

## Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service\*\* for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service\*\* may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or [equality@leics.gov.uk](mailto:equality@leics.gov.uk)

*\*\*Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

<b>Key Details</b>	
<b>Name of policy being assessed:</b>	Healthwatch Leicestershire
<b>Department and section:</b>	Chief Executive's/ Strategy, Partnerships and Communities
<b>Name of lead officer/ job title and others completing this assessment:</b>	Anjana Bhatt, Policy & Partnerships Manager
<b>Contact telephone numbers:</b>	0116 3056946
<b>Name of officer/s responsible for implementing this policy:</b>	Simon Lawrence/ Anjana Bhatt
<b>Date EHRIA assessment started:</b>	7 <sup>th</sup> February 2014
<b>Date EHRIA assessment completed:</b>	

### **Section 1: Defining the policy**

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You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The County Council's draft Medium Term Financial Strategy (MTFS) identifies a five year savings requirement of £110m. Detailed budget consultation over the summer of 2013 identified that local residents considered that a reduction of 'Grants and Support to Agencies' was a lower priority area where savings could be achieved</p> <p>To achieve planned savings of £590,000 against a budget of £1.2 million by 2016/17 LCC funding to some VCS organisations is therefore either being withdrawn or reduced on a phased basis over the next two years.</p> <p>As part of these savings, LCC is considering a reduction in funding for Healthwatch Leicestershire (HWL) services, which are hosted by Voluntary Action Leicestershire, and a review of the services required to be delivered by HWL – although the proposed reduction is to a large extent offset by a significant underspend in Year 1 of the contract.</p> <p>The purpose of HWL is to act as an independent consumer champion on behalf of Leicestershire people to achieve improvements in health and social care by listening to users of these services, influencing policy and commissioning decisions and challenging delivery issues. HWL has a specific requirement to development engagement with hard to reach groups to ensure that their voice is heard by health and social care commissioners and providers.</p> <p>HWL staff (employed by VAL) support the HWL board, and members who volunteer to deliver HWL services to and on behalf of the public. HWL has policies in place to ensure that Human Right's implications are taken into account in the delivery of its services such as "Enter and View".</p>								
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>This relates to the draft Medium Term Financial Strategy, specifically Line 'S72: Funding and Support to Agencies'.</p>								
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>People or groups who would want to be involved in influencing health and social care policy and commissioning decisions and challenge delivery issues related to health and social care services.</p> <p>The ability of HWL to engage with people and communities who have difficulty in getting their views heard by health and social care services may be affected by the proposed reduction in funding and possible change in HWL priorities. The proposed reduction in funding may affect the level of support HWL Board, members and public receive from HWL staff who are employed by VAL.</p>								
4	<p>Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? <b>(Please tick and explain how)</b></p> <table border="1" data-bbox="276 1910 1410 2020"> <thead> <tr> <th data-bbox="276 1910 571 1951"></th> <th data-bbox="571 1910 687 1951">Yes</th> <th data-bbox="687 1910 804 1951">No</th> <th data-bbox="804 1910 1410 1951">How?</th> </tr> </thead> <tbody> <tr> <td data-bbox="276 1951 571 2020">Eliminate unlawful discrimination,</td> <td data-bbox="571 1951 687 2020">Yes</td> <td data-bbox="687 1951 804 2020"></td> <td data-bbox="804 1951 1410 2020">The revised HWL contract will include engaging with and increasing the voice of</td> </tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination,	Yes		The revised HWL contract will include engaging with and increasing the voice of
	Yes	No	How?						
Eliminate unlawful discrimination,	Yes		The revised HWL contract will include engaging with and increasing the voice of						

harassment and victimisation			people and groups who may face unlawful discrimination, harassment and victimisation from health and social care services. The extent of engagement with these groups may be limited due to reduced funding.
Advance equality of opportunity between different groups	Yes		Depending on the health and social care issues HWL prioritises, the revised contract will enable HWL to advance equality of opportunity between different groups and specific protected groups.
Foster good relations between different groups		No	

## Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

### Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

### Section 2

#### A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;		No
	b) any potential impact of this change on them (positive and negative, intended and unintended);		No
	c) potential barriers they may face		No
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		No
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		No
8.	*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to		

	be necessary.
	The County Council will consult with the public, HWL members and stakeholders to identify their priorities for Healthwatch consumer voice on health and social care issues. The feedback from the consultation on funding proposals will be considered by the County Council Cabinet in September 2014.

**Section 2****B: Monitoring Impact**

<b>9.</b>	Are there systems set up to:	<b>Yes</b>	<b>No</b>
	a) monitor impact (positive and negative, intended and unintended) for different groups;	Yes	
	b) enable open feedback and suggestions from different communities	Yes	

**Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.**

**Section 2****C: Potential Impact**

<b>10.</b>	Use the table below to specify if any individuals or community groups who identify with any of the ' <a href="#">protected characteristics</a> ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Age</b>	Yes		Health and social care services can have an impact on people in relation to their age. Depending on HWL's priorities there may be limited support for issues affecting people in relation to their age.
	<b>Disability</b>	Yes		Health and social care services can have an impact on people with disabilities. Depending on HWL's priorities there may be limited support for issues affecting people in relation to their disabilities.
	<b>Gender Reassignment</b>	Yes		Health and social care services can have an impact on people with gender reassignment. Depending on HWL's priorities there may be limited support for issues affecting people with gender reassignment.
	<b>Marriage and Civil Partnership</b>	Yes		Sometimes access to Health and social care services can have an impact on people with due to marital or civil partnership status. Depending on HWL's priorities there may be limited support for people affected by these issues
	<b>Pregnancy and Maternity</b>	Yes		Health and social care services can have an impact on maternity services

				which includes pregnancies. Depending on HWL's priorities there may be limited support for issues related to maternity services.
	<b>Race</b>	Yes		Health and social care services can have an impact on people in relation to race. Depending on HWL's priorities there may be limited support for issues affecting people due to race.
	<b>Religion or Belief</b>	Yes		Health and social care services can have an impact on people with specific religion or beliefs. Depending on HWL's priorities there may be limited support for issues affecting people due to their religion or belief.
	<b>Sex</b>	Yes		Health and social care services can have an impact on people due to their gender (sex). Depending on HWL's priorities there may be limited support for issues affecting people due to their gender.
	<b>Sexual Orientation</b>	Yes		Health and social care services can have an impact on people due to sexual orientation. Depending on HWL's priorities there may be limited support for issues affecting people due to their sexual orientation.
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>	Yes		Health and social care services can have an impact on people due to their location or their status i.e. asylum seeker, looked after child or living in a community with limited resources.  Depending on HWL's priorities there may be limited support for issues affecting people who may disadvantages due to their location or status.
	<b>Community Cohesion</b>		No	
<b>11.</b>	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? <b>(Please tick)</b></p> <p>Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
<b>Part 1: The Convention- Rights and Freedoms</b>				
	<b>Article 2: Right to life</b>	<b>x</b>		HWL may look to explore any issues relating to right to life issues in health and social care settings based on

			<p>evidence or feedback from their members and public.</p> <p>If HWL knows of the existence of a real and immediate risk to someone's life from the acts of another individual, then it will take appropriate measures to alert appropriate agencies to protect that person.</p> <p>Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	<b>x</b>	<p>HWL may explore issues relating to inhuman or degrading treatment in health or social care settings based on evidence or feedback from their members and public.</p> <p>There is a positive obligation on HWL to intervene to highlight inhuman or degrading treatment to relevant agencies as soon as they become aware of it.</p> <p>Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	<b>x</b>	<p>HWL may explore issues relating to staff and volunteer resources in health and social care settings and the quality of care from the staff and volunteers based on evidence or feedback from their members and the public.</p> <p>If any health or social care staff are not properly recompensed for the work they do or volunteers not supported appropriately, HWL will highlight this to the relevant regulatory and commissioning agencies for further action.</p> <p>Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
	<b>Article 5: Right to liberty and security</b>	<b>x</b>	<p>HWL may explore issues relating to health or social care services limiting or curtailing people's liberty including mental health patients based on evidence or feedback from their members and the public.</p>

				<p>In order to support and protect the human rights of individuals, HWL will ensure that appropriate advocacy agencies are involved to ensure reliable evidence is obtained from an objective medical expert for detention such as on mental health grounds.</p> <p>Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
	<b>Article 6: Right to a fair trial</b>	<b>x</b>		<p>HWL may explore issues relating to care proceedings or disclosure and barring issues in relation to health or social care services based on evidence or feedback from their members and the public.</p> <p>When appropriate, HWL will seek to ensure that any appeal processes through relevant agencies are readily available, fair and easily understood.</p> <p>Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
	<b>Article 7: No punishment without law</b>		<b>x</b>	
	<b>Article 8: Right to respect for private and family life</b>	<b>x</b>		<p>HWL may explore issues that members or the public have raised regarding respect for private and family life from health or social care services and bring the matter to the attention of relevant agencies including regulators.</p> <p>This will also apply to their own conduct in relation to any “Enter and View” visits in health or social care settings. HWL will always be alert to their own and/or other agencies policies/actions that might interfere with a person’s right to respect for their private and family life, their home and their correspondence.</p> <p>Where possible, HWL will try to ensure that this and other policies or decisions do not interfere with someone’s right to respect for</p>

			private and family life, their home and their correspondence. Depending on HWL priorities due to reduced funding, this may not receive appropriate support.
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>x</b>		<p>HWL may explores issues that members of the public have raised in relation to decisions made by health or social care services that impact on a persons' religion or belief.</p> <p>HWL will always be alert to their or other agencies policies or actions that might interfere with a person's right to manifest their religion or belief and raise the matter with relevant agencies including regulators. Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
<b>Article 10: Right to freedom of expression</b>	<b>x</b>		<p>HWL is expected to raise issues with public, members and statutory agencies relating to issues in health &amp; social care settings that have an impact of people and local communities.</p> <p>HWL's primary purpose is to enable engagement with people and communities, particularly those people and communities who have no and limited ability to have Freedom of Expression against policies and procedures of health and social care services. Depending on HWL priorities due to reduced funding, this may not receive appropriate support.</p>
<b>Article 11: Right to freedom of assembly and association</b>		<b>X</b>	
<b>Article 12: Right to marry</b>		<b>X</b>	
<b>Article 14: Right not to be discriminated against</b>		<b>X</b>	
<b>Part 2: The First Protocol</b>			
<b>Article 1: Protection of property/ peaceful</b>		<b>X</b>	

	<b>enjoyment</b>			
	<b>Article 2: Right to education</b>		<b>X</b>	
	<b>Article 3: Right to free elections</b>		<b>X</b>	
<b>Section 2</b>				
<b>D: Decision</b>				
<b>12.</b>	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) this policy could have a different affect or adverse impact on any section of the community;			<b>x</b>
	b) any section of the community may face barriers in benefiting from the proposal			<b>x</b>
<b>13.</b>	Based on the answers to the questions above, what is the likely impact of this policy?			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
<b>14.</b>	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

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