

## Public Health Spending Review Equality Impact Analysis, Issue Log & Action Plan



### What is Equality Impact Analysis?

The Equality Act 2010 seeks to eliminate discrimination and meet the positive promotion aspects of equality legislation. An Equality Impact Analysis uses equality information and the results of engagement with groups to understand the actual or the potential effects of change or key decisions on our workforce and the general public. Completing this analysis will assist Members and officers to identify practical steps to address any negative effects and to highlight positive interventions.

### Section 1 - Ownership

This section identifies the individual(s) responsible for identifying the potential positive and negative impacts from developing and implementing the spending reductions. There will be a number of potential positive and negative internal impacts which should be undertaken and monitored by the person responsible for implementing the proposed reductions

<b>Title:</b>	Equality Impact Assessment on the proposed changes to funding / spending reductions in Public Health Programmes			
<b>Service impacted by proposed spending review</b>	North East London Foundation Trust (NELFT) – Smoking Cessation Service (de-commission)			
<b>Date Created</b>	08/01/16	<b>Review Date:</b>	xxx Jan 2016	<b>Version:</b> 1
<b>Author:</b>	Daren Mulley			

<b>Person completing EIA:</b>		<b>Signed:</b>	Daren Mulley	<b>Date:</b>	11/01/16
<b>Person supervising EIA:</b>		<b>Signed:</b>	Deborah Redknapp	<b>Date:</b>	xxxx

### Section 2 - Potential Issues

<b>Key Issues:</b>	<b>Impacts on:</b>	<b>Mitigating Action Taken:</b>
The closure of the service will lead to a reduction in the availability of a local service to support the population quit smoking.	People requiring local support to quit smoking in particular the targeted groups. i.e. patients using mental health, drug and alcohol and maternity services. Also, GPs and Pharmacies will not be paid to provide support and advice leading to reduced access and availability.	<ol style="list-style-type: none"> <li>1) GPs &amp; Pharmacies - GPs will be trained to at least give very brief advice (VBA) and GPs and Pharmacists can prescribe a number of aids to stop smoking. National Centre for Smoking Cessation and Training (NCSCT) provide online training as well as information pertaining to medicines support for those dispensing and giving advice about Nicotine Replacement Therapy (NRT) products. It is recommended that this training should be mandatory for all health professionals. GPs and Pharmacies will also be able to signpost to national resources. Furthermore, Public Health has a session booked at the PTI (regular GPs meeting) in March 2016 and this will be used to highlight the training available for health professionals and provide information on where to signpost to national resources, e.g. QUIT and the NHS Smokefree websites provide support including quit kits, apps, on-line advice and telephone and text support.</li> <li>2) Mental Health Service – The Stop Smoking Service have been working with the Improved Access to Psychological Therapies team (IAPT) to assess</li> </ol>

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Key Issues:	Impacts on:	Mitigating Action Taken:
<p>The Council's Stop Smoking policy will need to be revised in light of the closure of the service.</p>	<p>Staff employed by the Council and the Council's attempts to achieve 'Excellence' status in Healthy Workplace Charter</p>	<p>smoking status at triage. As part of the assessment, the team could also promote and signpost to national resources.                      3) Drugs and Alcohol Service – WDP, the local adult drugs and alcohol recovery service, have a level 2 trained smoking adviser and will also promote and signpost to national resources.                      4) Maternity Service - Midwives are trained to give brief advice to pregnant women and carry out carbon dioxide monitoring of patients. They are also in process of arranging Nicotine Replacement Therapy (NRT) training for midwives and GPs. As part of the BHRUT Smoke-free Group the objectives are for Level 1 Very Brief Advice (VBA) training to be mandatory for all staff and each ward will have a Stop Smoking Champion to provide advice to patients. NRT is available in antenatal clinics and on the wards and GPs on the ward can prescribe. The trained professionals could signpost to national resources. Options are also being explored with other Councils on entering into a framework to provide a targeted stop smoking service for pregnant women.</p>
<p>The Council's Stop Smoking policy will need to be revised in light of the closure of the service.</p>	<p>Staff employed by the Council and the Council's attempts to achieve 'Excellence' status in Healthy Workplace Charter</p>	<p>1) The Council's Smoking Policy will need to be revised as reference is made to support provided by the local service. The policy will have to be changed to reference national resources that will include the Quit website which provides information to employees on how to quit.                      2) The Council could also consider purchasing a stop smoking service for employees on a per-smoker basis such as the QUIT service. Counsellors, who are minimum of Level 2 trained, call smokers once a week to provide support and advice (7 days a week service).</p>
<p>The Council's Health Champions programme will need to be revised and Champions will need to be made aware of the closure of the service and alternative national resources to signpost people.</p>	<p>Health Champions</p>	<p>Some Health Champions have been Level 1 trained and can provide Very Brief Advice (VBA) to smokers and provide information on national resources. They could receive the National Centre for Smoking Cessation and Training's (NCSCCT) on-line training and Public Health could also provide an information session for Health Champions on NCSCCT training and National resources/online and telephone support available.</p>
<p>The closure of the service may lead to a lack of support to promote the National Stop Smoking Campaigns</p>	<p>Local outreach events targeting people who may wish to quit smoking.</p>	<p>Public Health England (PHE) provides Campaign toolkits including social media and other resources available for download by local authorities. The Council will consider using this to support annual campaigns including Stop Smoking Day in March and Stoptober. In addition, the Council will consider publishing smoking related articles on the Council's website, e-newsletter and in local media which will signpost smokers to national resources.</p>

**Section 3 - Potential Workforce Issues**

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age Disability Sex Gender Reassignment Marriage & Civil Partnership Pregnancy & Maternity Race Religion or Belief Sexual Orientation	The service staff member's posts are highly likely to be at reduced if the service closes. As most post-holders work across north east London as NELFT operates a number of services across London, staff members could be redeployed into other services that the Trust is commissioned to provide across the region. No other specific workforce issues have so far been identified.	12/01/16	NELFT to include mitigating actions when submitting decommissioning plan to the Council (mid-January).	On-going	Open	NELFT

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### Section 4 - Communication and Engagement Activity

Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
NELFT	31/11/15	Letter of termination Notice	Email acknowledging the notice letter sent by provider		completed	closed	DM
NELFT	12/12/15	Decommissioning Plan Template sent to provider	Feedback unavailable; meeting to take place later in January		not complete	open	DM
NELFT	19/01/16	Meeting and review of decommissioning plan with provider	Feedback unavailable; meeting to take place later in January		not complete	open	DM

### Section 5 - Service Delivery Impacts and Issues

#### Due regard – Brown principles

These principles have been taken from the Equality and Human Rights Commission's paper on making fair financial decisions (Equality and Human Rights Commission, 2012).

Case law sets out broad principles about what public authorities need to do to have due regard to the aims set out in the general equality duties. These are sometimes referred to as the 'Brown principles' and set out how courts interpret the duties. They are not additional legal requirements but form part of the Public Sector Equality Duty as contained in section 149 of the Equality Act 2010.

Under the duty, local authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment, 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.

In summary, the Brown principles say that:

- Decision-makers must be made aware of their duty to have 'due regard' and to the aims of the duty.
- Due regard is fulfilled before and at the time a particular policy or proposal that will or might affect people with protected characteristics is under consideration, as well as at the time a decision is taken.
- Due regard involves a conscious approach and state of mind. A body subject to the duty cannot satisfy the duty by justifying a decision after it has been taken. Attempts to justify a decision as being consistent with the exercise of the duty, when it was not considered before the decision, are not enough to discharge the duty. General regard to the issue of equality is not enough to comply with the duty.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty has to be integrated within the discharge of the public functions of the body subject to the duty. It is not a question of 'ticking boxes'.
- The duty cannot be delegated and will always remain on the body subject to it.
- It is good practice for those exercising public functions to keep an accurate record showing that they had actually considered the general equality duty and pondered relevant questions. If records are not kept it may make it more difficult, evidentially, for a public authority to persuade a court that it has fulfilled the duty imposed by the equality duties.

#### Potential Service delivery impacts (Positive and Negative)

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Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The age group with the highest percentage of smokers is the 25-64 years age group (76%), which is significantly higher than the proportion of the population (51%).	11/01/2016	The Council will consider the use of Public Health England (PHE) National Campaign toolkits including social media and other resources available. The Council could use this to support annual awareness campaigns including Stop Smoking Day in March and Stopober. In addition, to target this age group, the Council will consider publishing articles on the Council's website, e-newsletter and in local media, signposting to national resources.		Open	DM
Disability						
Sex	The decommissioning of the service will affect both genders. However, men are more likely to smoke in Havering.	11/01/2016	The Council will consider the use of Public Health England (PHE) National Campaign toolkits including social media and other resources available to target highest need groups including male adults. The Council could use this to support annual Campaigns including Stop Smoking Day in March and Stopober. In addition, to target this age group, articles can be written and published on the Council's website, e-newsletter and in local media, signposting to national resources.		Open	DM
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity	In 2014/15 10% of pregnant women were smokers at the time of delivery	11/01/2016	Midwives are trained to give brief advice to pregnant women and carry out CO monitoring. They are also in process of arranging Nicotine Replacement Therapy training for midwives and GPs. As part of the BHRUT Smoke-free Group the objectives are for Level 1 VBA training to be mandatory for all staff and each ward will have a Stop Smoking Champion to provide advice to patients. NRT is available in antenatal clinics and on the wards and GPs on the ward can prescribe. The trained professionals could signpost to National resources. Options are being explored to enter into a framework to provide a stop smoking service for pregnant women.		Open	DM

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Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Race						
Religion or Belief						
Sexual Orientation	There is some evidence produced by Public Health England that LGB and Men who have Sex with Men (MSM) are much more likely to smoke compared to their heterosexual counterparts.	11/01/2016	The Council will consider working with services that work with LGB groups to use Public Health England's (PHE) National Campaign toolkits including social media and other resources available to target highest need groups. The Council could use this to support annual awareness campaigns including Stop Smoking Day in March and Stoptober. In addition, to target this age group, the Council will consider publishing articles on the Council's website, e-newsletter and in local media, signposting smokers to national resources.		Open	DM

#### Section 6: Data Sources

Data used	How has this information informed your decision
Contract monitoring data	The quarterly service activity data has enabled the Council to identify the specific protected characteristics that will be negatively affected by the decommissioning of the service.
Official National Statistics	This data informed the analysis regarding the sex and age characteristics
Health & Social Care Information Centre	The data from this source informed the analysis regarding the pregnancy and maternity characteristic
Promoting the health and wellbeing of gay and bisexual and other men who have sex with men, Government 2014	This report provides evidence to support the impact analysis regarding the sexual orientation characteristic

