

## Scottish Borders Health and Social Care Partnership



Scottish Borders  
**Health and Social Care**  
PARTNERSHIP

### Appendix 1: Equalities and Human Rights Governance and Performance Framework

The public sector equality duty is referred to as the ‘general equality duty’ which is part of the Equality Act (2010). The general equality duty applies to the Scottish Borders Integration Joint Board, which has a legal obligation to pay due regard to meet the need to:

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

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on the 27 of May 2012 and were amended in 2015 to bring additional listed authorities within their scope. This included Scottish Borders Health and Social Care Partnership.

The Scottish Specific Public Sector Equality Duties 2012 (SSPSED) requires the Partnership as a listed authority to:

1. Report on mainstreaming the equality duty
2. Publish equality outcomes and report on progress
3. Review and assess policies and practices
4. Gather and use employee information
5. Publish gender pay gap information
6. Publish information on equal pay etc
7. Embed in procurement processes
8. Publish in an accessible manner
9. Consider matters as prescribed by Scottish Minister

In 2018, the Fairer Scotland Duty (Part 1 of the Equality Act 2010 and formally known as the socio-economic duty) was brought into legislation. This duty requires the IJB to actively consider (‘pay due regard’ to) how the IJB can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions.

To enable the Integration Joint Board evidence compliance with the Fairer Scotland Duties, the equality and human rights impact assessment documentation, approved by the Health and Social

Care Partnership's Strategic Planning Group in December 2022 incorporates the requirements of the Fairer Scotland Act 2018 and the Equality and Human Rights Commission's Equality Measurement Framework.

Socio-economic disadvantage means living on a low income compared to others, with little or no accumulated wealth, leading to greater material deprivation and restricting the ability to access basic goods and services. As well as considering areas of deprivation, the guidance refers to 'communities of place' and 'communities of interest'.

Inequalities of outcome means measurable differences between those who have experienced socio-economic disadvantage and the rest of the population.

The Key requirement of the duty is to publish a written assessment which will be regulated by the Equality and Human Rights Commission (EHRC), evidencing that the Scottish Borders IJB is committed to embedding the tackling of inequalities at the heart of decision making.

Throughout this equality mainstream report, it will become evident the Scottish Borders IJB considers the impact of socio-economic disadvantage at a strategic level and addressing the systemic failure of the health care system to address the adverse outcomes from social detriments.

To further support this, the Strategic Planning Group incorporated this duty into the Equality and Human Rights Impact Assessment process and requires evidence and steps taken to assess and mitigate risk of exacerbating inequality on the ground of socio-economic status. The Strategic Planning Group now take cognisance of the E&HR Integrated Impact Assessments as part of their consideration prior to reports being presented to the Integration Joint Board.

### **Mainstreaming the Equality Duty**

Mainstreaming the equality duty has several benefits including equality becomes part of the structures, behaviours and culture of an authority, an authority knows and can demonstrate how, in carrying out its functions, it is promoting equality mainstreaming equality contributes to continuous improvement and better performance.

*Source: Equality and Human Rights Commission*

This report is an opportunity for Scottish Borders Health and Social Partnership (SBHSCP) to reflect on the steps which have been taken to mainstream equality into the day-to-day working of the SBHSCP from a governance and performance perspective.

### **The Role of the Integration Joint Board**

Established in April 2015, the Scottish Borders Integration Joint Board (IJB) is responsible for the strategic planning, operational oversight, commissioning and performance management of the health and social care functions which have been delegated. The Scottish Borders Health and Social Care Partnership (SBHSCP) delivers these services on behalf of the IJB in line with the strategic plan for health and social care.

The IJB is aware that mainstreaming equality drives continuous improvement and better quality of life outcomes and improving health inequalities for people who use the services of the Scottish Borders Health and Social Care Partnership.

### **Board Membership and Structure**

The Public Bodies (Joint Working) (Membership and Procedures of Integration Joint Boards) (Scotland) Order 2014 sets out the requirements about the membership of an Integration Joint Board. This includes minimum required membership, and provision for additional members to be appointed. Membership of the Scottish Borders IJB includes people with experience of using health and care services, elected members, NHS Board members, staff from the Health and Social Care Partnership, representatives from the voluntary and independent organisations.

The Gender Representation on Public Boards (Scotland) Act received Royal Assent in March 2018. The Act sets an objective for public boards that 50% of non-executive members are women by the end of 2022. Current membership of the Board consists of 10 voting members (5 Scottish Borders Council Councillors and 5 NHS Borders Non Executives) (6 male, 4 female) and 13 non-voting members (5 male, 8 female).

Third Sector, Carer and User representatives ensure that the voices of people who use adult health and social care services influence and inform the discussions and decisions of the Integration Joint Board which meets every 8 weeks. IJB meetings are open to the public and papers are available on line one week ahead of the meeting taking place.

Meetings are live streamed, and available via Microsoft Teams.

**Scottish Borders Health and Social Care Framework 2023-26**

In the Health and Social Care Framework the Scottish Borders Health and Social Care Partnership recognises that to truly improve health and reduce inequalities, not only do they need to provide high quality health and social care, but they also have to consider and work to address the societal, economic, cultural, commercial, and environmental context in which the communities of the Scottish Borders live, work, study and visit.

The Scottish Borders Health and Social Care Partnership has worked with its delivery partners, Community Planning Partners and communities across the Scottish Borders to deliver improvements in health and wellbeing for people with the relevant protected characteristics, lived experience and those communities/group experiencing inequality including health inequality. This approach is reiterated in the Strategic Framework.

In adopting this approach, the Partnership will evidence its commitment to putting the people and communities of the Scottish Borders at the heart of everything they do.

Listening to people, treating them with dignity and respect and embedding a culture of inclusiveness, co-production and fairness which is underpinned by openness, honesty and responsibility is the foundations for delivering the Partnership’s vision that “All people in the Scottish Borders are able to live their lives to the full”

**Equality Outcomes Progress Reporting 2019-23**

Below are the outcomes that were agreed by the IJB for the period 2016 to 2020. A summary of the progress made against each outcome for the period 2019 to 2023 can be found in Appendix 2.

Outcome 1	Experience fair access to services that mitigate the impact of any protected characteristics under the Equality Act (2010)
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Outcome 2	Be supported to access education, training and employment
Outcome 3	Have improved physical and mental wellbeing, experience fewer health inequalities and will be able to live independently
Outcome 4	Experience a workforce that feel valued, are skilled, competent, and reflect the diversity of the populace across the Scottish Borders
Outcome 5	Feel safe, be safe, healthy, achieving, respected and included
Outcome 6	Experience services that reflect the needs of the communities, address health inequalities, and which shift the balance of these services towards early intervention and prevention
Outcome 7	Be confident that the information they provide, particularly in relation to the protected characteristics, will be used to make improvements to services and the way they are planned and delivered

### **Developing new outcomes 2023-2025**

The new equality outcomes have been coproduced by the Partnership’s Equality and Human Rights Foundation Group, a group established specifically to support the Integration Joint Board evidence compliance with the Duty. These are aligned to the new Health and Social Care Strategic Framework objectives and ways of working. This group have also been responsible for responding to the findings of the Equality and Human Rights Commission’s audit of compliance with the duty carried out in 2022.

Working collaboratively with staff delivering Partnership services and those representing the protected characteristics, people with lived experience and communities experiencing inequality, it became clear that there are significant areas to develop in collating robust evidence which effectively measures the impact of mainstreaming equality. The Foundation Group also identified that the outcomes must also comprise of a mainstreaming framework. The framework developed will enable the SPG Equality and Human Rights Subgroup to clearly identify and measure the progress made in achieving the equality outcomes and reducing health inequality. Setting realistic and attainable actions which link directly to key strategic plans under each of the outcomes will ensure that equality, human rights and the Fairer Scotland Duty is embedded into the culture of the Partnership’s services. This will enable the Partnership to reflect the current and emerging needs of people using services and the staff delivering services more effectively.

During the development phase, no specific issues were raised for the protected characteristic of marriage and civil partnership. This will be monitored throughout the term of these outcomes and reconsidered if a specific issue is identified.

Our new Strategic Framework provides the framework for more inclusive, person centred services and will include a new strategic aim of reducing poverty and inequality. As the Strategic Plan and all associated plans develop, the Equality and Human Rights Subgroup will ensure that the equality outcomes and mainstreaming framework will continue to align to the key priorities of the Partnership and the Integration Joint Board.

### **Equality Priorities 2023–25**

The equality mainstreaming framework 2023 to 2025, evidences the Integration Joint Board’s commitment to meeting the general duty and embed the core principles of eliminating discrimination, advancing opportunities and fostering good relations. The equalities mainstreaming framework has been designed to ensure that:

*“At the population level, Integrated Joint Boards and Locality Planners need to do a better job of building the user voice into their considerations” and that “People with lived experiences must be partners in the commissioning process and integral to decision making and prioritisation, monitoring process and making improvements; nothing about me without me as the saying goes<sup>1</sup>.”*

Mainstreaming the equality duty will ensure that:

- Information and advice will be delivered in accessible formats that best suits people’s needs
- Innovative and proactive partnership arrangements, which support SBHSCP demonstrate a welcoming environment with informed and understanding staff, are further developed and maintained
- All premises that SBHSCP work out of, or deliver services from will be collaboratively reviewed in terms of location, suitable environment, ramped access, signage, transportation links etc
- SBHSCP’s future planning and commissioning plans are linked with Scottish Borders Council’s Local Housing Strategy, Housing Need & Demand Assessment and the Joint Strategic Needs Assessment
- Fair Work Principles and Ethical Commissioning, Getting it Right for Everyone GIRFE are embedded into commissioning and procurement process relating to the design, commissioning and procurement of adult health and social care services
- People with identified protected characteristics and lived experience who are not engaged in exercise, self-care and meaningful activities are identified and supported to review existing services and support the development of new social prescribing initiatives
- There is a reduction in the number of people with Learning Disabilities and people with autism remaining hospital and an increase in the number of people being supported to live in the communities of the Scottish Borders
- Young people leaving care transition seamlessly into adult health and social care services

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<sup>1</sup> Scottish Government. Independent Review of Adult Social Care (2021). Feeley, D. Available from: <https://www.gov.scot/groups/independent-review-of-adult-social-care/>

- Young people with Learning Disability transition seamlessly into adult health and social care services
- There is increased participation, influence and voice from people with protected characteristics, lived experiences and communities experiencing inequality in the design and relaunch of the Scottish Borders Locality Working Groups
- Interventions are early and effective, preventing domestic abuse, and maximising the safety and wellbeing of adults, children, and young people affected by domestic abuse.
- Awareness of violence/ abuse and its related harms are better understood by staff working delivering SBHSCP services
- Improved preventative work and a shared understanding of the causes enabling a reduction in hate crime and hate incidents – this will include the cross sector workforce who experience unacceptable behaviours whilst delivering health and social care services.
- Improved support for those at risk of and those that are affected by Female Genital Mutilation (FGM).
- Improved understanding of and development of a joined up approach to support those affected by human trafficking and exploitation.
- Improved understanding of the causes of honour based violence and the support services necessary to keep people safe
- Flexible and targeted recruitment drives deliver a workforce that is reflective and representative current and future service users
- Managers have a shared understanding of their responsibilities in relation to reasonable workplace adjustments
- Wellbeing initiatives to support an improvement in the mental health of women working across the health and social care sector will be coproduced and reviewed for effectiveness
- The Integration Joint Board can evidence Compliance with [A Fair Work Action Plan: Becoming a Fair Work Nation by 2025](#)
- The requirements of the Scottish Government's [Fairer Scotland for All: An Anti-Racist Employment Strategy](#) is embedded into and across all employment policies
- Embedding of the FREDIE Principles into the SCHSCP's Integrated Workforce Plan is explored
- An equality and human rights cross sector staff development programme will be coproduced with members of the Equality and Human Rights Subgroup and the Integrated Workforce Plan Implementation Board
- Staff, internally and external, have a shared understanding of cultural diversity and difference and are updated on events, information and activities surrounding equality matters.

- A review of the Partnership's website is undertaken with members of the Equality and Human Rights Subgroup to ensure it is accessible and user friendly, making equalities information more accessible.
- An ongoing review policies and practices will be undertaken to ensure they reflect equalities.