Equality Impact Analysis:

Individual Funding Request Policy

11th April 2014

For support with completion of this documentation, please see the accompanying guidance and/or contact the Equality Lead in the North Yorkshire and Humber Commissioning Support Unit

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| 1. **Equality Impact Analysis**

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| **Policy / Project / Function:**  | IFR Policy  |
| **Date of Analysis:**  | 11/04/14 |
| **This Equality Impact Analysis was completed by:** **(Name and Department**)  | Catherine LightfootService, Delivery and Assurance North Yorkshire and Humber Commissioning Support Unit |
| **What are the aims and intended effects of this policy, project or function?** | The aim of the policy is to:* Identify the reasons for having an Individual Funding Request for a treatment which is restricted
* Explain the difficult choices faced by the CCG and how the CCG has decided to prioritise resources to ensure the best health outcomes for the community
* Set the decision making process within an ethical context
* Inform health professionals about the IFR policy in operation and how to request restricted treatments or appeal against individual decisions to decline a request for a restricted treatment
* Ensure decisions are made in a fair, open and consistent manner
* Provide a background against which appeals can be judged
* Demonstrate clear processes for decision making
* Be able to defend legal challenges against the decision not to commission certain interventions or to limit the number of such interventions commissioned
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| **Please list any other policies that are related to or referred to as part of this analysis**  | NICE GuidanceNational EIA Census 2011 |
| **Who does the policy, project or function affect?**  Please Tick ✔ |   Employees  Service Users ✔ Members of the Public  Other (List Below)   |

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| 1. **Equality Impact Analysis: Screening**

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|  | Could this policy have a positive impact on… | Could this policy have a negative impact on… | Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact |
| Yes | No | Yes | No |  |
| **Race** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process race will be addressed in any screening on potential impact for each IFR if appropriate.  |
| **Age** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process age will be addressed in any screening on potential impact for each IFR case if appropriate.  |
| **Sexual Orientation** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process sexual orientation will be addressed in any screening on potential impact for each IFR case if appropriate.  |
| **Disabled People** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process disabled people will be addressed in any screening on potential impact for each IFR case if appropriate.  |

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| **Gender** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process gender will be addressed in any screening on potential impact for each IFR case if appropriate.  |
| **Transgender People** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process Transgender people will be addressed in any screening on potential impact for each IFR case if appropriate.  |
| **Pregnancy and Maternity** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process pregnancy and maternity will be addressed in any screening on potential impact for each IFR if appropriate.  |
| **Marital Status** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process marital status will be addressed in any screening on potential impact for each IFR if appropriate.  |
| **Religion and Belief** |  |  |  |  | The overarching IFR policy includes the commissioning position for a number of procedures and treatments. Through the IFR process Religion and belief will be addressed in any screening on potential impact for each IFR if appropriate.  |

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| **Reasoning** | The ethos of the IFR process ensures that decisions are made based on clinical grounds and that people are not disadvantaged because of a protected characteristic, without an objectively justifiable reason. |
| **If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7** |

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| 1. **Equality Impact Analysis: Local Profile Data**

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| **Local Profile/Demography of the Groups affected** (population figures)  |
| **General**  | North Lincolnshire sits on the south side of the Humber estuary. There are 21 GP practices covering a population of approximately 167,400(2012)  |
| **Age** | Population remains slightly older than the national and regional average. This trend looks to continue; by 2015 population is expected to rise by a further 8% and the older population by 26%. This compares with 5.5%and 17% respectively across the country as a whole. |
| **Race** | The Census 2011 indicates the race of the population in North Lincolnshire CCG as: White 96.7%Mixed 2.7%Asian 0.3%Black 0.3 % |
| **Sex** | The gender split in the North Lincolnshire CCG area is 49.3 % male and 50.7 % female (2011 Census) |
| **Gender reassignment** | There are not any official statistics nationally or regionally regarding transgender populations, however, GIRES (Gender Identity Research and Education Society - www.gires.org.uk) estimated that, in 2007, the prevalence of people who had sought medical care for gender variance was 20 per 100,000, i.e. 10,000 people, of whom 6,000 had undergone transition. 80% were assigned as boys at birth (now trans women) and 20% as girls (now trans men). However, there is good reason, based on more recent data from the individual gender identity clinics, to anticipate that the gender balance may eventually become more equal. |
| **Disability** | The 2011Census information showed that 19.3% were living with disabilities.  |
| **Sexual Orientation** | In relation to sexual orientation, local population data is not known with any certainty. In part, this is because until recently national and local surveys of the population and people using services did not ask about an individual’s sexual orientation. However, nationally, the Government estimates that 5% of the population are lesbian, gay or bisexual communities. In North Lincolnshire CCG area we can estimate the numbers to be in the region of 8,000 people |
| **Religion, faith and belief** | According to the 2011 Census, 66% of the population identified themselves as Christian and 0.3% of the population is made up of other religions.The remainder of the population (31.1 %) did not state anything or stated ‘no religion’. |
| **Marriage and civil partnership** | This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008-2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this 3 year period – 52% men and 48% women. |
| **Pregnancy and maternity** | There are no figures available for pregnancy and maternity. |

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| 1. **Equality Impact Analysis: Equality Data Available**

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| **Is any Equality Data available relating to the use or implementation of this policy, project or function?** Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine *Protected Characteristics* – referred to hereafter as *‘Equality Groups’.* Examples of *Equality Data* include: (this list is not definitive) 1. Application success rates *Equality Groups*
2. Complaints by *Equality Groups*
3. Service usage and withdrawal of services by *Equality Groups*
4. Grievances or decisions upheld and dismissed by *Equality Groups*
5. *Previous EIAs*
 |  Yes   No Where you have answered yes, please incorporate this data when performing the *Equality Impact Assessment Test* (the next section of this document). Provision of relevant equality data has been agreed as part of the future commissioning arrangements for the complaints / PALS service through a voluntary questionnaire. |
| **List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function**  | The policy has undergone consultation with the North Yorkshire and Humber Commissioning Support unit.The contents of this policy is based on similar policies which have been agreed and adopted by several North Yorkshire and Humber CCGs. |
| **Promoting Inclusivity****How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation** | The ethos of the IFR process ensures that decisions are made based on clinical grounds and that people are not disadvantaged because of a protected characteristic, without an objectively justifiable reason. |

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| 1. **Equality Impact Analysis: Assessment Test**
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|  **What impact will the implementation of this policy, project or function have on employees, service**  **users or other people who share characteristics protected by *The Equality Act 2010* ?** |
|  **Protected**  **Characteristic:** | **No****Impact:** | **Positive****Impact:**  | **Negative****Impact:**  |  **Evidence of impact and if applicable, justification**  **where a *Genuine Determining Reason* exists**   |
| **Gender** (Men and Women)  | ✔ |  |  |  |
| **Race** (All Racial Groups)  | ✔ |  |  |  |
| **Disability**(Mental and Physical)  | ✔ |  |  |  |
| **Religion or Belief** | ✔ |  |  |  |
| **Sexual Orientation** **(Heterosexual, Homosexual and Bisexual)** | ✔ |  |  |  |
| **Equality Impact Analysis: Assessment Test (continued)** |
|  **What impact will the implementation of this policy, project or function have on employees, service**  **users or other people who share characteristics protected by *The Equality Act 2010* ?**  |
|  **Protected**  **Characteristic:**  | **No****Impact:** | **Positive****Impact:**  | **Negative****Impact:**  |  **Evidence of impact and if applicable, justification**  **where a *Genuine Determining Reason* exists**   |
| **Pregnancy and Maternity**  | ✔ |  |  |  |
| **Transgender**  | ✔ |  |  |  |
| **Marital Status** | ✔ |  |  |  |
| **Age**  | ✔ |  |  |  |

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| 1. **Action Planning**
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| **As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**  |
|  **Identified Risk:**  |  **Recommended Actions:**  | **Responsible Lead:**  | **Completion Date:**  | **Review Date:**   |
| **There are no identified risks** |  |  |  |  |
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| 1. **Equality Impact Analysis Findings**
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| **Analysis Rating:** | * Red
 | * Red/Amber
 | * Amber
 | ⭕ Green |

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|  | Actions | Wording for Policy / Project / Function |
| **Red****Stop and remove the policy** | **Red:** As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share *Protected Characteristics.* It is recommended that the use of the policy be suspended until further work or analysis is performed.  | **Remove the policy**Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination. | No wording needed as policy is being removed |
| **Red Amber****Continue the policy** | As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share *Protected Characteristics.* However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken. | **The policy can be published with the EIA**List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE).Consider if there are any potential actions which would reduce the risk of discrimination.Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date. | As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share *Protected Characteristics.* However, a genuine determining reason exists which justifies the use of this policy and further professional advice.***[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]*** |
| **Equality Impact Findings (continued):** |
|  | Actions | Wording for Policy / Project / Function |
| **Amber****Adjust the Policy** | As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the *Action Planning s*ection of this document. | **The policy can be published with the EIA**The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date. | As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the *Action Planning s*ection of this document.***[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]*** |
| **Green****No major change** | As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage. | **The policy can be published with the EIA**Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date | As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage. |

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| **Brief Summary/****Further comments** |  |

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| **Approved By** |
| Job Title: | Name: | Date: |
| Director of Commissioning | Caroline Briggs |  7 August 2014 |