

# Equality Impact Assessment (EIA)

Legislation requires that our policy documents consider the potential to affect groups differently and eliminate or minimise this where possible. This process helps address inequalities by identifying steps to ensure equal access, experience, and outcomes for all groups of people.

## Step One – Policy Definition

<b>Function/policy name and number:</b>	Fraud and Bribery Policy
<b>Main aims and intended outcomes of the function/policy:</b>	<p>One of the basic principles of public sector organisations is the proper use of public funds. The majority of people who work in the NHS are honest and professional and they find that fraud committed by a minority is wholly unacceptable as it ultimately leads to a reduction in the resources available for patient care.</p> <p>The Fraud Act 2006 was introduced in 2007 which created specific offences of fraud. These are listed below:</p> <ul style="list-style-type: none"> <li>• Fraud by false representation</li> <li>• Fraud by failing to disclose information</li> <li>• Fraud by abuse of position</li> </ul> <p>Definitions of these terms can be found in section 3.</p> <p>The Trust does not tolerate fraud, bribery, or corruption within the Trust. The aim is to eliminate all NHS fraud and corruption as far as possible. The Trust is committed to providing a safe and secure environment that protects patients, staff, and visitors and their property and the physical assets of the organisation, so far as is reasonably practical.</p> <p>This document sets out The Dudley Group NHS Foundation Trusts' (the Trust) policy for dealing with detected or suspected fraud, bribery, and corruption.</p> <p>This policy details the arrangements made in the Trust for such concerns to be raised by employees or members of the public.</p> <p>The Bribery Act 2010 introduces a new, clearer regime for tackling bribery that will apply to all businesses based or operating in the UK. It covers all sorts of bribery, the offering and receiving of a bribe, directly or indirectly, whether or not it involves a public official, in the UK or abroad. There are offences by individuals (and</p>

	<p>a corporate offence for corporate and partnerships), and penalties for non-compliance are serious.</p> <p>Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines. If any employee was accused of bribery, the Trust's reputation might be damaged considerably, and subsequent enforcement action will be time- consuming and hinder the Trust from focusing on its core business and service delivery. The Trust has a zero-tolerance approach to bribery, and anyone suspected or found to have an involvement of bribery will be subject to investigation.</p> <p>It, therefore, is the policy of the Trust to prohibit any form of bribery covered by the Bribery Act 2010. The policy applies to the Trust and all its employees, independent of their grade and position, and shall be respected at all times.</p>
<b>How will the function/policy be put into practice?</b>	<p>This policy relates to all forms of bribery and is intended to provide direction and help to employees who may identify suspected bribery. The overall aims of this policy are to:</p> <p>Improve the knowledge and understanding of everyone in the Trust, irrespective of their position, about the risk of fraud and bribery within the organisation and its unacceptability.</p> <p>Assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly.</p> <p>Set out the Trust's responsibilities in terms of the deterrence, prevention, detection and investigation of fraud and bribery.</p> <p>Inform staff of the steps which will be taken to ensure legislative compliance in maintaining a safe working environment, and safe and secure healthcare premises.</p> <p>Ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:</p> <ul style="list-style-type: none"> <li>• Criminal prosecution</li> <li>• Civil prosecution</li> <li>• Internal/external disciplinary action (including professional/regulatory bodies)</li> </ul>
<b>Who will be affected/benefit from the policy?</b>	Staff, Patients and Suppliers
<b>State the type of document:</b>	Policy
<b>Is an EA required?</b> NB: Most policies/functions will require an EA with a few exceptions, such as routine procedures-see guidance attached	Yes
<b>Accountable Director: (Job Title)</b>	Interim Director of Finance

To help you to determine the impact of a strategy or policy, think about how it relates to the Public Sector Equality Duty, the key questions as listed below and prompts for each protected characteristic are included Step 3:

- Eliminate unlawful discrimination, victimisation, and harassment
- Advancing equality of opportunity
- Fostering good community relations

### KEY QUESTIONS

- Are people with protected characteristics likely to be affected differently even though the policy is the same for everyone?
- Could there be issues around access, differences in how a policy is experienced and whether outcomes vary across groups?
- What information /data or experience can you draw on to indicate either positive or negative impact on different groups of people in relation to implementing this function policy?

## Step Two – Evidence & Engagement

<b>Research/Publications</b> <i>(List any publications or research you have looked at here)</i>
N/A
<b>Working Groups</b> <i>(Have you consulted with any groups?)</i>
N/A
<b>Clinical or Subject Experts</b> <i>(Have you consulted any experts? List them here)</i>
N/A
<b>Engagement Activity Focused on Protected Groups</b> <i>(Age, disability, race, sex, gender reassignment, marriage &amp; civil partnership, pregnancy &amp; maternity, religion or belief, sexual orientation, Other marginalised groups e.g. Homeless people or anything privacy or dignity related)</i>
<b>Name of Source:</b> <b>Date:</b> <b>Protected Characteristic:</b>

**Summary of the feedback received from the engagement activity focused on protected groups:**

N/A

## Step Three – Assessment of Impact

Complete **relevant** boxes below to help you record your assessment.

Consider information and evidence from the previous section covering:

- Engagement activities
- Equalities monitoring data
- Wider research

Also, consider due regard under the general equality duty, the NHS Constitution and Human Rights.

### What detail is required below:

A negative impact requires every box to be completed

Positive impacts need the first three boxes completed

Neutral impacts need to be marked neutral with no other details.

<b>Age:</b> Describe age-related impact and evidence. This can include safeguarding, consent and welfare issues:	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

<b>Disability:</b> Describe disability related impact and evidence. This can include attitudinal, physical, communication and social barriers, as well as mental health/ learning disabilities, cognitive impairments	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

<b>Gender re-assignment:</b> Describe any impact and evidence on transgender people. This can include issues such as privacy of data and harassment:	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

<b>Marriage and civil partnership:</b> Describe any impact and evidence in relation to marriage and civil partnership. This can include working arrangements, part-time working, and caring responsibilities:	
<b>Positive, negative or neutral impact:</b>	Neutral Impact

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**Pregnancy & Maternity:** Describe any impact and evidence on pregnancy and maternity. This can include working arrangements, part-time working, and caring responsibilities:

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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**Race:** Describe race-related impact and evidence. This can include information on different ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers:

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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**Religion or Belief:** Describe any religion, belief or no belief impact and evidence. This can include dietary needs, consent and end-of-life issues:

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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**Sex:** Describe any impact and evidence on men and women. This could include access to services and employment:

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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**Sexual Orientation:** Describe any impact and evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers:

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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**Other marginalised groups, e.g. Homeless people:** Describe any impact and evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include lower socio-economic status, resident status (migrants, asylum seekers), homeless, looked after children, single parent households, victims of domestic abuse, victims of drugs / alcohol abuse: (This list is not exhaustive)

<b>Positive, negative or neutral impact:</b>	Neutral Impact
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Privacy, dignity, respect, fairness etc:	
Positive, negative or neutral impact:	Neutral Impact

# **EQUALITY IMPACT ASSESSMENT (EIA) - GUIDANCE**

## **NOTES**

An equality impact assessment (EIA) ensures that issues of equality, diversity, and inclusion are considered when developing or revising strategies, policies, or proposals that affect the delivery of services and the employment practices of the Trust.

### **Why should we carry out an EIA?**

We are required to carry out equality impact assessments because:

- There is a legal requirement to do so in relation to the protected characteristics
- They help identify gaps and make improvements to services
- They help avoid continuing or adopting harmful policies or procedures
- They help you to make better decisions
- They will help you to identify how you can make your services more accessible and appropriate
- They enable the Trust to become a better employer

### **Equality Impact Assessments help us to:**

- Determine how the Trust strategy, policies and practices, or new proposals, will impact or affect different community groups, especially those groups or communities who experience inequality, discrimination, social exclusion or disadvantage.
- Measure whether strategies, policies or proposals will have a negative, neutral, or positive effect on different communities.
- Make decisions about current and future services and practice in fuller knowledge and understanding of the possible outcomes for different communities or customer groups.

### **What do we need to assess?**

Trust policies are subject to a 3-year review. Alongside the reviews, new policies will emerge. Most policies, strategies, and business plans will need an EIA.

However, EIAs are not required for changes in routine procedures, administrative processes, or initiatives that will not have a material impact on staff, patients, carers, and the wider community. Examples include checking the temperature of fridges, performing highly technical clinical procedures, and office moves.

### **DGFT Process for EIAs**

The revised EIA process is a single-stage process carried out in three steps.

#### **Step One: Policy Definition**

This involves a description of the policy details. This is the fact-finding stage where you gather as much information about the strategy, policy or function you intend to assess. Who will be using the service, policy or function and the outcomes you want to achieve. It is important to make sure that your service, policy or function has clear aims and objectives.

## Step Two: Evidence and Engagement

EIAs should be underpinned by sound data and information. This should be sought from various sources:

- The knowledge and experience of the people assisting in the service.
- ONS local demography/ Census data: [Census Maps - Census 2021 data interactive, ONS](#)
- Service monitoring reports / Divisional reports
- Patient satisfaction surveys
- Workforce monitoring reports
- Complaints and comments
- Outcome of consultation exercises
- Feedback from focus groups
- Feedback from organisations representing the interests of key target groups
- National and local statistics and audits [Joint Strategic Needs Assessment - All About Dudley Borough](#)
- Academic, qualitative and quantitative research
- Ward/ Divisional reviews
- Anecdotal data

This stage allows you to identify whether your strategy, policy or function has a positive or negative or potential negative impact on the protected characteristics. In some cases, an initial EIA is all you will need to establish whether you are providing equal outcomes for staff or patients. If you receive no feedback or concerns, you can mark each characteristic in section 3 as a neutral impact.

## Step Three: Assessment of Impact

This is the central and most important part of the EIA.

To help you determine the impact of the strategy or policy, consider how it relates to the Public Sector Equality Duty. The key questions and prompts for each protected characteristic are listed below.

- Eliminate unlawful discrimination, victimisation, and harassment
- Advancing equality of opportunity
- Fostering good community relations

The real value of completing an EIA lies in the actions that will take place and the positive changes that will emerge from conducting the assessment. To ensure that the action plan is more than just a list of proposals and good intentions, the following should be included:

- Each action is attributed to a key person who is responsible for its completion
- An achievable timescale that is also at the same time reasonable
- Relevant and appropriate activities and progress milestones
- How the action will be monitored/reviewed

## KEY QUESTIONS



- What information /data or experience can you draw on to indicate either a positive or negative impact on different groups of people with implementing this function policy
- Are people with protected characteristics likely to be affected differently even though the policy is the same for everyone?
- Could there be issues around access, differences in how a service or policy is experienced and produce outcomes that vary across different groups
- Does the policy relate to the Trust's equality objectives?

NB mitigation measures must be identified and acted upon where an adverse impact is known or likely.

#### **Step Four: Assurance**

This section enables the EIA to be signed off by a head of or director for the area. This will assure the equality team that the EIA has been conducted thoroughly and thoughtfully.

#### **Help & Support:**

The equalities team will provide advice and support throughout the EIA process. Once you have completed your EIA, you must submit these documents to the procedural documents team, who will then ask the equalities team to sign off on the final version of the form.

For training, guidance and resources, including completed example forms, please visit the equality, diversity and inclusion hub pages: [Equality Impact Assessments](#) accessible

#### **Copies of the EIA:**

The manager who completed the strategy or policy review should keep copies of the form for monitoring/revisiting at the following policy review. Procedural documents will also keep a copy on file. All EIA will then be published on our external web pages to demonstrate due regard for the Public Sector Equality Duty.