

NHS Greater Glasgow and Clyde Equality Impact Assessment Tool

Equality Impact Assessment is a legal requirement as set out in the Equality Act (2010) and the Equality Act 2010 (Specific Duties)(Scotland) regulations 2012 and may be used as evidence for cases referred for further investigation for compliance issues. Please refer to the EQIA Guidance Document while completing this form. Please note that prior to starting an EQIA all Lead Reviewers are required to attend a Lead Reviewer training session or arrange to meet with a member of the Equality and Human Rights Team to discuss the process. Please contact CITAdminTeam@ggc.scot.nhs.uk for further details or call 0141 2014560.

lame of Policy/Service Review/Service Development/Service Redesign/New Service:				
NHSGGC Gender Reassignment Policy				
Is this a: Current Service 🗌 Service Development x Service Redesign 🛭	☐ New Service ☐ New Policy ☐ Policy Review ☐			
Description of the service & rationale for selection for EQIA: (Please state if What does the service or policy do/aim to achieve? Please give as much in	this is part of a Board-wide service or is locally driven). Information as you can, remembering that this document will be published in the public			
domain and should promote transparency.				
The Gender Reassignment Policy sets out NHSGGC's commitment to prov Reassignment. This includes information relating to accommodating patie	ide fair and equitable treatment to patients with the protected characteristic of Gender ents in single sex services and use of sex-specific services.			
Why was this service or policy selected for EQIA? Where does it link to or relevance, potential legal risk etc.)	ganisational priorities? (If no link, please provide evidence of proportionality,			
NHSGGC has recently amended policy content (March 2021) to include additional consideration for accommodating patients with the protected characteristic of Gender Reassignment. The amendment follows guidance issued by the Equality and Human Commission and allows NHSGGC to offer policy provision that is up to date and in line with legislation.				
Who is the lead reviewer and when did they attend Lead reviewer Training? (Please note the lead reviewer must be someone in a position to authorise any actions dentified as a result of the EQIA)				
Name: Alastair Low	Date of Lead Reviewer Training: March 2014			

Please list the staff involved in carrying out this EQIA

(Where non-NHS staff are involved e.g. third sector reps or patients, please record their organisation or reason for inclusion):

Julian Heng, Planning Manager Public Health Dr Noreen Shields, Planning Manager Public Health

		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
1.	What equalities information is routinely collected from people currently using the service or affected by the policy? If this is a new service proposal what data do you have on proposed service user groups. Please note any barriers to collecting this data in your submitted evidence and an explanation for any protected characteristic data omitted.	A sexual health service collects service user data covering all 9 protected characteristics to enable them to monitor patterns of use.	The Gender Reassignment Policy is not dependant upon the collection of equality data to be effectively implemented. There will be mainstream patient data available to the staff working in service areas which may extend to Ethnicity, Disability, Sex, Age and Social Class using postcode as a proxy. Information relating to the gender reassignment status of a patient may not necessarily be available, depending on pertinence to the service being delivered. Patients with the protected characteristic of Gender Reassignment may opt to amend the CHI (Community Health Index) number and so would appear on record in their chosen identity.	
		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
2.	Please provide details of how data captured has been/will be used to inform policy content or service design. Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination,	A physical activity programme for people with long term conditions reviewed service user data and found very low uptake by BME (Black and Minority Ethnic) people. Engagement activity found promotional material for the interventions was not representative. As a result an adapted range	Background information relating to the patient may be used to better determine what service would best meet their needs. Guidance incorporated in the policy from the EHRC, supports the provision of care to people with the protected characteristic of Gender Reassignment on a case by case basis and there may be instances where this position is informed through existing data/patient information.	•

	harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics. 4) Not applicable	of materials were introduced with ongoing monitoring of uptake. (Due regard promoting equality of opportunity)		
		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
3.	How have you applied learning from research evidence about the experience of equality groups to the Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics X	Looked after and accommodated care services reviewed a range of research evidence to help promote a more inclusive care environment. Research suggested that young LGBT+ people had a disproportionately difficult time through exposure to bullying and harassment. As a result staff were trained in LGBT+ issues and were more confident in asking related questions to young people. (Due regard to removing discrimination, harassment and victimisation and	The amendments to the Gender Reassignment Policy have been informed through a robust evidence checking process undertaken by the Scottish Government while reviewing the Gender Recognition Act in 2019. This evidence has been used to better understand some of the challenges facing people with the protected characteristic of Gender Reassignment and the needs of people with the protected characteristic of sex. The policy has also been informed through application of guidance supplied by the Equality and Human Rights Commission which has been subject to independent review.	

	4) Not applicable	fostering good relations).		
		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
4.	Can you give details of how you have engaged with equality groups with regard to the service review or policy development? What did this engagement tell you about user experience and how was this information used? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics X 4) Not applicable	A money advice service spoke to lone parents (predominantly women) to better understand barriers to accessing the service. Feedback included concerns about waiting times at the drop in service, made more difficult due to child care issues. As a result the service introduced a home visit and telephone service which significantly increased uptake. (Due regard to promoting equality of opportunity) * The Child Poverty (Scotland) Act 2017 requires organisations to take actions to reduce poverty for children in households at risk of low incomes.	The EQIA has taken evidence returned through extensive engagement undertaken by the Scottish Government during their review of the Gender Recognition Act. The scope of this work could not be replicated locally within NHSGGC without considerable resource implications and has direct relevance to the key considerations in better understanding the experiences of people with the protected characteristics of Gender Reassignment and Sex The policy also has a review process to ensure feedback on application highlights any unintended detriment to patient groups. While NHSGGC Gender Reassignment Policy concerns itself with sensitive provision in mainstream services, evidence gathered through National engagement is relevant and appropriate given the provision of both young person and adult Gender Identity Clinics via Sandyford on a regional basis.	

		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
5.	Is your service physically accessible to everyone? If this is a policy that impacts on movement of service users through areas are there potential barriers that need to be addressed? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation x 2) Promote equality of opportunity x 3) Foster good relations between protected characteristics.	An access audit of an outpatient physiotherapy department found that users were required to negotiate 2 sets of heavy manual pull doors to access the service. A request was placed to have the doors retained by magnets that could deactivate in the event of a fire. (Due regard to remove discrimination, harassment and victimisation).	All mainstream NHSGGC services will be physically accessible and the Gender Reassignment Policy (informed by EHRC guidance and previously returned national EQIA evidence) will facilitate patient flow for patients with the protected characteristic of Gender Reassignment.	

		Example	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
6.	How will the service change or policy development ensure it does not discriminate in the way it communicates with service users and staff? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics 4) Not applicable The British Sign Language (Scotland) Act 2017 aims to raise awareness of British Sign Language and improve access to services for those using the language. Specific attention should be	Following a service review, an information video to explain new procedures was hosted on the organisation's YouTube site. This was accompanied by a BSL signer to explain service changes to Deaf service users. Written materials were offered in other languages and formats. (Due regard to remove discrimination, harassment and victimisation and promote equality of opportunity).	NHSGGC nursing cohorts have been fully briefed on the amended policy though mainstream communication channels.	

	paid in your evidence to show how the service review or policy has taken note of this.		
7	Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
(a)	Could the service design or policy content have a disproportionate impact on people due to differences in age? (Consider any age cut-offs that exist in the service design or policy content. You will need to objectively justify in the evidence section any segregation on the grounds of age promoted by the policy or included in the service design). Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics.	There is little relevance to the protected characteristic of age in relation to the impact of NHSGGC's Gender Reassignment Policy. Research (https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-april-to-june-2019) suggests the average age at which people start to live full time as their felt gender was 31. This may have some implications in relation to the ability to seamlessly pass in felt gender, particularly in relation to guidance from the EHRC which states - One factor an organisation should consider, is where a transsexual person is visually and for all practical purposes indistinguishable from someone of the gender they identify with, they should normally be treated according to their gender identity unless there are strong reasons not to do so.' In a broader sense, the policy will assist NHSGGC mitigate against experience of discrimination experienced by someone with the protected characteristic of Gender Reassignment on the basis of inaccurate observation and recording of sex at birth	
(b)	Disability	In a survey of 889 trans people in 2011, 58% indicated they had a disability or chronic health condition. 36% identified they had a	

Could the service design or policy content have a disproportionate impact on people due to the protected characteristic of disability? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected characteristics.	mental health issue with 88% of the 549 people who answered the question stating they had been diagnosed with depression or considered they were or had been depressed. Evidence indicates that the mental health issues experienced by trans people are related to prejudice and discrimination they experience. (Lancet psychiatry 2016). The NHSGGC gender Reassignment Policy will support people to access the appropriate care in the appropriate setting and remove potential contributory factors to the above. The national LGBT+ Health Needs Assessment currently being completed by a partnership consisting of NHSGGC, NHS Lothian and Public Health Scotland will feed into this assessment and help to inform the application of the Gender Reassignment Policy through staff briefings.	
Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
 (c) Gender Reassignment Could the service change or policy have a disproportionate impact on people with the protected characteristic of gender identity? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity X 3) Foster good relations between protected 	There is no evident detriment to people with the protected characteristic of Gender Reassignment through the application of the policy. The Scottish Public Health Network Report on the Health Care Needs Assessment of Gender Identity Services estimates the number of trans people in Scotland at 25,000 (0.5% of the population). Those who live in NHS Greater Glasgow and Clyde should be further supported through the application of the Gender Reassignment Policy. The above is set against a reported context of increased hostility to trans people, particularly trans women (Health Needs Assessment of LGBT+ People - Qualitative Research Findings Report, NHS Greater Glasgow and Clyde/NHS Lothian, 2020).	

	characteristics	The same report highlighted challenging experiences of trans	
	4) Not applicable	patients (both trans men and trans women) when being accommodated as inpatients in hospitals.	
	Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
(d)	Marriage and Civil Partnership	The policy will not have a differential impact on patients with the	Required
	Could the service change or policy have a disproportionate impact on the people with the protected characteristics of Marriage and Civil Partnership?	protected characteristics of Marriage and Civil Partnership	
	Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes).		
	Remove discrimination, harassment and victimisation		
	2) Promote equality of opportunity		
	3) Foster good relations between protected characteristics		
	4) Not applicable X		
(e)	Pregnancy and Maternity	The policy is not anticipated to have a disproportionate impact on people with the protected characteristic of pregnancy and	
	Could the service change or policy have a	maternity. There may be people with the protected	
	disproportionate impact on the people with the protected characteristics of Pregnancy and Maternity?	characteristic of Gender Reassignment who require to use NHSGG maternity services and these services will be delivered	

	Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes).	based upon the biological need of the patient which will respect their identity.	
	Remove discrimination, harassment and victimisation X		
	2) Promote equality of opportunity X		
	3) Foster good relations between protected characteristics.		
	4) Not applicable		
	Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
(f)	Race	No impact perceived	•
	Could the service change or policy have a disproportionate impact on people with the protected characteristics of Race?		
	Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes).		
	Remove discrimination, harassment and victimisation		
	2) Promote equality of opportunity		
	3) Foster good relations between protected characteristics		
	4) Not applicable X		

(g)	Religion and Belief Could the service change or policy have a disproportionate impact on the people with the protected characteristic of Religion and Belief? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation 2) Promote equality of opportunity 3) Foster good relations between protected characteristics.	There is no perceived detriment on the grounds of Religion and Belief.	
	Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required
(h)	Could the service change or policy have a disproportionate impact on the people with the protected characteristic of Sex? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation X 2) Promote equality of opportunity	Engagement undertaken by the Scottish Government indicated concerns raised about the implications of legal gender recognition and inclusion for women. These included: • Access to women's safe spaces • Risk of abuse • Intimate medical care The Scottish Government found a lack of evidence around the actual experienced impacts of trans inclusion in services though it was noted that much of the literature does not justify a blanket exclusion of trans women from services or spaces but highlighted the need for individual assessment and tailoring of services to meet individual need. The Scottish Government were unable to identify any evidence supporting the claim that trans-	

	3) Foster good relations between protected characteristics. 4) Not applicable	women are more likely than non-trans women to sexually assault other women in women-only spaces. The Scottish Government was also unable to find any link between trans-inclusion in women-only spaces and non-trans men falsely claiming a trans identity to access these spaces and commit sexual violence.	
(i)	Could the service change or policy have a disproportionate impact on the people with the protected characteristic of Sexual Orientation? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation	There is no perceived detriment on the grounds of Sexual Orientation.	
	Protected Characteristic	Service Evidence Provided	Possible negative impact and Additional Mitigating Action Required

(j)	Socio – Economic Status & Social Class Could the proposed service change or policy have a disproportionate impact on the people because of their social class or experience of poverty and what mitigating action have you taken/planned? The Fairer Scotland Duty (2018) places a duty on public bodies in Scotland to actively consider how they can reduce inequalities of outcome caused by socioeconomic disadvantage in strategic planning. You should evidence here steps taken to assess and mitigate risk of exacerbating inequality on the ground of socio-economic status.	There is no perceived detriment on the grounds of social class or socio-economic status	
(k)	Other marginalised groups How have you considered the specific impact on other groups including homeless people, prisoners and exoffenders, ex-service personnel, people with addictions, people involved in prostitution, asylum seekers & refugees and travellers?	There is no perceived detriment for other marginalised groups.	
8.	Does the service change or policy development include an element of cost savings? How have you managed this in a way that will not disproportionately impact on protected characteristic groups? Your evidence should show which of the 3 parts of the General Duty have been considered (tick relevant boxes). 1) Remove discrimination, harassment and victimisation 2) Promote equality of opportunity 3) Foster good relations between protected	There are no perceived cost savings arising from the amendment of the policy.	

		characteristics.
		4) Not applicable X
Possible negative impact and Additional Mitigating Action Required	Service Evidence Provided	
		. What investment in learning has been made to prevent
		foster good relations between protected characteristic
	tion Statutory Mandatory learning module NHSGGC has also	groups? As a minimum include recorded completion
	mmes developed a 'Trans' learning module (currently being reviewed)	rates of statutory and mandatory learning programmes
	nd which offers additional support to staff working with patients with	(or local equivalent) covering equality, diversity and
	the protected characteristic of Gender Reassignment.	human rights.
Additional Mitigating Action	event nd mandatory Equality and Human Rights e-learning module. Completion currently sits at around 90%. In addition to the Statutory Mandatory learning module NHSGGC has also developed a 'Trans' learning module (currently being reviewed) and which offers additional support to staff working with patients with	discrimination, promote equality of opportunity and foster good relations between protected characteristic groups? As a minimum include recorded completion rates of statutory and mandatory learning programmes (or local equivalent) covering equality, diversity and

10. In addition to understanding and responding to legal responsibilities set out in Equality Act (2010), services must pay due regard to ensure a person's human rights are protected in all aspects of health and social care provision. This may be more obvious in some areas than others. For instance, mental health inpatient care or older people's residential care may be considered higher risk in terms of potential human rights breach due to potential removal of liberty, seclusion or application of restraint. However risk may also involve fundamental gaps like not providing access to communication support, not involving patients/service users in decisions relating to their care, making decisions that infringe the rights of carers to participate in society or not respecting someone's right to dignity or privacy.

The Human Rights Act sets out rights in a series of articles – right to Life, right to freedom from torture and inhumane and degrading treatment, freedom from slavery and forced labour, right to liberty and security, right to a fair trial, no punishment without law, right to respect for private and family life, right to freedom of thought, belief and religion, right to freedom of expression, right to freedom of assembly and association, right to marry, right to protection from discrimination.

Please explain in the field below if any risks in relation to the service design or policy were identified which could impact on the human rights of patients, service users or staff.

There are no perceived elements of the policy amendment that could impact on the human rights of patients, service users or staff. Through rational protection of the rights of

people with the protected characteristic of Gender Reassignment, it is hoped that the human rights of trans people continue to be recognised and supported.	

Please explain in the field below any human rights based approaches undertaken to better understand rights and responsibilities resulting from the service or policy development and what measures have been taken as a result e.g. applying the PANEL Principles to maximise Participation, Accountability, Non-discrimination and Equality, Empowerment and Legality or FAIR*.

N/A			

- Facts: What is the experience of the individuals involved and what are the important facts to understand?
- Analyse rights: Develop an analysis of the human rights at stake
- Identify responsibilities: Identify what needs to be done and who is responsible for doing it
- Review actions: Make recommendations for action and later recall and evaluate what has happened as a result.

•	completed the EQIA template, please tick which option you (Lead Reviewer) perceive best reflects the findings of the assessment. This can be cross-checked Quality Assurance process:
Χ	Option 1: No major change (where no impact or potential for improvement is found, no action is required)
	Option 2: Adjust (where a potential or actual negative impact or potential for a more positive impact is found, make changes to mitigate risks or make improvements)
	Option 3: Continue (where a potential or actual negative impact or potential for a more positive impact is found but a decision not to make a change can be objectively justified, continue without making changes)
	Option 4: Stop and remove (where a serious risk of negative impact is found, the plans, policies etc. being assessed should be halted until these issues can be addressed)

on sexual orientation, fait	:h etc please use	ething that 'stands out' as an example of goo the box below to describe the activity and th lopments in their own services.		
Actions – from the additional mitigating action requirements boxes completed above, please summarise the actions this service will be taking forward.			Date for completion	Who is responsible?(initials)
	ease write your 6 r	nonthly EQIA review date:		
March 2021 Lead Reviewer: EQIA Sign Off:	Name Job Title Signature Date	Alastair Low Planning Manager 05/10/2021		
Quality Assurance Sign Off:	Name Job Title Signature Date	Jac Ross EHRT Manager 05/10/2021		



NHS GREATER GLASGOW AND CLYDE EQUALITY IMPACT ASSESSMENT TOOL MEETING THE NEEDS OF DIVERSE COMMUNITIES 6 MONTHLY REVIEW SHEET

Name of Po	licy/Current Service/Service Development/Service Redesign:		
Please deta	il activity undertaken with regard to actions highlighted in the original EQIA for this Service/Policy	1	
		Comp	leted
		Date	Initials
Action:			
Status:			
Action:			
Status:			
Action:			
Status:			
Action:			
Status:			
	il any outstanding activity with regard to required actions highlighted in the original EQIA process non-completion	for this Service	/Policy and
		To be Com	pleted by
		Date	Initials
Action:			
Reason:			
Action:			
Reason:			

	To be complete	To be completed by	
	Date I	nitials	
Action:			
Reason:			
Action:			
Reason:			
Please detail any discontinued actions that were originally planned and reason. Action:	ons:		
Reason:			
Action:			
Reason:			
Please write your next 6-month review date			
Name of completing officer:			
Name of completing officer: Date submitted:			