

## Equality Impact Analysis to enable informed decisions

### The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

### Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

**\*\*Please make sure you read the information below so that you understand what is required under the Equality Act 2010\*\***

### Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

### Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

### Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

### **Decision makers duty under the Act**

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

## **Conducting an Impact Analysis**

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

### **The Lead Officer responsibility**

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

### **Summary of findings**

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

## Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

### How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

**Proposals for more than one option** If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

**The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.**

## Background Information

<b>Title of the policy / project / service being considered</b>	Emergency Hormonal Contraception (EHC) reprocurement and young people's pregnancy testing services.	<b>Person / people completing analysis</b>	Linda Turnbull and Carol Skye
<b>Service Area</b>	Public Health	<b>Lead Officer</b>	TBC
<b>Who is the decision maker?</b>	TBC	<b>How was the Equality Impact Analysis undertaken?</b>	Desktop exercise
<b>Date of meeting when decision will be made</b>	<a href="#">Click here to enter a date.</a>	<b>Version control</b>	V0.1
<b>Is this proposed change to an existing policy/service/project or is it new?</b>	Existing policy/service/project	<b>LCC directly delivered, commissioned, re-commissioned or de-commissioned?</b>	Re-commissioned
<b>Describe the proposed change</b>	<p>A review of Emergency Hormonal Contraception (EHC) and Pregnancy testing has been completed. The recommendations are to recommit EHC, in a similar way to which they are currently commissioned. EHC remains an important element for females to manage their reproductive lifecycle and should be widely accessible to prevent unwanted pregnancies developing and to maintain the reduction in teenage pregnancies and termination of pregnancies.</p> <p>It is recommended to decommission pharmacy commissioned pregnancy testing services. Service levels for the service are extremely low with only 13 tests conducted across Lincolnshire over the last year. Barriers to young people accessing pregnancy testing in pharmacies have been explored by LCC Young Inspectors and they include embarrassment and lack of confidentiality, sometimes the right member of staff is unavailable and some pharmacies do not have toilets for the young person to use, which delays the process. As pregnancy tests are commonly available at a low cost of £1.00 each from many shopping outlets, most young people prefer to purchase their own supply for reasons of convenience, accessibility, privacy and affordability. The original reason this service was introduced was due to a high number of young people seeking late abortions, however that trend has changed. Alternative free access to pregnancy testing is available via GP Practices and LISH services. .</p>		



### **Evidencing the impacts**

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

### **Data to support impacts of proposed changes**

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

#### Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

#### Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1<sup>st</sup> April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

**Positive impacts**

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

<b>Age</b>	<p>The EHC service is currently offered to females aged 13-19 (25 SEND) years only. The new commissioned service will also only be available to the same age group. This age group has been prioritised in order to target young women who may be at risk of teenage pregnancy and to reduce and maintain low levels of teenage pregnancy and abortion rates in young people.</p> <p>This is an additional service for this high priority group, because they are considered more vulnerable than those women of other age groups.</p>
<b>Disability</b>	<p>The service is open to all females aged 13-19 (25 SEND) regardless of their disability.</p> <p>We have no data on the disability of the users currently accessing the services. This is due to the service being confidential. The current providers of EHC services are pharmacists who hold some limited payment related data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p> <p>The services are currently commissioned to pharmacies that are situated in over 100 locations in Lincolnshire ensuring that most people have access readily available in their local community and in places that should be easily accessible for disabled people. Many, for example pharmacies in supermarkets, have facilities such as disabled car parking, lifts, which make accessing EHC easier for disabled people.</p>
<b>Gender reassignment</b>	<p>The services are open to all transgender users, aged between 13-19 (25 SEND) where their female reproductive abilities are viable.</p> <p>We have no data on the gender reassignment of the users currently accessing the services. This is due to the service being confidential. The current provider of EHC services are pharmacists who hold some limited data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p>

<p><b>Marriage and civil partnership</b></p>	<p>The service is open to all women aged 13-19 (25 SEND), regardless of their marriage or civil partnership status.</p> <p>We have no data on the marriage/civil partnership status of the users currently accessing the services. This is due to the service being confidential. The current provider of EHC services are pharmacists who hold some limited payment related data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p>
<p><b>Pregnancy and maternity</b></p>	<p>The service aims to support women's choices regarding pregnancy. Locally available EHC services enable young women to make quick and prompt decisions regarding their individual circumstances. Many pharmacies are open weekends and evenings. This ensures that there is not a delay in accessing these services for women.</p>
<p><b>Race</b></p>	<p>The service is open to all females aged 13-19 (25 SEND), regardless of their race.</p> <p>We have no data on the race of the users currently accessing the services. This is due to the service being confidential. The current providers of EHC services are pharmacists who hold some limited payment related data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p>
<p><b>Religion or belief</b></p>	<p>The service is open to all females aged 13-19 (25 SEND), regardless of their religion or belief.</p> <p>We have no data on the religion or beliefs of the users currently accessing the services. This is due to the service being confidential. The current providers of EHC services are pharmacists who hold some limited payment related data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p> <p>As the service is currently available from pharmacists, this is available from a wide range of locations in Lincolnshire. The re-tender aims to ensure a similar geographical coverage. In addition, services are available from GPs and LISH provision, this enables women to be able to access services from services from which they are currently not well known. For example, some women may not wish to access provision where they may not be recognised and a service that is not within their immediate community.</p>

<b>Sex</b>	<p>EHC is not appropriate to be given to the male population. It is available to all females via pharmacies and free of charge to those women aged 13-19 (25 SEND).</p> <p>Male contraception, condoms, are available for free from GPs and Lincolnshire Integrated Sexual Health (LISH) and available through the C-Card scheme for young people. The C-card scheme provides free condoms and sexual health information to young people in a variety of community based organisations such as youth centres, pharmacies, GP surgeries and libraries.</p>
<b>Sexual orientation</b>	<p>The service is open to all females aged 13-19 (25 SEND) regardless of their sexual orientation.</p> <p>We have no data on the sexual orientation of the users currently accessing the services. This is due to the service being confidential. The current provider of EHC services are pharmacists who hold some limited payment related data, but it is unlikely to be broken down by all protected characteristics. Provider pharmacists are likely to have their own internal policies and procedures to ensure that their services do not discriminate against any protected characteristics.</p>

**If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.**

None

**Adverse/negative impacts**

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

**Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.**

<b>Age</b>	<p>The EHC service is currently offered to females aged 13-19 (25 SEND) years only. The new commissioned service will also only be available to the same age group. This age group has been prioritised in order to target young women who may be at risk of teenage pregnancy and to reduce and maintain low levels of teenage pregnancy and abortion rates in young people.</p> <p>Women aged over 19 years of age will continue to be able to buy EHC over the counter from pharmacists as required or services are available through GP's. Although there is a cost to this service for women aged over 19, some women will be able to access free prescriptions, due to their personal circumstances such as accessing certain benefits.</p> <p>Women aged under 13 presenting with a need for EHC services would usually have a referral to child protection service by the practitioners as per Lincolnshire's policy and procedures. However, this would not prevent a delay in the prescription of EHC by the practitioner where considered appropriate with parental consent. Although there is no lower age limit for Fraser guidelines it is rarely appropriate or safe for a girl aged under 13 to consent to treatment without a parents involvement, and hence the consideration of child protection procedures. (Fraser guidelines specifically relate to contraception and sexual health services and giving treatment to those under 16 without parental consent).</p>
<b>Disability</b>	<p>No perceived adverse impact.</p>

<b>Gender reassignment</b>	No perceived adverse impact.
<b>Marriage and civil partnership</b>	No perceived adverse impact.
<b>Pregnancy and maternity</b>	<p>It is recommended to decommission pharmacy pregnancy testing services. Service levels are extremely low with only 13 tests requested over the last year. Barriers to young people accessing pregnancy testing in pharmacies have been explored by LCC Young Inspectors and they include embarrassment and lack of confidentiality, sometimes the right member of staff is unavailable and some pharmacies do not have toilets for the young person to use, which delays the process. As pregnancy tests are commonly available at a low cost of £1.00 each from many shopping outlets, most young people prefer to purchase their own supply for reasons of convenience, accessibility, privacy and affordability. The original reason this service was introduced was due to a high number of young people seeking late abortions, however that trend has changed. Alternative free access to pregnancy testing is available via GP Practices and LISH services.</p> <p>It is not anticipated that the decommissioning of pharmacy based pregnancy testing services will have any impact on teenage pregnancy rates in Lincolnshire.</p>
<b>Race</b>	No perceived adverse impact.
<b>Religion or belief</b>	No perceived adverse impact.
<b>Sex</b>	<p>No perceived adverse impact.</p> <p>The service is not applicable to the male population.</p>

<b>Sexual orientation</b>	No perceived adverse impact.
---------------------------	------------------------------

**If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.**

## Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at [consultation@lincolnshire.gov.uk](mailto:consultation@lincolnshire.gov.uk)

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

### Objective(s) of the EIA consultation/engagement activity

This EIA was undertaken as a desktop exercise by Carol Skye and Linda Turnbull.

Limited data on the protected characteristics are available for the reasons outlines above.

It is not appropriate to undertake a consultation or engagement exercise with young people who have accessed EHC. The service is confidential and as such it would not be deemed appropriate to contact them following a pharmacy EHC consultation.

**Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic**

<b>Age</b>	N/A
<b>Disability</b>	N/A
<b>Gender reassignment</b>	N/A
<b>Marriage and civil partnership</b>	N/A
<b>Pregnancy and maternity</b>	N/A
<b>Race</b>	N/A
<b>Religion or belief</b>	N/A

<b>Sex</b>	N/A
<b>Sexual orientation</b>	N/A
<b>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</b> The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes
<b>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</b>	The impact and benefits of the service will be monitored through contract management processes.

## Further Details

<b>Are you handling personal data?</b>	No  If yes, please give details.
--	--

<b>Actions required</b>	<b>Action</b>	<b>Lead officer</b>	<b>Timescale</b>
Include any actions identified in this analysis for on-going monitoring of impacts.	None		

<b>Version</b>	<b>Description</b>	<b>Created/amended by</b>	<b>Date created/amended</b>	<b>Approved by</b>	<b>Date approved</b>
0.1	First Draft	Linda Turnbull	17/10/2018	TBC	TBC

**Examples of a Description:**  
 'Version issued as part of procurement documentation'  
 'Issued following discussion with community groups'  
 'Issued following requirement for a service change; Issued following discussion with supplier'