

## Equality & Health Impact Assessment for

Procedure for Notifying and Reporting Possible Fitness to Practise Concerns for Health Professionals Regulated by the Health and Care Professions Council (HCPC) and Nursing and Midwifery Council (NMC)

### Please read the Guidance Notes in Appendix 1 prior to commencing this Assessment

#### Please note:

- The completed Equality & Health Impact Assessment (EHIA) must be
  - Included as an appendix with the cover report when the strategy, policy, plan, procedure and/or service change is submitted for approval
  - Published on the intranet and internet pages as part of the consultation (if applicable) and once agreed.
- Formal consultation must be undertaken, as required
- Appendices 1-3 must be deleted prior to submission for approval

Please answer all questions:-

1.	For service change, provide the title of the Project Outline Document or Business Case and Reference Number	Procedure for Notifying and Reporting Possible Fitness to Practise Concerns for Health Professionals Regulated by the Health and Care Professions Council (HCPC) and Nursing and Midwifery Council (NMC)
2.	Name of Corporate Directorate and title of lead member of staff, including contact details	Rhiannon Beaumont-Wood, Executive Director Quality, Nursing and Allied Healthcare Professionals.  Caroline Whittaker Caroline Whittaker Professional Lead Nursing, Midwifery and Standards Manager Quality Nursing and Allied Health Professionals <a href="mailto:Caroline.whittaker@wales.nhs.uk">Caroline.whittaker@wales.nhs.uk</a>

3.	Objectives of strategy/ policy/ plan/ procedure/ service	The purpose of this procedure is to ensure that Public Health Wales meets its mandatory obligations in relation to Fitness to Practise and to set out a framework for staff who are, or where there are Fitness to Practise issues
4.	<p>Evidence and background information considered. For example</p> <ul style="list-style-type: none"> <li>• population data</li> <li>• staff and service users data, as applicable</li> <li>• needs assessment</li> <li>• engagement and involvement findings</li> <li>• research</li> <li>• good practice guidelines</li> <li>• participant knowledge</li> <li>• list of stakeholders and how stakeholders have engaged in the development stages</li> <li>• comments from those involved in the designing and development stages</li> </ul> <p>Population pyramids are available from Public Health Wales Observatory and the 'Shaping Our Future Wellbeing' Strategy provides an overview of health need.</p>	<p>Professional regulation is intended to protect the public, making sure that those who practise as a health professional are doing so safely. It is therefore a contractual condition of employment that a Health Professional maintains their registration throughout their employment with Public Health Wales, and it is their personal responsibility to keep their professional registration up to date.</p> <p>In addition, Public Health Wales has a responsibility to ensure that recruitment and ongoing processes are in place to ensure Professional Registration compliance and protection of the public. It does this via a broad range of organisational arrangements designed to support multi-disciplinary Registered Healthcare Professionals in performing their role as a Professional Practitioners, safely and effectively. Public Health Wales delivers these commitments through:</p> <ul style="list-style-type: none"> <li>• Processes to safely recruit and induct new employees</li> <li>• Performance and Appraisal processes (presently provided through 'My Contribution')</li> <li>• Monthly Registration Audit</li> <li>• Annual Audit verifying active professional registration with the Nursing and Midwifery Council (NMC) and Health and Care Professions Council (HCPC).</li> </ul>

<b>5.</b>	Who will be affected by the strategy/ policy/ plan/ procedure/ service	<p>The procedure will apply to the management of any concerns around Fitness to Practise for all staff across the organisation regulated by either Health and Care Professions Council (HCPC) and Nursing and Midwifery Council (NMC).</p> <p>General Medical and General Dental Registrants are not currently within the scope of this procedure. Further consideration for inclusion at a future date may be required and the procedure will then be updated.</p>

## 6. EQIA / How will the strategy, policy, plan, procedure and/or service impact on people?

Questions in this section relate to the impact on people on the basis of their 'protected characteristics'. Specific alignment with the 7 goals of the Well-being of Future Generations (Wales) Act 2015 is included against the relevant sections.

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division.</b> Make reference to where the mitigation is included in the document, as appropriate
<b>6.1 Age</b> For most purposes, the main categories are: <ul style="list-style-type: none"> <li>• under 18;</li> <li>• between 18 and 65; and</li> <li>• over 65</li> </ul>	Being Fit to Practise requires Registered Healthcare Professionals to have the skills, knowledge, health and character to do their job safely and effectively. This may include conduct outside of the working environment if this might affect or undermine public confidence.	N/A	Mitigation will determine on the cause of the Fitness to Practise. However in these circumstance where a professional issue has come to light there can be no mitigation as it will contradict
<b>6.2 Persons with a disability as defined in the Equality Act 2010</b> Those with physical impairments, learning disability, sensory loss or impairment, mental health conditions, long-term medical conditions such as	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.2	None required	None

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/mitigation	Action taken by Directorate / Division. Make reference to where the mitigation is included in the document, as appropriate
diabetes			
<p><b>6.3 People of different genders:</b> Consider men, women, people undergoing gender reassignment</p> <p><b>NB</b> Gender-reassignment is anyone who proposes to, starts, is going through or who has completed a process to change his or her gender with or without going through any medical procedures. Sometimes referred to as Trans or Transgender</p>	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.3	None required	
<p><b>6.4 People who are married or who have a civil partner.</b></p>	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.4	None	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/mitigation	Action taken by Directorate / Division. Make reference to where the mitigation is included in the document, as appropriate
<b>6.5 Women who are expecting a baby, who are on a break from work after having a baby, or who are breastfeeding.</b> They are protected for 26 weeks after having a baby whether or not they are on maternity leave.	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.5	None	
<b>6.6 People of a different race, nationality, colour, culture or ethnic origin including non-English speakers, gypsies/travellers, migrant workers</b>	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.6	None	
<b>6.7 People with a religion or belief or with no religion or belief.</b> The term 'religion' includes a religious or philosophical belief	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.7	None	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/mitigation	Action taken by Directorate / Division. Make reference to where the mitigation is included in the document, as appropriate
<b>6.8 People who are attracted to other people of:</b> <ul style="list-style-type: none"> <li>the opposite sex (heterosexual);</li> <li>the same sex (lesbian or gay);</li> <li>both sexes (bisexual)</li> </ul>	The process for determining Fitness to Practise will not discriminate against any groups in society based on the characteristics of those defined under the Equality Act as outlined at 6.8	None	
<b>6.9 People who communicate using the Welsh language in terms of correspondence, information leaflets, or service plans and design</b>  Well-being Goal – A Wales of vibrant culture and thriving Welsh language	The process for determining Fitness to Practise will not discriminate against any person who wishes to communicate in Welsh. However, this may cause a delay in the process, if the FtP process is through the median of Welsh. The Regulatory Bodies of NMC/HCPC will conduct their business in English	Require Welsh Speaker who can translate through the process within Wales.  If communication is required in Welsh then access to translation services will be required	Welsh Translator may be required if the health care professional or other wishes to conduct FtP interviews in Welsh
<b>6.10 People according to their income related group:</b> Consider people on low income, economically	The process for determining Fitness to Practise will not discriminate against any person as outlined in 6.10	None	

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division.</b> Make reference to where the mitigation is included in the document, as appropriate
inactive, unemployed/workless, people who are unable to work due to ill-health			
<b>6.11 People according to where they live:</b> Consider people living in areas known to exhibit poor economic and/or health indicators, people unable to access services and facilities	The process for determining Fitness to Practise will not discriminate against any person as outlined in 6.11	None	
<b>6.12 Consider any other groups and risk factors relevant to this strategy, policy, plan, procedure and/or service</b>	Within the FtP process there are a number of staff involved: Line Manager, HR, Exec Director therefore the key risk is the delay in investigating and managing the issue	None	



## 7. HIA / How will the strategy, policy, plan, procedure and/or service impact on the health and well-being of our population and help address inequalities in health?

Questions in this section relate to the impact on the overall health of individual people and on the impact on our population. Specific alignment with the 7 goals of the Well-being of Future Generations (Wales) Act 2015 is included against the relevant sections.

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts and any particular groups affected</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division</b> Make reference to where the mitigation is included in the document, as appropriate
<b>7.1 People being able to access the service offered:</b> Consider access for those living in areas of deprivation and/or those experiencing health inequalities  Well-being Goal - A more equal Wales			
<b>7.2 People being able to improve /maintain healthy lifestyles:</b> Consider the impact on healthy lifestyles, including healthy eating, being active, no smoking /smoking cessation, reducing the			

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts and any particular groups affected</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division</b> Make reference to where the mitigation is included in the document, as appropriate
<p>harm caused by alcohol and /or non-prescribed drugs plus access to services that support disease prevention (eg immunisation and vaccination, falls prevention). Also consider impact on access to supportive services including smoking cessation services, weight management services etc</p> <p>Well-being Goal – A healthier Wales</p>			
<p><b>7.3 People in terms of their income and employment status:</b>            Consider the impact on the availability and accessibility of work, paid/ unpaid employment, wage levels, job security, working conditions</p>			

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts and any particular groups affected</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division</b> Make reference to where the mitigation is included in the document, as appropriate
Well-being Goal – A prosperous Wales			
<p><b>7.4 People in terms of their use of the physical environment:</b></p> <p>Consider the impact on the availability and accessibility of transport, healthy food, leisure activities, green spaces; of the design of the built environment on the physical and mental health of patients, staff and visitors; on air quality, exposure to pollutants; safety of neighbourhoods, exposure to crime; road safety and preventing injuries/accidents; quality and safety of play areas and open spaces</p> <p>Well-being Goal – A resilient Wales</p>			

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/mitigation	Action taken by Directorate / Division Make reference to where the mitigation is included in the document, as appropriate
<p><b>7.5 People in terms of social and community influences on their health:</b> Consider the impact on family organisation and roles; social support and social networks; neighbourliness and sense of belonging; social isolation; peer pressure; community identity; cultural and spiritual ethos</p> <p>Well-being Goal – A Wales of cohesive communities</p>			
<p><b>7.6 People in terms of macro-economic, environmental and sustainability factors:</b> Consider the impact of government policies; gross domestic product; economic development; biological diversity; climate</p>			

<b>How will the strategy, policy, plan, procedure and/or service impact on:-</b>	<b>Potential positive and/or negative impacts and any particular groups affected</b>	<b>Recommendations for improvement/mitigation</b>	<b>Action taken by Directorate / Division</b> Make reference to where the mitigation is included in the document, as appropriate
Well-being Goal – A globally responsible Wales			

**Please answer question 8.1 following the completion of the EHIA and complete the action plan**

<b>8.1 Please summarise the potential positive and/or negative impacts of the strategy, policy, plan or service</b>	
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### **Action Plan for Mitigation / Improvement and Implementation**

	Action	Lead	Timescale	Action taken by Directorate / Division
<b>8.2 What are the key actions identified as a result of completing the EHIA?</b>				

	Action	Lead	Timescale	Action taken by Directorate / Division
<p><b>8.3 Is a more comprehensive Equalities Impact Assessment or Health Impact Assessment required?</b></p> <p>This means thinking about relevance and proportionality to the Equality Act and asking: is the impact significant enough that a more formal and full consultation is required?</p>				

	Action	Lead	Timescale	Action taken by Directorate / Division
<p><b>8.4 What are the next steps?</b></p> <p>Some suggestions:-</p> <ul style="list-style-type: none"> <li>Decide whether the strategy policy, plan, procedure and/ service proposal: <ul style="list-style-type: none"> <li>continues unchanged as there are no significant negative impacts</li> <li>adjusts to account for the negative impacts</li> <li>continues despite potential for adverse impact or missed opportunities to advance equality (set out the justifications for doing so)</li> <li>stops.</li> </ul> </li> <li>Have your strategy, policy, plan, procedure and/or service proposal approved</li> <li>Publish your report of this impact assessment</li> <li>Monitor and review</li> </ul>				



