

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

3.5 There are also specific duties as outlined in the PSED that require public bodies to publish one or more equality objectives (and then at intervals of not more than four years) as well as publish equality information annually. The specific duties apply to all public authorities with the purpose to help compliance with the general equality duty by improving focus and transparency.

3.6 The Act defines discrimination in terms of nine 'protected characteristics'. These are:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief,
- Sex and
- Sexual orientation.

3.7 Applying the PSED into the Health and Wellbeing Board

3.8 Torbay Council and South Devon and Torbay Clinical Commissioning Group (the CCG) have to comply with the PSED as public bodies. In light of this, although the Health and Well Being Board itself does not need to comply, it is essential that it looks at how the decisions it makes and the services that are provided affect people who share different protected characteristics in order to ensure access to services meets the needs of the Torbay community addressing any equality concerns.

3.9 Torbay Council's published equality objectives include the following:

Reducing health inequalities across Torbay through partnership working

We will achieve this through delivering the (Draft) Health and Wellbeing Strategy 2012-15. Priority areas include reducing the effects of child poverty, increasing participation in positive activities, protecting people at risk from abuse and neglect, improving the quality of life for people with long term conditions and increasing the range of integrated services in community settings.

Improving outcomes for those people who live in areas of high deprivation

We will achieve this through delivering the Health and Wellbeing Strategy to reduce the effects of child poverty, continuing to support the Hele's Angels

project, ensure that the reform of the benefits system is communicated to those people affected by the welfare reform and that key changes are delivered and working to improve fuel poverty and health inequalities.

Develop skills and learning opportunities

We will achieve this through the delivery of the key outcomes in the Children and Young People's Plan (CYPP), delivery of the Community Plan and the delivery of the Torbay Development Agency (TDA) Torbay Economic Strategy 2010-15.

3.10 The Equality Impact Assessment of the Joint Health and Wellbeing Strategy (Appendix 1) highlights that there is currently a lack of understanding of the impacts on all of those groups with protected characteristics and their experiences in relation to healthcare, access to healthcare and wellbeing generally. The associated Action Plan shows that the following need to be undertaken over the course of the year:

- Refresh of the Joint Strategic Needs Assessment to include fuller information about the needs of those with protected characteristics

(As an example: What about understanding a 'life course' approach in relation to someone with a protected characteristic(s) i.e. if you are a female person with a disability, what is your life course? What do we know about the take up of services by women who have a learning disability in relation to routine breast and cervical screen tests for example?)

- Refresh of the Joint Health and Wellbeing Strategy to ensure that the needs identified within the refreshed JSNA are prioritised and met
- Monitoring the implementation of the Joint Health and Wellbeing Strategy to include breakdowns by protected characteristic where applicable. [This will highlight any potential areas of adverse impact.]

3.11 In addition, the Local Government Association Development Tool for Health and Wellbeing Boards shows that, currently, the Health and Wellbeing Board should "understand the needs of diverse communities and is clear about its responsibilities under Equalities legislation and those of its partners". The Board should aim to be in the following positions by the ends of Year 1 and Year 3 respectively:

"The Board can demonstrate that it promotes equality in all its actions including consultation, priority setting and service improvement, and undertakes equality impact assessments on its plans."

"The Board is a beacon of excellence in relation to equality and diversity and can show positive outcomes for the health and wellbeing of minority groups."

3.12 In considering how the implementation of the Joint Health and Wellbeing Strategy will be monitoring, consideration will need to be given to the three Outcomes Frameworks. These enable national performance management of outcomes to be broken down into protected characteristics/socio-economic groups. There have been suggestions around developing a local outcomes framework which reflects the local priorities for Torbay. Any local framework would need to replicate the breakdown by protected characteristics/socio-economic group.

4. Relationship with Joint Strategic Needs Assessment

4.1 The Joint Strategic Needs Assessment analyses the health needs of populations to inform and guide commissioning of health and wellbeing and social care services. It outlines the need to focus on the population's needs now and in the future. The Board needs to gain an understanding of equalities issues and the needs of people with protected characteristics and identify areas of impact with regards to protected characteristics when looking at collective action to reduce inequalities. In considering the wider determinants of health the Board needs to include the protected characteristics with society (such as a person's race/ethnic background or whether they are born with a disability). The Board also needs to understand the wider influences in relation to a person's faith, gender, sexual orientation for example.

5. Relationship with the Joint Health and Wellbeing Strategy

5.1 The Joint Health and Wellbeing Strategy sets out how the Board aims to address the needs identified in the JSNA. Having gained a better understanding of the needs of those with protected characteristics, the Board may need to refresh its Strategy.

6. Implications for the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy

6.1 In accordance with the Equality Impact Assessment for the Joint Health and Wellbeing Strategy, the Board needs to undertake a refresh of both the JSNA and JHWS over the coming year taking account of the Public Sector Equality Duty.

Appendices

Equality Impact Assessment for the Joint Health and Wellbeing Strategy

Background Papers:

The following documents/files were used to compile this report:

None