and Performance	November 2023	Engagement and consultation work will take place. Also work with individual services to ensure any development work is captured accordingly along with any equality impact. The equalities champions have already been asked to consider what evidence they have within their service developments and work. ON TRACK GREEN
Consult on Inverclyde HSCPs Equalities Outcomes. Adhere to the national standards of community engagement and engagement process.	<ul style="list-style-type: none"> Consultation undertaken with IJB and wider community 	Service Manager Planning and Performance	December 2023 IJB approval March 2024	Communications plan in place. Engagement work will take place alongside strategic planning engagement and consultation. ON TRACK GREEN
Report to IJB on two yearly on progress of Equalities Outcomes	<ul style="list-style-type: none"> Equalities Outcomes developed and Progress Report to IJB and published on website 	Chief Officer	March 2026	In progress. Update report on outcomes of current interim equality outcomes – agreed this should be done yearly going forward. Leads will be contacted, and updates gathered. Timeline in place for reporting. ON TRACK GREEN

Improvement Action 3 - Develop and implement a functioning Equality Impact Assessment (EIA) system which includes a quality assurance process and ensure Equality Impact Assessments of all policies and practices are published.				
Local Action(s)	How will we know/Measure?	Responsible Officer	Target Date	Progress Commentary and RAG Status
Audit EQIA compliance across HSCP since April 2021.	<ul style="list-style-type: none"> No. of EQIAs completed No. of IJB papers identified where EQIA should have been undertaken Agreement at Equality Group of these should be undertaken retrospectively 	Heads of Service/Service Manager Planning and Performance	August 2023	Audit complete and all services contacted to advise of outstanding EQIAs. Tracker and process in place for completing, including individual work with services / lead officers. Tracker in place for all current / future EQIAs to ensure consistency and that there is future oversight across services and continual monitoring. ON TRACK GREEN
Develop a new EQIA process and guidance notes for Inverclyde HSCP including new EQIA form.	<ul style="list-style-type: none"> New HSCP form and guidance produced 	Service Manager Planning and Performance	August 2023	Draft process to be finalised. New template to be agreed with network. Future awareness raising of templates for CRWIA being incorporated into process, and awareness of the Fairer Scotland Duty (FSD). ON TRACK GREEN
Deliver training across HSCP services for all staff undertaking EQIAs.	<ul style="list-style-type: none"> No. of training sessions delivered No. of appropriate staff attending 	Service Manager Planning and Performance	Commence Sept 2023/ongoing	Training programme being delivered September, which will consist of face to face and virtual sessions. This will include SMT/EMT/SPG/Equalities Group and the Equalities Network.

				Awareness raising and mainstreaming of equalities by working closely with services, including attendance at SM meetings and visits to services with helpful resources. ON TRACK GREEN
Develop quality assurance process to ensure Head of Service sign off.	<ul style="list-style-type: none"> No of EQIAs submitted 	Chief Officer	September 2023	Being developed in line with EQIA process and templates. EQIA tracker will ensure sign off process is fully completed, prior to publishing. ON TRACK GREEN
Publish all EQIAs on HSCP website.	<ul style="list-style-type: none"> No of EQIAs published on yearly basis 	Service Manager Planning and Performance	With immediate effect	Ongoing. Sign off process in place to allow EQIAs to be approved and uploaded to website. Regular review and monitoring of website. ON TRACK GREEN

