



REPORT TO: HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD – 4 MAY 2016
REPORT ON: EQUALITY OUTCOMES AND MAINSTREAMING EQUALITIES FRAMEWORK
REPORT BY: CHIEF OFFICER
REPORT NO: DIJB23-2016

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to bring forward for approval by the Integration Joint Board the Equality Outcomes that have been developed for the Partnership for 2016-17 and a proposed framework and reporting cycle for the review of the Partnership's progress in mainstreaming equalities.
- 1.2 Approval is also sought from the Integration Joint Board for proposals to be brought forward regarding the development of performance measures, as well as equalities mainstreaming and monitoring arrangements, for the Partnership.

2.0 RECOMMENDATIONS

It is recommended that the Integration Joint Board (IJB):

- 2.1 Adopts the Equality Outcomes laid out in the attached report (as Appendix 1);
- 2.2 Approves the Mainstreaming Equalities Framework and reporting cycle laid out in the attached report (as Appendix 1);
- 2.3 Approves the use of the Dundee City Council Integrated Assessment Tool and guidance for equality impact assessment of new or revised policies and practices;
- 2.4 Remits to the Chief Officer the responsibility for bringing forward for approval:
 - 2.4.1 the equalities performance indicators to be adopted by the Partnership for 2016-17;
 - 2.4.2 appropriate arrangements with Dundee City Council and NHS Tayside for the collation and reporting of employee equalities information and the provision of relevant employee equalities information for use by the Partnership;
 - 2.4.3 equalities mainstreaming and monitoring arrangements for the Partnership, which align with Dundee City Council and NHS Tayside's corporate equalities mainstreaming structures and processes.

3.0 FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4.0 MAIN TEXT

- 4.1 There is a statutory requirement for all public authorities to publish a set of equality outcomes and to 'mainstream equalities' into the way in which services are planned, organised and delivered.

- 4.2 The public sector equality duty, laid out in the Equality Act 2010 (the Act), is often referred to as the 'general duty' and it requires public authorities to have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity for people who share an identified protected characteristic and to foster good relations between people who share a protected characteristic and those who do not.
- 4.3 The general equality duty covers the protected characteristics of age, disability, gender and gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty also covers marriage and civil partnership with regard to eliminating unlawful discrimination in employment.
- 4.4 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (the Regulations) also impose 'specific duties' upon Scottish public authorities to publish a set of equality outcomes and a report showing progress being made in 'mainstreaming' equality.
- 4.5 Mainstreaming means building equalities into the way services are planned and developed, the way decisions are made, the way people in the workforce perform their duties, the quality of services delivered and the approach to continuous improvement.
- 4.6 The attached report outlines the Equality Outcomes developed for the Partnership, which have been aligned with those in place for Dundee City Council and NHS Tayside. These Equality Outcomes have been confirmed following a process of consultation. The report also notes the requirement to develop an associated set of performance indicators and the work taking place to produce these for approval.
- 4.7 In the attached report information is provided regarding the requirements upon the Partnership to produce a Mainstreaming Equalities Progress Report. A proposed reporting cycle is brought forward which will align that for the Partnership with the reporting cycle to which Dundee City Council and NHS Tayside are currently operating.
- 4.8 The report highlights the need for further work to take place to agree with Dundee City Council and NHS Tayside appropriate arrangements for the collation and reporting of employee equalities information for adult health and social care services, and the provision of relevant employee equalities information for use by the Partnership.
- 4.9 The report also identifies the need for equalities mainstreaming and monitoring arrangements to be agreed for the Partnership, and for these arrangements to connect clearly with the wider corporate equalities mainstreaming and monitoring structures and processes in place for Dundee City Council and NHS Tayside.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Equality Impact Assessment and Risk Management. There are no major issues.

6.0 CONSULTATIONS

The Chief Finance Officer and the Clerk were consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

None.

David W Lynch
Chief Officer

DATE: 4 April 2016



Equality Outcomes

and

Mainstreaming Equalities Framework

2016 – 2017

1.0 REQUIREMENT TO PUBLISH EQUALITY OUTCOMES

1.1 There is a statutory requirement for all public authorities to publish a set of equality outcomes and to 'mainstream equalities' into the way in which services are planned, organised and delivered.

1.2 This paper describes the equality duties which are required of the Dundee Health and Social Care Partnership (the Partnership). These are to adopt and publish equality outcomes and provide a bi-annual Mainstreaming Equalities Progress Report. In this report the Partnership is required to provide equalities specific information and evidence of the progress being made in mainstreaming the equality duty.

1.3 This paper lays out the Equality Outcomes that have been developed for the Partnership for 2016-17, alongside a proposed framework and reporting cycle for the review of the Partnership's progress in mainstreaming equalities.

2.0 LEGISLATIVE REQUIREMENTS

2.1 The public sector equality duty, laid out in the Equality Act 2010 (the Act) came into force in Scotland in April 2011. This equality duty is often referred to as the 'general duty' and it requires public authorities to have 'due regard' to the need to:

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

2.2 The general equality duty covers the following protected characteristics:

- Age
- Disability
- Gender
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation

It also covers marriage and civil partnership, with regard to eliminating unlawful discrimination in employment.

2.3 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (the Regulations) also impose 'specific duties' upon Scottish public authorities to publish a set of equality outcomes and a report showing progress being made in 'mainstreaming' equality. This report is required to show the progress being made by public authorities in making:

...the equality duty integral to the exercise of its functions so as to better perform that duty.

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

The Regulations require public authorities to publish an Equality Outcomes and Mainstreaming Progress Report at intervals of not more than 2 years.

3.0 EQUALITY OUTCOMES FOR THE PARTNERSHIP

3.1 The Equality Outcomes agreed for the Partnership are attached at **Appendix 1**. These Outcomes have been the subject of consultation and will contribute directly towards the achievement of the strategic priorities and shifts identified in the Dundee Strategic and Commissioning Plan.

3.2 The Partnership, alongside Dundee City Council and NHS Tayside, is required to ensure that the equality outcomes adopted satisfy at least one aspect of the general equality duty.

3.3 NHS Tayside and Dundee City Council's current Equality Outcomes are attached at **Appendices 2 and 3** for reference. As can be seen from a comparison of the Equality Outcomes developed for the Partnership and those of NHS Tayside and Dundee City Council, there is clearly a close correlation between all of these outcomes.

3.4 In developing Equality Outcomes for the Partnership the aim has been to match these as closely as possible with the equality outcomes currently in place in each of the parent organisations to achieve an appropriate level of consistency across the three organisations.

3.5 At the present time performance indicators are being developed to ensure that progress towards the achievement of the Partnership's Equality Outcomes is regularly assessed. **Appendix 4** brings forward a range of performance indicators which it is proposed should be used for this purpose, matched against the Equality Outcomes to which they relate. All of the indicators shown have either already been in use in health and social care, or are new national or local indicators developed for integration and now being adopted.

3.6 For some of the Equality Outcomes there are few or no existing indicators that can be used, and work is currently taking place to develop

appropriate measures for all seven Equality Outcomes. This will take account of the information and data already being collated by NHS Tayside and Dundee City Council for mainstreaming equalities and reporting purposes. The indicators adopted by the Partnership will be aligned, as appropriate.

4.0 EQUALITY OUTCOMES AND MAINSTREAMING REPORTING

4.1 The aim of the Equality Outcomes and Mainstreaming Progress Report is to support public authorities to work towards the achievement of the aims of the Act. Mainstreaming means building equalities into the way services are planned and developed, the way decisions are made, the way people in the workforce perform their duties, the quality of services delivered and the approach to continuous improvement.

4.2 In the Equality Outcomes and Mainstreaming Progress Report public authorities (with more than 150 staff) must identify their equality outcomes and provide workforce specific information relating to protected characteristic groups. Information regarding the gender pay gap and a statement on equal pay is also required, as well as details on the authority's progress in mainstreaming equalities.

4.3 Such information must be updated in line with the required two yearly reporting cycle and used to demonstrate the progress being made in meeting the general equality duty.

5.0 MAINSTREAMING EQUALITIES REPORTING FRAMEWORK

5.1 The Integration Joint Board (IJB) is responsible for carrying out the range of prescribed functions delegated to it by its parent bodies, Dundee City Council and NHS Tayside, through the planning, operational governance and oversight of services.

5.2 All relevant resources at the disposal of the Council and NHS Tayside relating to these functions are delegated to the IJB; this includes all relevant staffing resources. The IJB does not employ staff directly and therefore there is no requirement to produce and publish employee information. The Partnership is however, classed as a public body and is required to comply with the general and specific equality duties outlined in the Regulations, including the production of a Mainstreaming Equalities Progress Report.

5.3 Access to employee information for the workforce delegated to the IJB will still be required to allow the Partnership to meet the general and specific equality duties with which it is required to comply.

5.4 Dundee City Council and NHS Tayside currently collate employee information on an annual basis, and it is anticipated that the Partnership will

have access to this information for those employees who work within the health and social care services delegated to the Partnership.

5.5 Further discussion is required with key officers in Dundee City Council and NHS Tayside to agree responsibilities regarding the collation and reporting of employee information and the arrangements to be put in place for the provision of information for use by the Partnership.

5.6 The Partnership will use this employee information to help track performance in achieving the agreed Equality Outcomes and progress in mainstreaming equalities in adult health and social care services in Dundee.

6.0 MAINSTREAMING EQUALITIES PROGRESS REPORTING CYCLE

6.1 In line with legislative requirements Dundee City Council and NHS Tayside, as public authorities, agreed their respective equality outcomes in 2013. These were the subject of the required bi-annual review in April 2015. Links to each of their Mainstreaming Equalities Progress Reports are included in Appendices 2 and 3. Dundee City Council and NHS Tayside will be required to produce further Progress Reports in April 2017.

6.2 In assuming its equality duties as a public body from 1st April 2016, the Partnership will bring its reporting cycle into line with that for Dundee City Council and NHS Tayside, by adopting a set of Equality Outcomes for an initial period of one year. These will then be reviewed and the equality outcomes for the next four years will be agreed at that time (aligning the outcomes and their associated indicators, as far as is appropriate, with those of both parent bodies).

6.3 This means that the Partnership will produce its first Equality Outcomes and Mainstreaming Progress Report in April 2017. A progress report will be required every two years thereafter and the next full Equality Outcomes and Mainstreaming Report will be due in April 2021.

7.0 MAINSTREAMING EQUALITIES MONITORING ARRANGEMENTS

7.1 There are separate mainstreaming equalities frameworks and monitoring arrangements in place in Dundee City Council and NHS Tayside.

7.2 Within Dundee City Council there has been a Corporate Equality and Diversity Steering Group in operation, which has been chaired by the Head of Communication and Policy (L&C) and supported by the Council's Equality and Diversity Coordinator. The Group's membership has included representatives from each of the Council's Departments.

7.3 Following the organisational changes that have taken place within the Council, these arrangements are now the subject of review. Proposals are to

be made in the near future regarding the corporate equalities mainstreaming and monitoring arrangements which will be most appropriate within the new Council structures.

7.4 It is proposed that the mainstreaming equalities monitoring arrangements required for the Partnership should take account of, and be organised to align well with, those which are in place within each of the parent bodies.

8.0 EQUALITY IMPACT ASSESSMENT

8.1 Amongst the specific duties required of public authorities is the duty to assess the impact of applying a proposed new or revised policy or practice against the requirements of the general equality duty.

8.2 In making such an assessment authorities must consider relevant evidence relating to persons who share protected characteristics and publish the results of the assessment. The aim is to identify impact, provide an improved evidence base for policy and practice development, and take effective action to improve outcomes for those who experience discrimination and disadvantage.

8.3 Since April 2015 all reports relating to health and social care services which have been presented to Dundee City Council's Social Work and Health Committee have been the subject of equality impact assessment, using the Council's Equality Impact Assessment (EQIA) processes.

8.4 It has been agreed that on a 'test of change' basis the Partnership will use the EQIA tool and guidance which form part of the Dundee City Council Integrated Assessment Tool. This tool complies with Equality and Human Rights Commission guidance. The Partnership will evaluate the appropriateness and effectiveness of this tool and adopt it, or test/develop other tools, as required.

8.5 Alongside the development of Equality Outcomes and a mainstreaming equalities framework for the Partnership, an Equality Impact Assessment (EQIA) has been applied to the Dundee Strategic and Commissioning Plan 2016 – 2021. This EQIA provides a more detailed analysis of the potential impact of the Plan on people with protected characteristics and supports the Partnership in complying with its general equality duty.

9.0 PARTICIPATION AND ENGAGEMENT WITH EQUALITY GROUPS

9.1 The Partnership recognises the value of engaging with Equality Groups and with people who experience prejudice and discrimination as a result of protected characteristics.

9.2 The Partnership is committed to using the opportunities created through the Participation and Engagement Strategy to strengthen this dialogue and build a good understanding of the range and complexity of risk and needs in communities – both geographical and communities of interest - across Dundee.

9.3 The Partnership recognises the importance of ensuring that the services it provides are responsive to the needs of the whole population, and specifically the protected characteristic groups that are served. The opportunity to mainstream equalities within all activities and services delivered by the Partnership is welcomed, as this is essential to the successful delivery of quality, person-centred and effective health and social care services for people in Dundee.

Dundee Health and Social Care Partnership Equality Outcomes

Equality Outcome 1	Users of health and social care services, their families and carers will be supported to access education, training and employment.
Equality Outcome 2	Users of health and social care services, their families and carers, will feel safe and be safe, healthy, achieving, nurtured, active, respected, responsible and included.
Equality Outcome 3	Users of health and social care services, their families and carers will have improved physical and mental wellbeing, will experience fewer health inequalities, and will be able to live independently and access support when they need it.
Equality Outcome 4	Users of health and social care services, their families and carers will experience fair access to services that mitigate the impact of any protected characteristics as defined in the Equality Act (2010).
Equality Outcome 5	Users of health and social care services, their families and carers will experience services that reflect the needs of communities, that address health inequalities, and which shift the balance of these services towards early intervention and prevention.
Equality Outcome 6	Users of health and social care services, their families and carers will experience a workforce that is skilled, competent, and reflects the diversity of the populace across Dundee communities.
Equality Outcome 7	Staff, users of health and social care services, their families and carers will be confident that information they provide, particularly in relation to the protected characteristics, will be used to make improvements to services and the way they are planned and delivered.

NHS Tayside Equality Outcomes

NHS Tayside Equality Outcome 1

We will ensure that care is person-centred and meets the service needs of people with relevant protected characteristic(s).

NHS Tayside Long Term Equality Outcomes

- Healthcare is safe and efficient
- People will have a positive experience of healthcare
- Health outcomes for disadvantaged groups and communities will be improved

This high level Outcome 1 will be supported by the implementation and delivery of the following 3 NHS Tayside Equality Outcomes:

Equality Outcome 2

Data Collection and Monitoring Patient Diversity Information

Equality Outcome 3

Accessible Information and Inclusive Communication

Equality Outcome 4

Workforce Data Collection and Equality of Opportunity in Employment Policy and Practice

The delivery of person centred care is a key outcome for NHS Tayside and forms part of the strategic commitment to improving quality. Crucial to this is the recognition that a 'one size does not fit all', and that a person centred approach needs to take account of people's characteristic/s that are personal to them. This includes such characteristics as Age, Disability, Gender and Gender Reassignment, Pregnancy/ Maternity, Race/Ethnicity, Religion/Belief, Sex and Sexual Orientation.

Link to NHS Tayside Mainstreaming Report and Equality Outcomes Report, 2013-2017

http://www.nhstaysidecdn.scot.nhs.uk/NHSTaysideWeb/idcplg?IdcService=GET_SECURE_FILE&Rendition=web&RevisionSelectionMethod=LatestReleased&noSaveAs=1&dDocName=prod_212686

Dundee City Council Equality Outcomes

Equality Outcome 1

Dundee will be an internationally recognised city at the heart of a vibrant region with more and better employment opportunities for our people. Dundee will have more of its young people with protected characteristics moving into employment, education, and training.

Equality Outcome 2

Our people will be better educated and skilled within a city renowned for learning, research, innovation and culture.

Equality Outcome 3

Our children will be safe, healthy, achieving, nurtured, active, respected, responsible and included.

Equality Outcome 4

People in Dundee will have improved physical and mental wellbeing and will experience fewer health inequalities.

Equality Outcome 5

People in Dundee are able to live independently and access support when they need it.

Equality Outcome 6

Dundee's people with protected characteristics will feel safe.

Equality Outcome 7

Dundee will be a fair and inclusive city.

Equality Outcome 8

Our People will live in strong, popular and attractive communities.

Equality Outcome 9

Our communities will have high quality and accessible local services and facilities.

Equality Outcome 10

Our people will live in a low carbon, sustainable city.

Equality Outcome 11

Our customers will get the services they need in an efficient and customer focused manner. Dundee City Council will increase its understanding of the needs of its service users with protected characteristics to improve its service delivery.

Equality Outcome 12

Our organisation values and respects its employees so involves all equally in improving our services.

Equality Outcome 13

Dundee City Council will increase its understanding of the needs of its service users with protected characteristics to improve its service delivery.

Link to Dundee City Council Mainstreaming Equality Report, April 2015:

<http://www.dundee.gov.uk/sites/default/files/publications/mainstreaming2015.pdf>

**Partnership Equality Outcomes linked to
Existing National and Local Performance Indicators**

Equality Outcomes	National/Local Performance Indicators
<p>Equality Outcome 1</p> <p>Users of health and social care services, their families and carers will be supported to access education, training and employment.</p>	<ul style="list-style-type: none"> • Number of local people who attended training (e.g. recorded by Dundee Healthy Living Initiative) • Number of volunteers/helpers supported to build capacity (e.g. recorded by DHLI)
<p>Equality Outcome 2</p> <p>Users of health and social care services, their families and carers, will feel safe and be safe, healthy, achieving, nurtured, active, respected, responsible and included.</p>	<ul style="list-style-type: none"> • % of people who felt their neighbourhood was a safe place to live • Number of referrals considered under Adult Support and Protection Procedures which proceeded to Initial Management Discussion, Initial Referral Discussion or Case Conference • Number of offenders managed through Multi-agency Public Protection Arrangements • Number of high risk victims of domestic abuse discussed at Multi-agency Risk Assessment Conferences • Rate of suicides by Local Community Planning Partnership area • Falls rate per 1,000 population for people aged 65+ • Number of welfare guardians • Number of fatalities/people who received a fire risk assessment
<p>Equality Outcome 3</p> <p>Users of health and social care</p>	<ul style="list-style-type: none"> • % of adults able to look after their

<p>services, their families and carers will have improved physical and mental wellbeing, will experience fewer health inequalities, and will be able to live independently and access support when they need it.</p>	<p>health very well or quite well</p> <ul style="list-style-type: none"> • % of population who assess their health as good/very good • Difference in mental health and wellbeing between community regeneration areas and the rest of Dundee (using average WEMWBS: Warwick Edinburgh Mental Wellbeing Score) • % of adults supported at home who agree that they are supported to live as independently as possible • Number of adults with a learning disability and/or autism/with a physical disability, supported at home with a care at home/ housing support service • % of those with SPARRA (Scottish Patient at Risk of Readmission and Admission) risk over 70%, who have an Anticipatory Care Plan in place • Bed day rate for emergency hospital admissions to hospital by LCPP
<p>Equality Outcome 4</p> <p>Users of health and social care services, their families and carers will experience fair access to services that mitigate the impact of any protected characteristics as defined in the Equality Act (2010).</p>	<ul style="list-style-type: none"> • Number of people who receive personalised services (Options 1,2 and 3) by care group • Total spend (£) on Option 1 (Direct Payments to service users to fund packages of support) by care group
<p>Equality Outcome 5</p> <p>Users of health and social care services, their families and carers will experience services that reflect the needs of communities, that address health inequalities, and which</p>	<ul style="list-style-type: none"> • % of adults supported at home who agree they have had a say in how their help, care or support was provided (by selected 'protected characteristic' where possible)

<p>shift the balance of these services towards early intervention and prevention.</p>	<ul style="list-style-type: none"> • % of people who felt more independent after receiving Occupational Therapy (OT) support • % of OT service users seen within 24 hours of referral • % of OT assessments completed within 20 days • Rate of people aged 65+ who received intensive homecare • % (and number) of people who required reduced homecare following enablement
<p>Equality Outcome 6</p> <p>Users of health and social care services, their families and carers will experience a workforce that is skilled, competent, and reflects the diversity of the population across Dundee communities.</p>	<ul style="list-style-type: none"> • % of registered care services with Care Inspectorate gradings of 5 or above for 'Quality of Care and Support' • Number of staff attending Equality and Human Rights Training per annum • % of workforce with identified protected characteristics compared with %s in Dundee population
<p>Equality Outcome 7</p> <p>Staff, users of health and social care services, their families and carers will be confident that information they provide, particularly in relation to the protected characteristics, will be used to make improvements to services and they way they are planned and delivered.</p>	<ul style="list-style-type: none"> • No current related indicators – to be developed