

## Equality Impact Assessment (EIA):

<b>Name of Report/Proposal/Strategy:</b>	Proposal for the appointment of Director of Public Health		
<b>Name (Key Officer/Author):</b>	Julia Baldie	<b>Business Unit:</b>	Human Resources
<b>Position:</b>	HR Advisor	<b>Tel:</b>	01803 207374
<b>Date:</b>	26 <sup>th</sup> November 2014	<b>Email:</b>	<a href="mailto:Julia.baldie@torbay.gov.uk">Julia.baldie@torbay.gov.uk</a>

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

### Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

1)	<b>Does this report relate to a key decision?</b>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
2)	<b>Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following:</b>		
	• <b>The Community (including specific impacts upon the vulnerable or equality groups)</b>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	• <b>Our Partners</b>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	• <b>The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision)</b>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**Section 1: Purpose of the proposal/strategy/decision**

No	Question	Details
1.	<b>Clearly set out the purpose of the proposal</b>	<p>Under the Health and Social Care Act 2012 Torbay Council has a statutory responsibility for Public Health and must have a Director of Public Health. Following a number of proposals, it is recommended that a joint appointment is made by Torbay Council and CCG for the post of Director of Public Health as the preferred model for future service delivery.</p> <p>It is proposed that a full external recruitment process be carried out to recruit to this post.</p>
2.	<b>Who is intended to benefit / who will be affected?</b>	<p>Torbay's Public Health team commission public health services for the Torbay population from a number of local providers, including South Devon Healthcare NHS Foundation Trust (Torbay Hospital) and Torbay and Southern Devon Health and Care NHS Trust (Care Trust). They also provide public health support and expertise to the South Devon and Torbay Clinical Commissioning Group (CCG), who commission the majority of health treatment services locally as part of their statutory responsibilities.</p>
3.	<b>What is the intended outcome?</b>	<p>The proposal will support the commissioning of healthcare treatment services for the local community and will provide focus to the Clinical Commissioning Group ensuring an enhanced contribution to the wider health and wellbeing agenda.</p>

## Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

### Evidence, consultation and engagement

No	Question	Details
4.	<b>Have you considered the available evidence?</b>	<p>In 2012, responsibility for public health transferred to Local Authorities following national evidence that this would better address the wider circumstances that impact on the health and wellbeing of local populations.</p> <p>Torbay Council has influence over the services and conditions that cause the underlying inequalities in society such as education, housing, the economy and the environment. Inequalities in these wider determinants lead both directly and indirectly to poorer health and lifestyle behaviours. It is anticipated that services will be supported and strengthened by the proposed option.</p>
5.	<b>How have you consulted on the proposal?</b>	<p>Stakeholder consultation has been carried out with input from: South Devon Healthcare NHS Foundation Trust, Torbay and Southern Devon Health and Care Trust, South Devon and Torbay Clinical Commissioning Group (CCG), Public Health England, Devon County Council, across Directorates within Torbay Council (e.g. Adults, Children, Place, Community Safety and Public Health), Gordon Oliver, Elected Mayor of Torbay, Chris Lewis, Chair of the Torbay's Health and Wellbeing Board and David Taylor, Chair of Torbay's Local Safeguarding Children Board.</p> <p>Due to the fact that the Council will maintain all responsibility for its statutory function of Public Health, public consultation has not been carried out.</p>
6.	<b>Outline the key findings</b>	<p>In total 8 different options have been explored with the above mentioned stakeholders. The options have explored different employment models for a Director of Public Health, including a range of shared</p>

No	Question	Details
		arrangements with another Local Authority, maintaining a single Torbay DPH, and the preferred model to share the appointment with the CCG. Consultation regarding shared arrangements with another Local Authority was rejected by the key stakeholders who felt that a local arrangement would better suit the needs of Torbay's local population. Equally, stakeholders felt that joining a larger local authority may negatively impact on the innovative and nationally recognised work that is already being undertaken locally.
7.	<b>What amendments may be required as a result of the consultation?</b>	The consultation process helped determine that a shared role is the preferred employment model.

## Positive and negative equality impacts

No	Question	Details		
8.	<b>Identify the potential positive and negative impacts on specific groups</b>	The proposal is for a joint appointment for Director of Public Health with the CCG. The services that are being delivered by the Director of Public Health remain as currently, but with a more formalised link to the CCG. It is anticipated that this will provide a positive impact on the wider determinants of health for the whole local population.		
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	Wider positive impact on the determinants of health	None	None
	Older or younger people	Wider positive impact on the determinants of health	None	None
	People with caring responsibilities	Wider positive impact on the determinants of health	None	None
	People with a disability	Wider positive impact on the determinants of health	None	None
	Women or men	Wider positive impact on the determinants of health	None	None
	People who are black or from a minority ethnic background (BME)	Wider positive impact on the determinants of health	None	None
	Religion or belief (including lack of belief)	Wider positive impact on the determinants of health	None	None
	People who are lesbian, gay or bisexual	Wider positive impact on the determinants of health	None	None
	People who are transgendered	Wider positive impact on the determinants of health	None	None
	People who are in a marriage or civil partnership	Wider positive impact on the determinants of health	None	None

No	Question	Details		
	Women who are pregnant / on maternity leave	Wider positive impact on the determinants of health	None	None
	Socio-economic impacts (including impact on child poverty issues and deprivation)	Wider positive impact on the determinants of health	None	None
9.	<b>Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?</b>	<i>The council is committed to ensuring that we meet the diverse needs of our community. As part of the Equality Act there is a <u>general duty as well as our moral obligation</u> where we are required to have 'due regard' to eliminating unlawful discrimination, advancing equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. Outline how your proposal meets the general duty.</i>		

### Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	<b>Summarise any positive impacts and how they will be realised most effectively?</b>	<p><i>Outline any positive impacts that you have identified relating to equalities and how these impacts will be realised most effectively. What ways can the positive impacts be maximised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</i></p> <ul style="list-style-type: none"> <li>• There will be more opportunity for integration across services, functions and organisations, developing a 'whole system' approach to all public services and to individual pathways, such as obesity services.</li> <li>• A greater focus on prevention across organisations, with a united approach to tackling the wider determinants of health, based on a clear understanding of the issues and demands of treatment services.</li> <li>• The opportunity to look for economic gains within the whole system, for instance by reshaping services and thus making savings on 'downstream' costs.</li> <li>• Breaking down of organisation's geographic boundaries, for instance to provide a more unified service within the South Devon area.</li> </ul>

11.	<b>Summarise any negative impacts and how these will be managed?</b>	<p><i>Outline any negative impacts that you have identified relating to equalities and how these impacts will be managed / monitored so that they are reduced / eliminated or mitigated. What ways can the negative impact be minimised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</i></p> <ul style="list-style-type: none"> <li>• There is a risk that this option may result in more of a health focus rather than a wider determinants model, however, this will be mitigated by accountability to the Health and Wellbeing Board, and the submission of an agreed Business Plan (including spending proposals) and Annual Report to Full Council. Additional scrutiny arrangements can be put into place as required by the Council's Overview and Scrutiny Board.</li> <li>• Possible confusion as the CCG geography is not co-terminus with the Pioneer Status boundary. This might change in the future.</li> </ul>

#### Section 4: Recommended course of action

No	Action	Details
12.	<b>State a recommended course of action</b>  <b>[please refer to action after section 5]</b>	<p><i>Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes below and justify reasons for your decision - If '3' please provide full justification :</i></p> <p><b>Where: -</b></p> <p><b>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and</b></p>

		<i>all opportunities to promote equality have been taken.</i>
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**Section 5: Monitoring and action plan**

No	Action	Details
13.	<b>Outline plans to monitor the actual impact of your proposals</b>	Outcomes will be monitored through the Health and Wellbeing Board, and via its Annual Report to Full Council. Additional scrutiny arrangements can be put into place as required by the Council's Overview and Scrutiny Board.

*Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment*

**Action plan**

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	<i>There are no required actions.</i>				