

CÙRAM IS SLAINTE NAN EILEAN SIAR



INTEGRATION JOINT BOARD

Meeting date:	22 February 2024
Item:	9.2
Title:	Strategic Framework Equality Impact Assessment
Responsible Officer:	Nick Fayers, Chief Officer
Report Author:	Nick Fayers, Chief Officer

1 Purpose

This is presented to the Integration Joint Board (IJB) for:

- Decision

This report relates to a:

- Government policy/directive
- Legislative requirement

Competence:

- There are no legal, financial or other constraints associated with the report.

2 Report summary

2.1 Situation

Western Isles Integration Joint Board is an integration joint board established by order under section 9(2) of the Public Bodies (Joint Working) Scotland Act 2014. Western Isles Integration Joint Board is therefore a listed authority subject to section 149 of the Equality Act 2010 as well as The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended by The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 and The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 by reason of Regulation 2A-(1)(d)

The IJB is required to comply with its duties under Regulation 5 of the Regulations. Regulation 5 states that:

1. A listed authority must, where and to the extent necessary to fulfil the equality duty, assess the impact of applying a proposed new or revised policy or practice against the needs mentioned in section 149(1) of the Act.
2. In making the assessment, a listed authority must consider relevant evidence relating to persons who share a relevant protected characteristic (including any received from those persons).
3. A listed authority must, in developing a policy or practice, take account of the results of any assessment made by it under paragraph (1) in respect of that policy or practice.
4. A listed authority must publish, within a reasonable period, the results of any assessment made by it under paragraph (1) in respect of a policy or practice that it decides to apply.

In relation to (4) the Equality Impact assessment has been undertaken with reference to the Strategic Framework 2023-2026. In year changes to Directions to partner organisations and subsequent service changes will need to be assessed individually to ensure that the duties outlined in The Equality Act

2.2 Background

The Equality Act 2010 (“the Act”) came into force on 1 October 2010 and brought together over 116 separate pieces of legislation into one single Act. The Act introduced a new public sector general duty; this single duty replaced the 3 previous duties set out by race, disability and gender legislation.

All individuals are protected by the Act as every person has one or more of the protected characteristics.

Section 149 of the Equality Act 2010 came into force in 2011 which introduced a new Public Sector Equality Duty (“PSED”) which became law across Scotland. The PSED has 3 parts which required listed public bodies to 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 between persons who share a relevant protected characteristic and persons who do not share it; and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Furthermore, The Fairer Scotland Duty, set out in Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It requires Integration Authorities (IJBs) to actively consider how they can reduce inequalities of outcomes caused by socio-economic disadvantage, when making strategic decisions.

2.3 Assessment

Western Isles IJB and the HSCP consider inequality genuinely, by placing it at the heart of key decision-making. WI HSCP with CnES and NHs WI is committed to eliminate unlawful discrimination, advance equal opportunity and foster good relations.

The IJB, by working collaboratively with its partners aims to reduce poverty and inequalities of outcome. The economic impact of, for example, the COVID-19 pandemic have highlighted the health debt and wider socio-economic impact.

To fulfil our legal obligations under the Duty, the IJB as a matter of good practice publishes a written record of their decision-making process to evidence how we comply with the Duty which public bodies can evidence their compliance with the Duty.

Western Isles HSCP is committed to providing supportive and inclusive care to all our communities.

The Equality Impact Assessment appended to the executive summary details the Equality Impact Assessment alongside evidence base where appropriate.

2.3.1. Route to the Meeting

The EIA has been produced in partnership with the organisational leads in CnES and NHS WI. It was presented to ICMT on:

- February 1st 2024

2.4 Recommendation

The Board is asked to note content of the Equality Impact Assessment

- **Decision** – Approve the Equality Impact Assessment (Strategic Framework 2023-26)

2 List of appendices

The following appendices are included with this report:

- Item 9.2.1 - Appendix 1, Equality Impact Assessment (Strategic Framework 2023-26)