

Equality Impact Assessment

Title: **Equality and Human Rights Essential Module**

NES directorate or department: Workforce; Equality, Diversity and Human Rights Team

Date Report Completed: 06/02/2024

Introduction

Equality Impact Assessment is a process that helps us to consider how our work will meet the 3 parts of the Public Sector Equality Duty. It is an important way to mainstream equality into our work at NES and to help us:

- Take effective action on equality
- Develop better policy, technology, education and learning and workforce planning solutions for health, social care and a wide range of our partners, stakeholders and employees
- Demonstrate how we have considered equality in making our decisions.

This EQIA is focused on the design and development of the new essential learning module: An Introduction to Equality, Diversity and Human Rights.

The main purpose of this module is to help employees and organisations meet the Public Sector Equality Duty by presenting information on current legislation and what this means to the health and social care workforce.

Background

All staff within NES and other health and care organisations are required to undertake equality, diversity, and human rights learning. Ensuring staff have an awareness and knowledge of equality, diversity and human rights helps organisations meet compliance with the Public Sector Equality Duty.

The current essential learning module used by NES and many other organisations is now ten years old and requires a review, update and refresh. The purpose of this work was to:

Design a learning resource to provide the health and social care workforce with a foundation level of knowledge and awareness of equality, diversity and inclusion and examples of how this can be applied in practice.

The learning outcomes are:

- State the responsibilities I and my organisation have so I contribute to a more inclusive workplace and equitable services.
- Identify the meaning of key words and why language is important to advance inclusion.
- Identify discrimination, harassment, and inappropriate behaviour where you work.

- Identify actions you can take to challenge and prevent inappropriate behaviour.

This aims to equip the health and social care workforce with a foundation level of knowledge and awareness.

This work is particularly relevant to the NES Equality Outcome 5:

The diverse development needs of our workforce and changes in the way work is being done will be our focus as we support development of digital capability and accessible and inclusive technology enhanced learning. We will invest in core skills development for our educators and designers which will include:

- Accessibility
- Cultural competence and anti-racist education
- Unconscious bias in education
- Social learning and facilitating for inclusive learning

The module covers the following themes:

- Values – NHS Scotland and Scottish Social Services Council
- Human Rights
- Health inequalities
- Equality Act – duties and responsibilities
- Protected characteristics
- Discrimination and harassment
- What I can do

The content covers the key components of the legislation, individual and organisation responsibilities, including an overview of the nine protected characteristics that offer protection to us all from discrimination. Different types of discrimination are introduced with examples and scenarios so learners can see how this might play out. A brief overview of health inequalities is also included so the learner can see the link between equality and protected characteristics with poverty, discrimination, and health outcomes. The 'what I can do' section aims to equip learners with practical things they can do and apply to their practice to improve service provision and fairer workplaces along with support available to them if they experience discrimination, harassment, or inappropriate behaviours.

A working group was established and met monthly to develop content which includes representatives from:

- Territorial health boards
- Special health boards
- Health and social care partnerships
- Scottish Government
- NES

To design and develop the module we have engaged with:

- 19 Health Boards – survey and follow up discussions with equality leads/ learning and development leads
- NHS Scotland Equality Leads network
- NHS Scotland Learning and Development Leads network
- Improvement Service
- Scottish Government
- CRER
- Public Health Scotland
- Social Care Regulator networks
- IJB/ HSCP (Integrated joint board/ health and social care partnership) Equality Peer Support Network
- Gypsy and traveller strategy group

The content was shared with stakeholders and expert organisations to review before it was launched in December 2023.

Evidence

A learning needs assessment was carried out in 2022. We wanted to hear from health boards and our stakeholders to understand their current approach to training, use of the Equality and Diversity Zone on Turas, and how NES can best support meeting equality and inclusion learning needs within health and social care.

We engaged with 19 health boards – this includes survey responses and a series of follow up discussions. This information once analysed was used to determine the priorities for the team for the education work over the next 2-3 years – the key priority being a Once for Scotland approach to essential learning.

Before embarking on developing the module we undertook some desk-based research:

- Analysed usage data for the current module
- Literature search and reports
- Knowledge and Skills Framework for NHS and SSSC codes of practice
- Finding examples of best practice

Data

We analysed statistics and feedback from learners. This told us that:

- 33,416 learners used the module. Most of the learners are nursing and allied health professionals from health boards. We also have learners from universities and other health and social care organisations accessing this resource.
- The module should be shorter, more engaging, and up to date with current policy and terminology.

Reports and research

- Regular literature searches were reviewed so we were aware of current best practice and research.
- Several recent reports highlight the persistent inequalities and poor experiences for some staff groups working in health and social care, for example, the EHRC report [Experiences from health and social care \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/our-work/our-reports-and-research/experiences-from-health-and-social-care).

Examples of best practice

- Several organisations shared resources and content, so we had access to up to date and relevant learning material.
- Working group meetings focused on developing and reviewing content, ensuring we covered the right level of content and pitch to provide the health and social care workforce with a foundation knowledge of equality, diversity and human rights.

Assessment

We have considered how this work will impact on the Public Sector Equality Duty. This includes how it might affect people differently, taking account of protected characteristics and how these intersect, including with poverty and low income. This is important as a national NHS Board in our work to address health inequalities.

- The main purpose of this learning resource is to help organisations fulfil their duties under the Public Sector Equality Duty.
- The resource offers Once for Scotland approach to Equality and Human Rights essential learning.
- The module focuses on equality and human rights legislation and what this means in practice.
- It is anticipated that health boards will use this resource to fulfil the requirement for all the workforce to have a foundation level of knowledge in equality, diversity and human rights.
- Expertise has been sought to develop the content, this included the Scottish Human Rights Commission, NHS Lothian and Public Health Scotland.
- The module is hosted on Turas allowing access for the health and social care workforce and trainees.
- Content is clear, easy to understand and relevant to both health and social care colleagues with a completion time of around 30 minutes.
- The module has been tested for compliance with accessibility standards outlined by the Web Content Accessibility Guidelines. For example, multimedia and interactive elements have accompanying captions and transcripts, and the module is accessible to screen-reading devices.
- This module will have a positive impact of people with protected characteristics working within and using health and social care by:

- Equipping them with basic information about their rights and protections.
- Demonstrating how to contribute to a more inclusive workplace.
- Suggesting actions to take when things go wrong and what support might be available.

This essential learning module is a basic, introductory level learning resource focusing on legislative duties and what this means in practice. Learners will be signposted to further learning and resources to continue their learning journey.

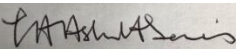
Next Steps

The Equality Impact Assessment has informed the following actions:

Issue or risk identified	Action	Responsibility	Timescale	Resource required
Learners apply the knowledge within their roles	Include in evaluation questions	E&D Team E-learning team	On launch	No additional resource
Review feedback from evaluation	Plan annual review of module	E&D Team	Ongoing	As above
Boards/ organisations adopt the module	Communications planning	E&D Team	Spring 2024	As above
Review Equality Impact Assessment	Include review in annual review	E&D Team	As required – on review or change	As above
Content is kept up to date following legislation or policy change	Keep abreast of changes and update content when required.	E&D Team	As required	As above

The evidence shows that there is no potential for unlawful discrimination, and we have built in actions to advance equality of opportunity and foster good relations.

Sign-off

Director: 

Tracey Ashworth-Davies Director of Workforce (NES)

Date: 9 February 2024

Protected Characteristic / Population Group	Positive / Negative / Neutral Impact	Rational
Age Children/Young People – including consideration of children’s rights. Adults Older age groups	Positive	The resource intends to support the workforce consider diversity and provide an inclusive, non-discriminatory workplace for staff and service users in health and social care. Defined as a protected characteristic and example of discrimination provided. There is a case study showing how human rights have been applied to a dementia charter.
Care Experience	Neutral	The module does not specifically highlight issues that care experience people may experience. There is an introduction to human rights and a section on health inequalities which introduces determinants of health.
Disability (incl. physical/ sensory/ learning disabilities, neurodiversity, communication needs; mental health)	Positive	Disability is defined as a protected characteristic and example of discrimination provided. The need to make reasonable adjustments is included. The resource meets accessibility guidelines as it has been built on NES’s e-learning platform.
Pregnancy and Maternity	Positive	Defined as a protected characteristic and example of discrimination provided.
Marriage/civil partnership (Protected characteristic in relation to employment)	Positive	As above
Gender Reassignment	Positive	As above. Definitions of protected characteristics are focused on the legal definitions. We recognise within the module that the social definition of gender does not necessary align with the legal context and different identities should be recognised.
Race/Ethnicity	Positive	Defined as a protected characteristic and example of discrimination provided.
Religion/Faith (including none)	Positive	As above
Sex	Positive	As above

		Also see comments relating to social definition of gender in gender reassignment.
Sexual Orientation	Positive	Defined as a protected characteristic and example of discrimination provided.
Socio-economic status	Positive	The inclusion on health inequalities makes specific reference to poverty and the relationship with health outcomes. An example of addressing health inequalities in health and social care is provided.
Staff	Positive	<p>The resource is aimed at all health and social care staff.</p> <p>An account is required to access the learning. Anyone within health and social care can sign up to an account.</p> <p>Turas can be accessed on a range of devices at a time to suit the learner.</p> <p>A QR Code linking to My Learn has been included for social care colleagues.</p> <p>Accessibility checks have been carried out prior to launch.</p> <p>Learners who have experienced discrimination may be affected by some of the issues highlighted. The final section 'what I can do' suggest actions and sources of support if and when things go wrong.</p> <p>A communications campaign has targeted a wide range of staff to inform them of the new module including: newsletters, networks, social media, emails to staff groups and organisations.</p>