

NAME OF POLICY

MONTH / YEAR

Important: This document can only be considered valid when viewed on the CCG's website.

If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.

If you need this document in a different format or language (e.g. large print, Braille, audio or easy read), please contact us on 01482 344700, or email HULLCCG.contactus@nhs.net, or write to: NHS Hull Clinical Commissioning Group, 2nd Floor, Wilberforce Court, Alfred Gelder Street, Hull HU1 1UY.

Name of Policy:	
Date Issued:	
Date to be reviewed:	

Comment [WU1]: Every two years or if statutory changes / housekeeping updates are required.

Policy Title:		
Supersedes: (Please List)		
Description of Amendment(s):		
This policy will impact on:		
Policy Area:		
Version No:		
Author:		
Effective Date:		
Next Re-publication Date:		
Equality Impact Assessment Date:		
APPROVAL RECORD		Date:
Consultation:		

Comment [WU2]: The title of each policy must be listed to ensure that all old policies are removed from the CCG website.
<http://www.hullccg.nhs.uk/corporate-policies>

Comment [e3]: A brief overview of the changes made

Comment [WU4]: List relevant groups of people: i.e. board members, staff

Comment [e5]: Ensure you have allowed sufficient time for consultation and approval prior to your re publication date

Comment [e6]: The group and Committee that approved the policy

Comment [e7]: The groups / colleagues you consulted with in developing the policy

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1. INTRODUCTION

2. SCOPE

3. POLICY PURPOSE AND AIMS

4. IMPACT ANALYSIS / REGULATIONS

4.1 Equality

The CCG is committed to designing and implementing services, policies and measures that meet the diverse needs of its population and workforce, ensuring that no individual or group is disadvantaged.

In developing and applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

Please see Appendix 1 for the full equality impact assessment and findings.

4.2 Bribery Act 2010

NHS Hull Clinical Commissioning Group has a responsibility to ensure that all staff are made aware of their duties and responsibilities arising from The Bribery Act 2010. It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the CCG's website) when considering whether to offer or accept gifts and hospitality and/or other incentives.

If fraud, bribery and corruption are particularly relevant to a policy, e.g. where the policy covers payments, claims, contracts or financial transactions where an individual or company could make a gain and/or cause a loss to the CCG the section should be headed Counter Fraud, Bribery and Corruption and should include a cross reference to the Counter Fraud, Bribery and Corruption Policy.

Please see Appendix 2 for full details.

4.3 General Data Protection Regulation (GDPR)

The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures.

5. NHS CONSTITUTION

5.1 With respect to this policy the CCG supports the Principles of the NHS Constitution

6. ROLES / RESPONSIBILITIES / DUTIES

6.1 **Lead**

6.2 **Employees**

6.3 **Line Manager**

7. IMPLEMENTATION

8. TRAINING AND AWARENESS

9. MONITORING AND EFFECTIVENESS

The effectiveness of this Policy will be monitored by

10. POLICY REVIEW

This Policy will be reviewed within from the date of implementation.

11. REFERENCES

12. ASSOCIATED DOCUMENTATION

APPENDICES

Comment [e8]: Details can be found at <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

APPENDIX 1



Clinical Commissioning Group

Please refer to the EIA Overview & Navigation Guidelines located in Y:\HULLCCG\Corporate Templates and Forms\Equality and Diversity Information before completing your EIA)

HR / Corporate Policy Equality Impact Analysis:	
Policy / Project / Function:	
Date of Analysis:	
Completed by: (Name and Department)	
What are the aims and intended effects of this policy, project or function?	
Are there any significant changes to previous policy likely to have an impact on staff / other stakeholder groups?	
Please list any other policies that are related to or referred to as part of this analysis	
Who will the policy, project or function affect?	
What engagement / consultation has been done, or is planned for this policy and the equality impact assessment?	
Promoting Inclusivity and Hull CCG's Equality Objectives. How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation? How does the policy promote our equality objectives: 1. Ensure patients and public have	

Comment [e9]: Details around equality can be found on the CCG Website at <https://www.hullccg.nhs.uk/policies/equality-diversity-and-inclusion/> Alternatively support is available from the Corporate Governance Team on 344700.

<p>improved access to information and minimise communications barriers</p> <p>2. To ensure and provide evidence that equality is consciously considered in all commissioning activities and ownership of this is part of everyone's day-to-day job</p> <p>3. Recruit and maintain a well-supported, skilled workforce, which is representative of the population we serve</p> <p>4. Ensure the that NHS Hull Clinical Commissioning Group is welcoming and inclusive to people from all backgrounds and with a range of access needs</p> <p>5. To demonstrate leadership on equality and inclusion and be an active champion of equalities in partnership programmes or arrangements.</p>	
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Equality Data	
<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>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 <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Recruitment data, e.g. applications compared to the population profile, application success rates</p> <p>2: Complaints by groups who share / represent protected characteristics</p> <p>4: Grievances or decisions upheld and</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document). If you answered No, what information will you use to assess impact?</p> <p>Please note that due to the small number of staff employed by the CCG, data with returns small enough to identify individuals cannot be published. However, the data should still be analysed as part of the EIA process, and where it is possible to identify trends or issues, these should be recorded in the EIA.</p>

dismissed by protected characteristic group 5: Insight gained through engagement	
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Assessing Impact

Is this policy (or the implementation of this policy) likely to have a particular impact on any of the protected characteristic groups? (Based on analysis of the data / insights gathered through engagement, or your knowledge of the substance of this policy)

Protected Characteristic:	Neutral Impact	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> ¹ exists (see footnote below – seek further advice in this case)
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It is anticipated that these guidelines will have a positive impact as they support policy writers to complete meaningful EIAs, by providing this template and a range of potential issues to consider across the protected characteristics below. There may of course be other issues relevant to your policy, not listed below, and some of the issues listed below may not be relevant to your policy.

Gender				
Age				
Race / ethnicity / nationality				
Disability				
Religion or Belief				
Sexual Orientation				
Pregnancy and Maternity				
Transgender / Gender reassignment				
Marriage or civil partnership				

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse impact or strengthen the promotion of equality?

- ¹ The action is proportionate to the legitimate aims of the organisation (please seek further advice)

Comment [WU10]: -How has gender equality been considered and promoted in this policy? Is there data or staff engagement insight that shows a need to put any measures in place to improve gender equality?

Comment [WU11]: -Are there any age criteria associated with this policy? What are these based on? Are they justified? Do you have data to show if there is a higher need or any different usage of the service / project by different age groups?

Comment [WU12]: -Is the workforce representative of the communities where you work in terms of race? -How does this policy promote race equality? Have you considered data / insight from the Workforce Race Equality Standard?

Comment [WU13]: - Do you engage with disabled staff to make sure you have made reasonable adjustments in the workplace to support them in their role? How does your policy reflect this? -If your policy has an impact on disabled patients / members of the public, how have you incorporated the Accessible Information Standard? (<https://www.england.nhs.uk/ourwork/accessibleinfo/>) Has your policy considered the Workforce Disability Equality Standard?

Comment [WU14]: Is your policy sensitive to different religious requirements e.g. the time requested for religious observance and festivals, dietary requirements, prayer space etc.?

Comment [WU15]: -Consider whether the policy acknowledges same sex partners as next of kin, harassment, inclusive language etc -Does your data / staff engagement insight indicate any complaints of homophobic harassment or bullying?

Comment [WU16]: •Do you support pregnant women and parents with children in the workplace through flexible working and job-sharing? •Does your policy give equal maternity / paternity rights to staff adopting? Have you considered the needs of breastfeeding mothers where this ma...

Comment [WU17]: -If your policy includes provisions for keeping or using staff records, are records fully reflective of the gender identity of a trans employee? How is confidentiality maintained in line with the Gender Recognition Act 2004?

Comment [WU18]: -Consider whether civil partners are included in benefit and leave policies etc -Does your policy have any criteria relating to marital or civil partnership status

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

Comment [WU19]: Incomplete EIAs could lead to adverse impact not being considered or mitigated.

Sign-off
All policy EIAs must be signed off by Mike Napier, Associate Director of Corporate Affairs
I agree / disagree with this assessment / action plan
If <i>disagree</i>, state action/s required, reasons and details of who is to carry them out with timescales:
Signed:
Date:

Comment [WU20]: EIA Must be signed off in advance of final approval of policy. Allow 14 days for sign off of EIA email
hullccg.equalityanddiversity@nhs.net

If you have any comments or feedback about this equality impact assessment, please contact your line manager if you are a member of staff, or telephone 01482 344700, or email HULLCCG.contactus@nhs.net.

APPENDIX 2

Bribery Act 2010:

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- Failure to prevent bribery; The Bribery Act also introduced a corporate offence for a relevant commercial organisation (the CCG) to bribe another person intending (1) to obtain or retain business, or (2) to obtain or retain an advantage in the conduct of business. The only defence available to the CCG against Bribery Act offences would be to prove that it had adequate procedures in place designed to prevent persons associated with it from undertaking any of the conduct outlined above.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper.

It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the CCG's website) when considering whether to offer or accept gifts and hospitality and/or other incentives.

If fraud, bribery and corruption are particularly relevant to a policy, the section should be headed Anti-fraud, Bribery and Corruption and should include a cross reference to the Local Anti-fraud, Bribery and Corruption Policy. The following wording should also be included:

'If an employee suspects that fraud, bribery or corruption has taken place, they should ensure it is reported to the Local Counter Fraud Specialist (LCFS) and/or to NHS Counter Fraud Authority (NHSCFA) as follows:

- LCFS, AuditOne, Kirkstone Villa, Lanchester Road Hospital, Lanchester Road, Durham, DH1 5RD. Tel: 0191 4415936; Email: counterfraud@audit-one.co.uk or ntawnt.counterfraud@nhs.net
- The CCG's Chief Finance Officer,
- NHSCFA, 0800 028 40 60 (powered by Crimestoppers)
- Online: <https://cfa.nhs.uk/reportfraud>.'

For further information see <http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf>. If you require assistance in determining the implications of the Bribery Act please contact the LCFS on the details above.