



SCOTTISH EXECUTIVE

Health Department

Dear Colleague

EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOLKIT: INTERIM GUIDANCE

Purpose

1. This letter sets out arrangements for ensuring that proposed policies and service changes comply with current and proposed policy and legislative requirements on equality and diversity.

Background

2. *Partnership for Care*¹ commits us to extending the principles set out in *Fair for All*² across the NHS to ensure that 'our health services recognise and respond sensitively to the individual needs, background and circumstances of people's lives'. The National Health Service Reform (Scotland) Act 2004³ turned this into specific duties to promote public involvement and equal opportunities – these duties took effect on 30 September 2004.

3. As you will know, the Race Relations (Amendment) Act 2000 (RRAA)⁴ requires us to make arrangements for 'assessing and consulting on the likely impact of ... proposed policies on the promotion of race equality', having first screened all policies for relevance to the Act. A similar requirement is being considered for an amendment to the Disability Discrimination Act and is likely to form part of any future single Equality Act. Discussions with NHS Scotland have indicated a preference for developing an integrated diversity approach to this work. It will still be necessary to ensure that arrangements to meet the Race Relations (Amendment) Act 2000 requirements are clearly identifiable.

¹ Scottish Executive, 2003 www.scotland.gov.uk/library5/health/pfcs-00.asp

² Scottish Executive, 2002 www.scotland.gov.uk/library3/society/ffar-00.asp

³ National Health Service Reform (Scotland) Act 2004

www.scotland-legislation.hmsso.gov.uk/legislation/scotland/acts2004/20040007.htm

⁴ Race Relations (Amendment) Act 2000

www.legislation.hmsso.gov.uk/acts/acts2000/20000034.htm

16 March 2005

Addresses:

For action

Chief Executives, NHS Boards
Chief Executives, Special Health Boards

For information

Chairs, NHS Boards
Chairs, Special Health Boards
Chief Executives, Local Authorities
Presidents, Royal Colleges
Local Health Councils
Scottish Association of Health Councils
Commission for Racial Equality
Disability Rights Commission
Equal Opportunities Commission
Health Voluntary Organisations
Directors, Scottish Executive Health Department
Patient Focus and Public Involvement 'Designated Directors'
Fair for All NHS Lead Officers
LGBT NHS Lead Officers
Equality NHS Lead Officers
Spiritual Care NHS Lead Officers
Heads of Division and Chief Professional Officers, Scottish Executive Health Department

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An Equality and Diversity Approach

4. To comply with our *Partnership for Care* and National Health Service Reform (Scotland) Act commitments and to ensure that individual patients receive the service they need in the way most appropriate to their personal circumstances, we must ensure that **all** policy and service developments within NHS Scotland can be shown not to disadvantage any of the people we serve. Boards should in particular ensure that their policies, procedures and service developments do not disadvantage individuals because of their age, ethnicity, gender, religion or faith, disability or sexual orientation.

5. To facilitate this, interim guidance has now been prepared in the form of an *Equality and Diversity Impact Assessment Toolkit*, and is being issued widely to staff in the Scottish Executive Health Department, NHS Scotland and other interested bodies; a copy is enclosed. NHS Scotland bodies are required to adopt the principles set out in the interim guidance in developing and/or implementing **all** new and redesigned policies or services. NHS Boards should, for example, require confirmation that all new policies submitted to it have been developed in line with the guidance.

6. This guidance has been prepared with reference to existing models of good practice including the Commission for Racial Equality's Impact Assessment Tool (see page 61) and has been tailored to the requirements of NHS Scotland. NHS Boards are therefore encouraged to use this toolkit, whilst making reference to other tools as necessary.

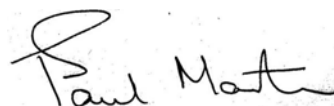
7. While priority must be given to proposed policies or service developments (i.e. new or redesigned policy or service developments), NHS Boards should also make arrangements to review on an ongoing basis their existing policies and services (e.g. Recruitment and Retention) using the principles set out in the guidance. We would expect NHS Boards to be able to have completed their review of existing policies by March 2007.

8. Equality and Diversity Impact Assessment is a corporate responsibility and the toolkit should be used by those members of staff normally involved in policy development. It cannot be completed by one person and it is essential that the process as outlined is followed to ensure that a clear understanding of the specific issues/barriers/discrimination faced by one or more equality groups is developed.

9. The Health Planning and Quality Division of the Scottish Executive Health Department will consult key stakeholders on their use of the interim guidance during the two year pilot period. The guidance will be revised to reflect the outcome of these discussions in the spring of 2007.

10. The guidance is online at www.scotland.gov.uk/equalityanddiversity/IAtoolkit and the accompanying leaflet, *Helping you get a handle on the Equality and Diversity Impact Assessment Toolkit*, can be obtained at www.scotland.gov.uk/equalityanddiversity/IAleaflet

Yours sincerely,



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