

NHS National Services Scotland Equality and Fairer Duty Impact Assessment

Clinical Assurance ARHAI Scotland Priority Programme

This document sets out the questions that you need to consider when carrying out an impact assessment. As a public body in Scotland, we need to fulfil the following to meet the Equality Act 2010 Section 149 of the Public Sector Equality Duty. Please do not include any personal identifiable data in the document. A public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
2. Advance equality of opportunity with persons who share a relevant protected characteristic and those who do not.
3. Foster good relations between those who share a relevant protected characteristic and those who do not.

Please read the staff guide before completing and speak to your SBU lead who can provide guidance <https://www.nhsnational-hr.scot.nhs.uk/policy-process-and-terms-and-conditions/equality-and-diversity/94174> to find out more check out the link to the Equality and Human Rights Commission here <https://www.equalityhumanrights.com/en/corporate-reporting/public-sector-equality-duty>

1 What is the aim of the policy/ service redesign/project/programme that you are impact assessing?

1. Reduce risk of infection within healthcare built environments by supporting NHS Scotland Assure in the Assurance process.



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2. Reduce infection risks in the healthcare built environment by provide NHS boards with directional tools and resources to aid them navigate the various stages of Construction, KSAR and NDAP.
3. Enable the publication, presentation and mobilisation of construction healthcare built environment IPC guidance and intelligence and knowledge across NHS boards, national conference and journal publications.

**2 What data is available to you? For example, workforce data; patient data.
*this question asks you to consider staff; patients; donors; customers;
wider public; stakeholders**

- A.** The CA programme does not collect personal indefinable information (PII) or any equality assurance data.

ARHAI Scotland ensures that existing systems and processes consider equality assurance at inception or development of any new programme or project.

ARHAI Scotland's process of engagement and consultation provides stakeholders with opportunity to review materials produced and highlight any inequalities, for example when guidance might not be easily implemented in areas such as paediatrics or mental health settings.

A consistent approach to IPC measures is highly likely to reduce infection transmission and ensure equality of care in all areas. We ensure that language we use within our materials is inclusive for all groups (e.g., staff, patients, public)

3 Who will be impacted on?

This question asks you to consider staff; patients; donors; customers; wider public; stakeholders

All NHSScotland staff. All national stakeholders e.g., National Services Scotland, National Education for Scotland (NES), NHS Scotland Assure, Health Facilities Scotland (HFS), Scottish Government, Healthcare Improvement Scotland (HIS), patients, residents and members of the public.



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4 Age

Age covers the age spectrum from younger to older people

- ☒ there is no unintended impact on Age and a positive impact is intended
- ☐ there is potential indirect impact on Age
- ☐ The impact is unclear and further work will be carried out to scope the impact on Age

5 Disability

Disability is defined in the Act You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

- ☒ there is no unintended impact on disability and a positive impact is intended
- ☐ there is potential differential impact on disabled people
- ☐ there is a potential indirect impact on disabled people
- ☐ the impact is unclear and further work is needed to scope the impact on disabled people

6 Marriage and Civil Partnerships

In the Equality Act marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex. People do not have this characteristic if they are: single; living with someone as a couple neither married nor civil partners; engaged to be married but not married

- ☒ there is no unintended impact on marriage and civil partnerships and a positive impact is intended
- ☐ there is potential indirect impact on marriage and civil partnerships
- ☐ the impact is unclear and further work is needed to scope the impact

7 Pregnancy and maternity

Discrimination which is against the Equality Act is unlawful. Pregnancy and maternity discrimination is when a person is treated unfairly because they are pregnant, breastfeeding or because they have recently given birth.



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- ☒ there is no unintended impact on pregnancy and maternity and the impact intended is positive
- ☐ there is potential indirect impact on pregnancy and maternity
- ☐ the impact is unclear and further work is required to scope the impact

8 Sex

In the Equality Act, the protected characteristic of sex refers to men and women. There is currently no recognition of non-binary identities in the Equality Act. Under the Equality Act, sex discrimination applies at all ages and therefore covers girls and boys, as well as men and women.

- ☒ there is no unintended impact on sex and the impact intended is positive
- ☐ there is potential indirect impact on sex
- ☐ the impact on sex is unclear and further work is needed to scope the impact

9 Sexual orientation

The Equality Act 2010 says you must not be discriminated against because: you are heterosexual, gay, lesbian or bisexual someone thinks you have a particular sexual orientation (this is known as discrimination by perception)

- ☒ there is no unintended impact on sexual orientation and the impact intended is positive
- ☐ there is potential indirect impact on sexual orientation
- ☐ the impact on sexual orientation is unclear and further work is needed to scope the impact

10 Religion/faith

In law they will look at whether something has a clear structure and belief system to decide if it's a religion under the law. The Equality Act protects you against discrimination because of your religious beliefs. Religious belief means the belief in a religion's central articles of faith

- ☒ there is no unintended impact on religion/faith and the intended impact is positive
- ☐ there is potential indirect impact on religion/faith
- ☐ the impact on religion/faith is unclear and further work is needed to scope the impact

11 Race

The Equality Act 2010 says you must not be discriminated against because of your race. In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality



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- ☒ there is no unintended impact on race and the intended impact is positive
- ☐ there is potential indirect impact on race
- ☐ the impact on race is unclear and further work is needed to scope the impact

12 Gender reassignment

Gender reassignment is defined as someone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning his or her sex by changing physiological or other attributes of sex. It is not necessary for the individual to be under medical supervision or undergoing surgery

- ☒ there is no unintended impact on gender reassignment and the intended impact is positive
- ☐ there is potential indirect impact on gender reassignment
- ☐ the impact on gender reassignment is unclear and further work is needed to scope the impact

13 The fairer Scotland Duty requires us to consider the impact on socio economic status <https://www.gov.scot/publications/fairer-scotland-duty-interim-guidance-public-bodies/pages/2/>

It places a legal responsibility on particular public bodies in Scotland to actively consider ('pay due regard' to) how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. please provide evidence to show how you have considered the fairer Scotland duty.

- A. Poverty and rurality. There are no negative or differential impacts intended related to areas of poverty and rurality.

14 Thinking about the wider determinants of health inequalities please provide evidence to show that you considered the impact on the following people. <http://www.equalityevidence.scot/>

Homeless people, Gypsy Travellers, Drug and alcohol dependency, Asylum seekers and Refugees

- A. The mandatory national surveillance programme will consider the impact on the following to ensure equality principles are implemented.

Drug dependency: There are no negative or differential impacts intended related to Drug dependent people.

Gypsy travellers: There are no negative or differential impacts intended related to Gypsy Travellers.

Homeless people: There are no negative or differential impacts intended related to Homeless people.



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Asylum seekers and refugees: There are no negative or differential impacts intended related to asylum seekers and refugees.

Mitigating action plan

Where you have identified a potential indirect impact and/or you need to carry out further work to gather more data and/or scope the impact please provide details of your mitigating action plan.

15 Details of mitigating action plan and further work to be carried out (Specific Measurable Achievable Report on progress Timescales)

A. No potential indirect impact identified

Monitoring, reviewing and publication of the impact assessment

This section covers the plans to monitor progress on the impact assessment, review date and where the impact assessment will be published.

16 Who will be responsible for monitoring the impact assessment?

A. Samantha Fleming, Project Manager, ARHAI Scotland CA Programme

17 Who will be responsible for the review of the impact assessment?

A. Hayley Kane ARHAIS CA Priority Programme Lead, Programme Manager and Samantha Fleming, Project Manager

18 Where will the impact assessment be published (this can be a summary document of the findings and outcomes of the impact assessment. the impact assessment is a public document)

A. Shared to Equality and Diversity Team
Shared to Business Support Team for Procurement Commissioning & Facilities records



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19 Please describe the governance route for the impact assessment

A. Clinical Assurance Oversight and Advisory Group IPC OAG

20 Who is the senior responsible person for the equality impact assessment and any subsequent review?

A. Hayley Kane, Nurse Consultant, ARHAI S CA Priority Programme Lead

21 This impact assessment was carried out (please provide the timescales)

A. August 2024-September 2024