

Midlothian Health & Social Care Partnership

Equality Outcomes Report

2016 – 2018

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Foreword by the Chair

Welcome to the first Midlothian Health & Social Care Partnership (MHSCP) Equality Outcomes Report 2016 – 2018.

01 April 2016 was the date for the new arrangements for the integration of Health and Social Care to come into effect. This happened as a result of the framework laid down by the Public Bodies (Joint Working) (Scotland) Act 2014. This Act replaced the Community Health Partnerships with Health & Social Care Partnerships (H&SCP) across Scotland and joins together adult health and social care budgets. This body is a separate legal entity from both NHS Lothian and Midlothian Council and its key responsibilities are to:

- prepare a Strategic Plan;
- allocate the integrated budget in line with the Strategic Plan; and
- oversee the delivery of services that the MHSCP is responsible for

This report is the first Equality Outcomes Report for MHSCP and covers the period 30 April 2016 to 31 March 2018. It is produced in compliance with the Equality Act 2010, the Equality Act (Specific Duties) (Scotland) Regulations 2012 and the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 and 2016. This report also meets the requirements of the Equality & Human Rights Commission for Scotland (the main regulatory body) and sets out what the MHSCP wants to achieve in respect of the nine protected characteristics over the next two years. The nine protected characteristics as laid down in the Equality Act are:

- Age
- Disability (learning difficulties, mental health, physical and sensory)
- Gender re-assignment
- Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (formerly known as gender)
- Sexual orientation

The MHSCP and its partner agencies commit to working hard to deliver the highest quality of health and social care services for the people of Midlothian, and I do hope you will take the time to read and provide comment/feedback on this report.

All of us involved in MHSCP wish to have meaningful engagement with the people of Midlothian for all aspects of our work. This report has been prepared following the extensive consultation entered into in the preparation of the Strategic Plan but as a 'living document' we welcome feedback at any time. Should you wish to make comment then details of how to do so are detailed on pages nine (9) and 15 of this report.

Yours sincerely

Councillor Catherine Johnstone

Chair

Midlothian Integration Joint Board

1.0 Background to the MHSCP Equality Outcomes Report 2016 - 2018

- 1.1 In October 2010 the Equality Act 2010 (the Act) came into force. This was a consolidating piece of legislation gathering together 40 years of previous discrimination legislation.
- 1.2 On 05 April 2011 the Public Sector Equality Duty (PSED) came into force. The PSED replaced the separate duties on public bodies relating to race, disability and gender equality.
- 1.3 The new PSED extended the scope of equality legislation to include not only race, disability and gender but also age, gender re-assignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation.
- 1.4 These nine categories are now known as the protected characteristics.
- 1.5 The PSED as set out in the Act is known as the 'general equality duty' (GED).
- 1.6 The GED requires public listed authorities in the planning and exercising of their public duties and functions to have 'due regard' to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
 - Foster good relations between people who share a relevant protected characteristic and those who do not
- 1.7 These three areas are sometimes known as the 'three needs'.
- 1.8 Having 'due regard' in relation to advancing equality of opportunity includes:
 - Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
 - Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
 - Encouraging participation in public life and other areas where representation is disproportionately low
- 1.9 Having 'due regard' in relation to the need to foster good relations includes:

- Tackling prejudice; and
- Promoting understanding

1.10 As previously noted there are nine protected characteristics and there is no hierarchy to those nine. In alphabetical order they are:

- Age
- Disability (learning difficulties, mental health, physical and sensory)
- Gender re-assignment
- Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (formerly known as gender)
- Sexual orientation

1.11 On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force.

1.12 These Regulations imposed duties on listed public bodies for the purpose of enabling the better performance by the listed authority of the duty imposed by section 149(1) of the Equality Act 2010, the PSED.

1.13 These duties are to:

- Report progress on mainstreaming the equality duty;
- Publish equality outcomes and report progress;
- Assess and review policies and practices;
- Gather and use employee information;
- Publish gender pay gap information;
- Publish statements on equal pay, etc;

- Consider award criteria and conditions in relation to public procurement;
 - Publish in a manner that is accessible, etc;
 - Consider other matters; and
 - Scottish Ministers to publish proposals to enable better performance
- 1.14 The 2012 Regulations dictate when reports and progress reports have to be published (outcome reports every four years, progress reports every two years starting on 30 April 2013). The Regulations also state that all new and/or revised policies must be impact assessed against the needs of the GED, and that workforce profiling, gender pay gap and equal pay statements should form part of the mainstreaming report for organisations who have more than 150 employees at prescribed times. Finally, the Regulations look for listed bodies to improve their procurement activities and to publish all materials in a manner that is accessible to all.
- 1.15 On 11 June 2015 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 came into force.
- 1.16 This set of Regulations increased the number of listed bodies who are required to adhere to the Act and includes Integration Joint Boards established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014 (3).
- 1.17 This means that the Midlothian Integration Joint Board (MIJB) is now subject to the duties and responsibilities of the Equality Act 2010 and its subsequent Regulations with the following tight timeline in place:
- Report progress on mainstreaming the equality duty to make it integral to the exercise of the functions of the MIJB by 30 April 2016 and every two years thereafter ;
 - Publish equality outcomes that the MIJB sets in order to better perform the GED by 30 April 2016 and report progress by 30 April 2018. Set a new set of Outcomes by 30 April 2018 and report progress by 30 April 2020 and so on;
 - Assess and review all new or revised policies and practices against the needs of the GED, ongoing;
 - Gather and use employee information with regard to the workforce composition, recruitment, development and retention once the MIJB employs 20 and more employees ;

- Publish gender pay gap information subject to the 20 plus employee rule;
- Publish statements on equal pay, etc subject to the 20 plus employee rule;
- Consider award criteria and conditions in relation to public procurement giving due regard to whether the reward criteria should include equality considerations to permit the MIJB to do a better job; and
- Publish in a manner that is accessible to all members of our communities

1.18 On 18 March 2016 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 came into force.

1.19 This new set of Regulations, (again applicable to the Joint Boards):

- Introduced a new requirement on listed public authorities to publish the gender composition of their Boards, and to produce succession plans to increase the diversity (across all protected characteristics) of their Boards; and to
- Lower the threshold for listed bodies to publish information on their gender pay gap and equal pay statements, from those authorities with more than 150 employees to those with more than 20 employees

1.20 The first of these new Regulations will be addressed in the Midlothian Health & Social Care Mainstreaming Report 2016 – 2018. The second is not applicable to the MHSCP as it currently does not employ directly more than 20 employees.

2.0 Consultation

2.1 This Equality Outcomes Report details the work the MHSCP intends to carry out during the period 30 April 2016 to 31 March 2018 in order to progress the requirements of Section 149 (1) of the Equality Act 2010 which are to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- Foster good relations between people who share a relevant protected characteristic and those who do not

2.2 Consultation with all our communities is essential to this process and has underpinned the formation of the MHSCP Strategic Plan and this Report.

- 2.3 The MHSCP is keen that communities continue to have their say, and so, we would welcome any comments in any language or format preferred at any time. These comments will be given the fullest consideration by the Equality, Diversity & Human Rights Officer responsible to the Board, and will be reported to the Board for their fullest consideration with feedback being provided to the consultee.
- 2.4 Accordingly, this Equality Outcomes Report will be made widely available following publication through:
- The MHSCP web pages
 - NHS Lothian web site
 - Midlothian Council web site
 - Midlothian Community Planning Partnership
 - Interested individuals/groups
 - Community Websites and Forums
 - To the wider community in Midlothian
- 2.5 If required, this Report will be made available in other format and language on request.
- 2.6 Any comments, questions, queries regarding this report should be sent to:

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Emailed to:

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Telephoned to:

0131 271 3658

3.0 Overview of Midlothian Health & Social Care Partnership (MHSCP)

3.1 The new Midlothian Health & Social Care Partnership came into being on 01 April 2016.

3.2 The key aims for MHSCP are:

- delivering more care closer to home
- addressing variations in how health and social care services are used and delivered and tackling inequalities
- developing a strong focus on prevention and low level support
- making sure that we achieve best value for public money by working together in partnership

3.3 The MHSCP is committed to planning services that:

- are joined-up for service-users
- take account of the particular needs of individual service-users and their circumstances in different parts of the county
- respect our service-users' rights and take account of their dignity
- take account of the way that our service-users participate in their communities
- protect and improve our service-users' safety
- improve the quality of our services and ensure that they are planned and delivered locally in a way that is engaged with our communities
- anticipate needs and prevent them from happening
- make the best use of the available facilities, people and other resources

3.4 The MHSCP vision is:

People will lead longer and healthier lives by getting the right advice, care and support in the right place, at the right time.

3.5 The values that will underpin delivery of MHSCP's vision and outcomes are:

- To give people control over what happens to them is in itself promoting good health and wellbeing. We will seek to maximise people's control over their lives as an integral part of the safe, caring and respectful services we provide
- It is better to prevent health and social problems than to deal with them once they have occurred. We will focus our attention and resources on prevention and early intervention.
- Some people's social and economic circumstances lead to them having poorer health, wellbeing and life chances than others. We will work to tackle these

inequalities by focusing our efforts on those at greatest risk and being mindful of individuals' choices.

- It is right to offer people services as close to home as safe and practicable.
- We will promote working in partnership.
- In a single health and social care economy for Midlothian we will invest our resources wherever they will have the greatest impact on meeting our shared objectives.
- We will recognise the interdependencies of services and will take a holistic approach to service provision, respectfully considering each individual in the context of their circumstances.
- We will value the views of people who use our services.
- We will value the diversity of Midlothian. We will work closely with our communities to ensure they can contribute to the health and wellbeing of the population.

3.6 The MHSCP strategic objectives are to:

- reduce health inequalities
- provide local health services
- provide care at home and support to leave hospital
- provide support with long-term health conditions
- provide support for people with physical disabilities, sensory impairment, and learning difficulties
- support mental wellbeing and address substance misuse
- provide support for older people, those with dementia and carers
- provide support for housing and people at home
- build up communication processes and community engagement

3.7 The MHSCP immediate priorities are to:

- support people to stay healthy and well
- make it easy to get health and social care services
- provide excellent quality care, treatment and support

3.8 Further details on the MHSCP, its Strategic Plan, and all other matters can be obtained by clicking on the link below:

http://www.midlothian.gov.uk/info/1347/social_care_and_health/1421/health_and_social_care_integration

4.0 Midlothian Health & Social Care Partnership Equality Outcomes 2016 – 2018

- 4.1 The following outcomes which cover all nine protected characteristics have all been set in order to progress MHSCP's strategic objective to reduce inequalities within our communities.

The MHSCP in conjunction with Midlothian Council and NHS Lothian during 2016 - 2018 will therefore work towards;

1. Meeting the health and social care needs of elderly and disabled people living in Midlothian.

This outcome will advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

Actions to achieve this outcome will involve working to improve communications and targeted health improvement as well as improving access to buildings and increasing help for carers

2. Meeting the specific health and social care needs of members of Midlothian's transgender communities, and promoting a positive image of these communities to the wider community in the county

This outcome will:

Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

Foster good relations between people who share a relevant protected characteristic and those who do not

Actions to achieve this outcome will involve developing health care services for transgender individuals as well as enhancing social services support and counselling services. In addition, the MHSCP will work hard to promote a positive image of the transgender communities to the wider communities of Midlothian.

3. Staff respecting the rights of marriage partners, civil partners and common law partners in the health and social care setting

This outcome will advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

Actions to achieve this outcome will involve respecting other individual's rights and providing staff training in equality and diversity matters.

4. Meeting the specific health and social care needs of pregnant and nursing mothers

This outcome will advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

MHSCP will continue to provide the highest standard of community based antenatal and postnatal care through GPs and community Midwifery network, and all new buildings will include facilities for nursing mothers in the design brief. In addition, care and support will continue to be provided for young mothers and mothers who are experiencing social issues during and after pregnancy.

5. The communications and health and social care needs of our local ethnic communities will be met

This outcome will advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

Actions to achieve this outcome will involve improving communication needs, i.e. interpretation and translation and understanding the needs of our local ethnic communities better.

6. Staff being aware of the specific religious and spiritual needs of people in a health or social care setting

This outcome will:

Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

Foster good relations between people who share a relevant protected characteristic and those who do not

Actions to achieve this outcome will involve providing educational resource for those working within MSCHP, and staff training in matters involving religion and belief.

7. MHSCP will meet the health and social care needs of people who are the victims of gender based violence such as rape, sexual abuse , or those who have been trafficked

This outcome will eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct.

Actions to achieve this outcome will involve close co-operation with partner agencies to provide training for front line staff, produce information on support and help groups, and meet the ongoing healthcare and support needs of victims.

8. MHSCP will meet the specific health and social care needs of our local lesbian, gay, bisexual and transgender (LGBT) communities

This outcome will:

Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

Foster good relations between people who share a relevant protected characteristic and those who do not

Actions to achieve this outcome will involve promoting a positive image of these communities, increasing the health care information to these communities and training of MHSCP staff to be sensitive to the sexual orientation of people.

9. All Staff who work for MHSCP will understand and meet the health and social care needs of our local equality and diversity communities

This outcome will advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

Actions to achieve this outcome will involve staff training in general equality and diversity awareness.

10. The MHSCP will ensure that no MHSCP policy, strategy, function, etc will unlawfully discriminate against any equality or diversity group

This outcome will eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct; and

Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

Actions to achieve this outcome will involve the use of the new NHS Lothian and Midlothian Council Integrated Impact Assessment and Training therein.

5.0 Monitoring of MHSCP Outcomes

MHSCP will comply with all current equality and diversity legislation requirements as detailed under section 1 of this report, and have in place effective monitoring arrangements.

6.0 Contact details

6.1 MHSCP would stress that it is delighted to receive comment on this report and should you wish to comment please do so by post to:

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7.0 Alternative Formats

7.1 This document is available in different formats and in different languages. If you would like a copy in another language or format, please email equalities@midlothian.gov.uk or phone 0131 271 3658