

Supporting better quality health and social care for everyone in Scotland

Integrating service change engagement, Equality
Impact Assessment and Fairer Scotland Duty
Assessment

October 2022

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Introduction

Integrating service change engagement, Equality Impact Assessment and Fairer Scotland Duty Assessment

In accordance with equalities legislation¹ NHS boards and Integration Joint Boards (IJBs) are responsible for impact assessing the engagement process. They must also ensure any potential adverse impacts of proposed changes to services have been taken into account.

Measures must be taken, in both the engagement process and proposal, not to inadvertently exclude or discriminate groups of the population.

Background

We have updated our previous flowchart to take account of the following guidance and policy:

- The [Fairer Scotland Duty \(FSD\)](#), set out in Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. 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.
- The new Scottish Government and COSLA community engagement guidance, [Part 1 – Planning with People - Health and social care - Planning with People: community engagement and participation guidance - updated 2024 - gov.scot \(www.gov.scot\)](#) advises that impact assessment must be started well before any engagement activity begins, and be updated throughout.
- [The Islands \(Scotland\) Act 2018](#) introduced measures to support and help meet the unique needs of Scotland's islands now and in the future.

Recommendations

Using experience of the service change engagement process, and reflecting on the new guidance and assessments, we have produced a flowchart to help to show how the statutory duties for engagement and equality link together.

¹ <https://www.legislation.gov.uk/ukpga/2010/15/contents>

Healthcare Improvement Scotland recommends an impact assessment is undertaken at the start of a service change process to help identify the people and communities that may be affected. An impact assessment can also inform the development of a communication and engagement plan and can consider any potential barriers people may experience to the engagement process. Impact assessments should be updated to reflect the feedback received from people during the engagement process and may include actions to mitigate adverse impacts.

Healthcare Improvement Scotland recommends that people who may be affected by a change should be involved in the Impact Assessment and Fairer Scotland Duty Assessment.

Guidance and resources can be found on the Equality and Human Rights Commission website on the Public Sector Equality Duty- <https://www.equalityhumanrights.com/en/public-sector-equality-duty-scotland>

The Fairer Scotland Duty: guidance for public bodies should be consulted for advice on undertaking assessment- <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/pages/1/>

Healthcare Improvement Scotland recognises there may be local variation as to how NHS boards and Integration Joint boards approach impact assessment however, the flowchart assists in demonstrating how to align the processes².

Resources

We have developed a series of animations to help support understanding of potential impacts through the involvement of people and communities.

Understanding the impact of changes- [Understanding the impact of changes to services | HIS Engage](#)

Potential barriers to engagement- [Potential barriers to engagement | HIS Engage](#)

Understanding of proposed changes on transport and travel- [Understanding the impact of proposed changes on transport and travel | HIS Engage](#)

² Healthcare Improvement Scotland notes that NHS boards and Integration Authorities may also need to complete an Island Communities Impact Assessment (ICIA) as required under the Islands (Scotland) Act 20181 (the Act) when proposed changes may come under Section 7 duty of the Act- [Islands \(Scotland\) Act 2018 \(legislation.gov.uk\)](#)

Flowchart



- **Initial scoping to:**

- Establish steering group/project group, with relevant representation from people and communities affected, to advise on engagement, Equality Impact Assessment (EQIA) and Fairer Scotland Duty Assessment (FSDA).
- Undertake initial assessments to inform the development of communication and engagement plan and process.
- Undertake initial assessments to gather information and evidence to inform the option appraisal/model development, and review as the process develops.



- **EQIA and FSDA of preferred option(s) to:**

- Assess potential impact of proposals on health, equality and human rights, sustainability and environment and how they might be addressed.
- Consider how socio-economic disadvantage and impacts may be addressed in the service redesign/development.
- Use the findings to inform the development of the communication materials, the questions to be used in public consultation and approach to engagement



- **Recommendations:**

- Review evidence from the consultation process.
- Update EQIA and FSDA and provide evidence of how potential impacts, and inequalities of outcome, have or will be addressed, as part of the final proposals.
- Explain the process that will be put in place for the monitoring and evaluation of the implementation of the service redesign/development.

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