

# Equality Impact Assessment

## Part 2 – Form

November 2016

### Introduction

Before carrying out this assessment, you will have had an initial discussion with a member (or members) of the Diversity & Equality Group about whether you thought an Equality Impact Assessment (EIA) is required (see EIA Part 1 - "Prompt").

Obviously you decided to carry out an EIA, and the reasons you gave for doing it is a good place to start discussing the EIA itself.

You should carry out this assessment with the same person (or persons) that you had the initial discussion with, if at all possible, as this will give your discussion some context and consistency.

### Process

Before completing the short form (overleaf), you will find this easier to do if you discuss in more detail why you thought an EIA was needed in the first place, and talk in more detail about what this means for the policy, practice or decision, as well as any actions you need to take.

**Before completing the form you need to consider our specific duties under the Equalities Act. In summary these are:**

- **Assess the impact of applying a proposed new or revised policy, practice or decision**
- **Consider relevant evidence relating to people with a protected characteristic, where this is appropriate**
- **Be able to demonstrate the evidence you have considered when making your decision**
- **Take into account the findings of any assessment on the potential impact of a new or revised policy, practice or decision**
- **Publish the results of any assessments made into the potential impact of a new or revised policy, practice or decision**

- **We review and where necessary revise any updated policy, practice or decision, ensuring on going compliance with equality duties**
- **Simply considering whether to assess a policy, practice or decision is not in itself an assessment.**

**You should also think about the following:**

- When considering whether or not to carry out an EIA in the first place, you thought about which issues or groups would or could be affected by the policy, practice or decision. Can you be more specific about this?
- Do you need further information about these areas, for example more data? If so, what exactly?
- Would it be helpful to contact any of the groups involved? You don't have to, but you can choose to involve others you think may be affected. Who would that be?

#### **Policy, practice & decisions**

It is important to note that legislation requires us to consider the potential impact of revised or new policies, practices as well as decisions.

Policies are clear, simple statements of how we intend to conduct our services, actions or business. They provide guiding principles when we're making decisions.

Procedures describe how each policy will be put into action.

**If you decide you do need more information, then you need to gather it before completing this assessment.**

- Taking everything into consideration, including any evidence you have gathered, will or could the policy have a differential impact on particular equality groups, either positively or negatively?

- If so, you need to discuss what you need to do to ensure the policy is robust.
- What will you do now? Your analysis should allow you to say whether you will:
  - Make no major change as you feel the policy is robust.
  - Adjust the policy to take into account the potential impact of the policy.

In some (rare) cases you could also consider continuing the policy even though it has the potential for adverse impact, or stopping the policy altogether for the same reasons.

In each of these cases, you must be able to explain clearly why you have taken your decision.

## Next steps

Let your line manager know that you have carried out this EIA and let your Diversity & Equality Group representative have a copy of the completed form. This is mainly for information but also to allow the group to monitor EIAs and follow up any points that the group may have. A representative from the group will confirm that the EIA has been successfully completed. The form will also be published, where appropriate, on ishare and/or our external website.

# Equality Impact Assessment form

(See guide on previous page to help complete)

<b>Date of assessment</b>
March 2017
<b>Title of policy or practice (or decision) to be created (or changed)</b>
This assessment covers: <ol style="list-style-type: none"><li>1. The content of the first two years of the current PABV five year rolling work programme of performance audit (i.e. 2017/18 - 2018/19), i.e. the extent to which equalities issues are appropriately reflected in both individual pieces of audit work and across the PABV performance audit work programme as a whole.</li><li>2. The extent to which policy analysis and equality related data informed the identification and selection of the audit proposals; and the extent to which audit proposals were subject to independent review and challenge by bodies with knowledge and expertise in the field of equalities.</li></ol>
<b>What is the policy or practice (or decision) intended for?</b>
<p>The forward work programme covers all of the performance audit work Audit Scotland carries out on behalf of the Auditor General for Scotland and the Accounts Commission. Details of Best Value work will be clarified based on the annual shared risk assessment process and the on going review of auditing Best Value.</p> <p>The programme of work is designed around Audit Scotland's role in providing independent assurance to the people of Scotland that public money is spent properly, efficiently and effectively.</p> <p>The selection of topics has been determined through a thorough risk assessment exercise, updated every six months and informed by work including sector current issues reports, communications digests, hotlist reports, topic cluster briefings and correspondence update reports.</p> <p>This then informs the risk register, which identifies the audit risk, level of risk and the associated audit dimension (financial sustainability, financial management, governance and transparency or value for money).</p> <p>The risk register captures what the response to this risk will be, identifying whether we will carry out a piece of audit work on this.</p> <p>For the first time we have also pro-actively considered whether there is an equalities angle that could potentially be covered in the selection of topics. This is because we have statutory equalities duties, which include the duty to publish a set of equality outcomes and the progress against these, as well as carrying out equality impact assessments where appropriate. Our equalities outcomes are:</p> <ul style="list-style-type: none"><li>• Embedding equalities in our work</li><li>• Meeting people's needs and supporting a culture of diversity</li><li>• Diversity within our workforce</li></ul>
<b>In relation to the general equality duty and the protected characteristics, which issues or groups do you think would or could be affected and how? Be specific</b>
<p>As part of the Audit Scotland equality outcome to embed equalities in our work we have said:</p> <ul style="list-style-type: none"><li>• We will recognise the diversity of the Scottish population and raise the profile of equalities by embedding this in all aspects of our audit work on how public money is used.</li></ul> <p>A number of future audits could have an impact on the protected characteristic groups, the detail of exactly which groups and in what way, will be considered in more depth as audits are scoped.</p> <p>These protected characteristics are:</p> <ul style="list-style-type: none"><li>• Age</li><li>• Disability</li></ul>

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

The two main ways the protected characteristics groups are likely to be impacted by our work:

- As stakeholders, for example service users, employees etc. We will involve them in the work through advisory groups, focus groups, interviews, surveys or through data analysis.
- Groups impacted by the outcome of our work and recommendations that we make, this is an opportunity for us to have a positive impact on protected characteristic groups.

#### **Did you need to obtain further information? If yes, how did you do that?**

Two sources of information were used:

- The public sector audit risk and assurance framework, used to produce the forward work programme
- The input of the newly formed Equalities and Human Rights Advisory Group (EHRAG). This group has been set up to act as a sounding board on relevant equalities and human rights issues, to raise relevant issues and to be an information resource. The advisory group membership includes more than twenty organisations that represent people in Scotland with protected characteristics. In a meeting they went through the work programme, discussing where there may be equalities issues involved that should be considered.

Membership of EHRAG:

- Age Scotland
- Black and minority infrastructure in Scotland
- Children and young people's commissioner
- Children1st
- Close the gap
- Council of ethnic minority voluntary sector
- CRER Scotland
- Edinburgh inter-faith association
- ENABLE Scotland
- Engender
- Equality network
- Interfaith Scotland
- MECOPP carers centre
- Mental welfare commission for Scotland
- Roshni
- Saheliya
- Scottish disability equality forum
- Scottish human rights commission
- Stonewall Scotland
- The Scottish inter-faith council
- The Scottish secular society

- The Scottish trades union congress
- The Scottish transgender alliance.

**Please summarise the relevant evidence you considered.**

The EHRAG provided us with feedback to help us identify where there may be equalities impacts that we had not previously considered, including pointing out the importance of considering whether specific groups among the workforce are more impacted by issues than others, and the issue of digital exclusion among certain groups. We shall be using all of this detailed feedback when at the scoping stage of the individual performance audits.

**What do you conclude is the potential impact on these areas?**

Our work has the potential to have a positive impact on the protected characteristic groups, by considering their perspective on issues and making recommendations on things that impact their lives. However to be able to do this we need to ensure that we are taking equality related issues into account when scoping our work, and fully recognising the protected characteristic groups that could be impacted or involved in the issues that we are looking at.

For internal purposes we have documented our consideration of which protected characteristics may be considered/impacted upon for each of the performance audits in the forward work programme. However it would not be appropriate to publish what is work in progress and what will be subject to far greater in-depth consideration at the time of scoping the detail of each individual performance audit.

**What will you do now?**

- We will progress with delivering the audits identified in the current work programme, which we are assured, through our consultation process, has the potential to ensure we are mainstreaming equality outcomes in our work.
- We will ensure equalities issues are considered at the early stages of drafting project scopes for individual audits, consulting with appropriate members of EHRAG as appropriate, to identify how the audit might impact protected characteristic groups, and whether there is any equality focussed work we should consider adding. Audit teams will make sure that equalities are fully taken into consideration throughout all parts of the audit process by making use of the equality and diversity prompts that have been added to each stage of the audit management framework. We will consider the groups identified as potentially being impacted during fieldwork particularly, for example in the data analysed and stakeholders engaged with. Some work has been done with young people, to look at how we can engage with them on our selection of audits, and throughout the audit process, when relevant. This work will continue.
- We will ensure equalities issues are considered when developing the rolling work programme into future years, by engaging with the EHRAG, and refresh this EQIA accordingly.

**Date**                    **11 May 2017**

**Signature**            

**Antony Clark (Assistant Director, Performance Audit and Best Value)**

## Appendix

In the table below each piece of audit work currently scheduled for the next two years is listed, along with a brief summary of the expected scope of the work, and the protected characteristics groups that have been identified as potentially being particularly impacted by our work.

Audit	Summary	Groups impacted
<b>Equal Pay</b>	Equal pay is a substantial issue across local government in Scotland. At March 2015, Scottish councils had paid £605 million to employees in equal pay compensation and estimated that about 30,000 equal pay cases remained outstanding. This audit will focus on the implementation of the 'Single Status Agreement' in Scottish councils, including: scrutinising how councils have addressed equal pay claims; assessing their approaches to on-going equal pay issues; and considering how lessons learned can be applied to other challenges facing local government and the wider public sector.	<ul style="list-style-type: none"> <li>• <b>Gender is a major focus of the audit, the group that has been impacted by equal pay cases and outcome of these.</b></li> </ul>
<b>Cap futures follow up</b>	We published an update report on the Scottish Government's CAP Futures programme in May 2016. It is anticipated that this programme will come to an end in March 2017 once the £178 million budget has been utilised. We plan to review what action the Scottish Government took against our recommendations; what has been delivered for the money; and, what has still to be delivered and how this will be funded. We will also be able to provide an update on how successfully the 2016 payments to farmers were delivered, and how the 2017 application process went. This work will complement the work of our EAFA audit team and fit in with their local reporting timeline.	<ul style="list-style-type: none"> <li>• <b>None identified at this point.</b></li> </ul>
<b>City deals</b>	This audit will report on the development of City Deals to date, especially in relation to the establishment of governance and project management arrangements. A further City Deals audit is proposed for 2020/21 by which time some of the projects associated with each City Deal should be underway.	<ul style="list-style-type: none"> <li>• <b>None identified at this point.</b></li> </ul>
<b>Devolution of fiscal powers</b>	Continues series of reports looking at the devolution of New Financial Powers.	<ul style="list-style-type: none"> <li>• <b>None identified at this point.</b></li> </ul>
<b>Children's mental health</b>	There was strong feedback in support of undertaking audit on children's mental health services we consulted stakeholders on the mental health briefing that was prepared for the AGS and the Commission. Research suggests early intervention has positive impact on life chances but CAMHS performance poor across Scotland and lack of monitoring of spend outcomes, and transitions into adult mental health care. These areas would all fall within the scope of the proposed audit work.	<ul style="list-style-type: none"> <li>• <b>Disability - a key stakeholder and a group that is likely to be impacted by the recommendations of this piece of work.</b></li> <li>• <b>Gender - staff and carers involved in this area are likely to be largely female.</b></li> </ul>
<b>NHS workforce</b>	The NHS workforce audit will be split into two parts. This first audit will focus on the clinical workforce in acute hospitals, and will assess how well the clinical workforce in acute hospitals is managed to meet the demands of the Scottish population for acute services. A subsequent, future audit will focus on the preparedness of the general practice and community-based workforce to meet increased demand for local care provision.	<ul style="list-style-type: none"> <li>• <b>Age - looking at the impact of an aging workforce.</b></li> </ul>
<b>Early learning and childcare</b>	The overall aim of the initial audit is to answer the question: How effectively are the Scottish Government and councils working together to improve outcomes for children and support parents by expanding access to funded early learning and childcare? We anticipate undertaking further audit work to assess the longer-term implementation and impact of this important policy as the funded hours increase further.	<ul style="list-style-type: none"> <li>• <b>Gender - carers of children affected by early learning and childcare work and policy are likely to be disproportionately.</b></li> <li>• <b>Pregnancy and maternity - a group impacted by early</b></li> </ul>

Audit	Summary	Groups impacted
		<ul style="list-style-type: none"> <li>learning and childcare policy</li> </ul>
<b>Ferries tendering</b>	This audit will provide an overview of the VFM of ferry services in Scotland, with a particular focus on the recent Clyde and Hebrides Ferry Services tendering exercise.	<ul style="list-style-type: none"> <li>None identified at this point.</li> </ul>
<b>Health and social care integration part 2</b>	The audit will follow up the emerging risks highlighted in the 2015 report, including: governance arrangements, budget-setting, strategic planning, engagement with the voluntary sector and carers, and the development of localities. Where possible, it will also examine the evidence for significant shifts in service delivery, from acute to community-based and preventative services.	<ul style="list-style-type: none"> <li>Age - health and social care integration is more likely to impact older age groups.</li> <li>Disability - also more likely to be involved with health and social care.</li> </ul>
<b>Scottish fire and rescue service</b>	This audit would follow-up on the recommendations made in the 2015 report and evaluate the SFRS' longer term progress in reforming how it delivers its services and contributes to the Scottish Government's community safety agenda.	<ul style="list-style-type: none"> <li>Gender - roles that went were largely female dominated.</li> </ul>
<b>Self directed support part 2</b>	Our previous audit (June 2014), examined councils' early progress in implementing the ten-year strategy and their readiness for the Act, which came into force in April 2014. This follow-up audit aims to establish whether councils, health and social care integration authorities and the Scottish Government are making sufficient progress in implementing SDS to achieve the aims of the SDS strategy.	<ul style="list-style-type: none"> <li>Age - self directed support likely to impact older groups more than others.</li> <li>Disability - a group likely to be more impacted by the Act.</li> </ul>
<b>Forth replacement crossing</b>	This audit will report on the management of the FRC project, with a particular focus on delivery to cost and budget.	<ul style="list-style-type: none"> <li>Age - potentially, if there is a workforce angle.</li> <li>Gender - as above.</li> </ul>
<b>ALEOs</b>	We will build on previous audit work to examine how ALEOs are being used to deliver services more effectively and efficiently. This will include looking at the accountability arrangements in place to safeguard public money.	<ul style="list-style-type: none"> <li>Gender - lack of data on gender in workforce. Councils may be moving staff to avoid equal pay issues.</li> </ul>
<b>Community justice</b>	Responsibility for community justice will be transferred from CJAs to CPPs in April 2017, together with the establishment of Community Justice Scotland. We propose a two-phase approach, with phase 1 assessing the immediate transfer of responsibilities and the establishment of CJS. Phase 2 will examine the longer-term impact of the reform.	<ul style="list-style-type: none"> <li>Gender</li> <li>Religion or belief</li> <li>Sexual orientation.</li> </ul>
<b>HCW</b>	We are proposing that the Commission puts its programme of How Councils Work reports on hold until the first 6 early BV audits (Inverclyde, Renfrewshire, East Renfrewshire, West Lothian, Orkney and Clackmannanshire) have reported and that the Commission uses the evidence and issues arising from those audits to identify its priorities for future HCW reporting.	<ul style="list-style-type: none"> <li>None identified at this point.</li> </ul>
<b>Digital progress in central government and health</b>	This audit will look at the progress that the Scottish Government making in delivering on its digital ambitions. This will include progress against the digital strategy, the impact of new assurance arrangements, and comparing the approach and progress in the digital directorate in central government and the e-health directorate.	<ul style="list-style-type: none"> <li>Disability - this is a group that can face digital exclusion.</li> </ul>
<b>Housing</b>	The scope of this work is still to be decided, but is likely to focus on issues of housing supply and the degree of progress in delivering the Scottish Government's housing action plan.	<ul style="list-style-type: none"> <li>Disability</li> <li>Ethnicity - BME can be in poverty but not necessarily in deprived areas, so can be missed.</li> </ul>

Audit	Summary	Groups impacted
<b>Higher education - widening access: progress review</b>	Our first report on higher education was published in 2016 and there were a number of areas that could warrant further work. These include participation (more detailed examination of student body, courses of study and outcomes) and widening access (first two targets are due to be delivered in 2020/21 and we could review progress). There are also likely to be significant implications for HE from Brexit.	<ul style="list-style-type: none"> <li>• <b>Gender - there can be quite extreme gender segregation among some subjects, often subjects that are mainly male are associated with higher paying jobs.</b></li> </ul>
<b>Reforming public services through better asset management</b>	This is still very much a live issue. The audit could build on our round-table planned for November 2016 to consider how better asset management is contributing to transformational change in the delivery of public services. This could include elements of the community empowerment act – Community Asset transfer.	<ul style="list-style-type: none"> <li>• <b>No specific equalities groups but possible significant inequalities issues.</b></li> </ul>
<b>Mental health - prisoner healthcare</b>	The majority of prisoners have mental health issues. Healthcare in prisons is the responsibility of the NHS and demand from the prison population is rising. There are concerns over the quality of healthcare being provided and the outcomes for prisoners.	<ul style="list-style-type: none"> <li>• <b>Gender</b></li> <li>• <b>Age</b></li> <li>• <b>Disability.</b></li> </ul>
<b>Value for money of NPD projects</b>	Will use a case study approach to assess whether NPD has achieved its aim of curtailing excessive private sector profits, and assess the impact of the ONS decision to classify the Aberdeen West Peripheral Route as being subject to public sector control.	<ul style="list-style-type: none"> <li>• <b>None identified at this point.</b></li> </ul>
<b>NHS workforce 2</b>	We have reported on significant risks in relation to NHS workforce. We will carry out more detailed audit work on the community-based care workforce and in light of changing demographics of the workforce, role and NHS challenges.	<ul style="list-style-type: none"> <li>• <b>Gender</b></li> <li>• <b>Age</b></li> <li>• <b>Disability.</b></li> </ul>
<b>Waste management</b>	The overall aim of the audit will be to assess how well Scotland is performing in meeting its current and future waste management targets. It will follow up previous reports on waste management in 2007 and the 2010 environment overview report.	<ul style="list-style-type: none"> <li>• <b>None identified at this point</b></li> </ul>
<b>Employability - transfer of new powers</b>	The Scottish Government will assume responsibility for elements of employability support from April 2017, with the remainder transferring in 2018. We could review progress with the transitional arrangements in 2017 and preparedness for/early progress with full transfer.	<ul style="list-style-type: none"> <li>• <b>Age</b></li> <li>• <b>Gender</b></li> <li>• <b>Disability.</b></li> </ul>
<b>Broadband follow up</b>	Will provide an update on what has been achieved from the public sector's two contracts with BT (due to complete at the end of 2017) as well as comment on progress towards the Scottish Government's vision of world-class infrastructure by 2020 and 100 per cent superfast broadband coverage by 2021.	<ul style="list-style-type: none"> <li>• <b>None identified at this point.</b></li> </ul>