

Equality & Health Impact Assessment for

Procedure for Reporting Possible Fitness to Practise Concerns to Regulatory Bodies for registered Healthcare Professionals

1.	For service change, provide the title of the Project Outline Document or Business Case and Reference Number	Procedure for Reporting Possible Fitness to Practise Concerns to Regulatory Bodies for registered Healthcare Professionals
2.	Name of Corporate Directorate and title of lead member of staff, including contact details	Ruth Tofton, Business/Workforce Development Manager – Office of the Medical Director Caroline Whittaker, Professional Lead Nursing, Midwifery and Standards Manager – Nursing, Quality and Integrated Governance
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.	Evidence and background information considered. For example <ul style="list-style-type: none"> • population data • staff and service users data, as applicable • needs assessment • engagement and involvement findings • research • good practice guidelines • participant knowledge • list of stakeholders and how stakeholders have engaged in the development stages • comments from those involved in the designing and development stages 	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. 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>Population pyramids are available from Public Health Wales Observatory and the 'Shaping Our Future Wellbeing' Strategy provides an overview of health need.</p>	<ul style="list-style-type: none"> • Processes to safely recruit and induct new employees • Performance and Appraisal processes (presently provided through 'My Contribution') • Revalidation and Appraisal (GMC and UKPHR) • Monthly Registration Audit • Annual Audit verifying active professional registration of all relevant healthcare professionals
<p>5.</p>	<p>Who will be affected by the strategy/ policy/ plan/ procedure/ service</p>	<p>The procedure will apply to the management of any concerns around Fitness to Practise for all regulated healthcare professionals across the organisation.</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.

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
6.1 Age For most purposes, the main categories are: <ul style="list-style-type: none"> • under 18; • between 18 and 65; and • over 65 	There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to their age. The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations.		
6.2 Persons with a disability as defined in the Equality Act 2010 Those with physical impairments, learning disability, sensory loss or impairment, mental health conditions, long-term	There could be potential for misunderstanding of the procedure by staff with a disability, e.g. with a learning disability or visual impairment.	To mitigate the effects of a disability and ensure that the individual is not disadvantaged by the procedure, there is a requirement to make provision for reasonable	

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medical conditions such as diabetes		adjustments in the process involving a disabled member of staff. This may include provision of the procedure in alternative formats where requested.	
6.3 People of different genders: Consider men, women, people undergoing gender reassignment NB 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	There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to gender. The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations.		

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6.4 People who are married or who have a civil partner.	<p>There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to marital or civil partnership status.</p> <p>The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations.</p>		
6.5 Women who are expecting a baby, who are on a break from work after having a baby, or who are breastfeeding. They are protected for 26 weeks after having a baby whether or not they are on maternity leave.	<p>There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to pregnancy, maternity or breastfeeding.</p> <p>The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations.</p>		

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6.6 People of a different race, nationality, colour, culture or ethnic origin including non-English speakers, gypsies/travellers, migrant workers	There is the potential for misunderstanding of the procedure by staff for whom English is an additional language.	Consideration to be given to additional support, e.g. through providing additional explanation, support or translation services.	
6.7 People with a religion or belief or with no religion or belief. The term 'religion' includes a religious or philosophical belief	<p>There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to belief of lack of belief.</p> <p>The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations.</p>		
6.8 People who are attracted to other people of: <ul style="list-style-type: none"> • the opposite sex (heterosexual); • the same sex (lesbian or gay); 	There is no specific evidence to suggest the procedure has a disproportionate impact on people in relation to orientation.		

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<ul style="list-style-type: none"> • both sexes (bisexual) 	The procedure prevents indirect discrimination by setting out the processes that should be followed in Fitness to Practise situations		
<p>6.9 People who communicate using the Welsh language in terms of correspondence, information leaflets, or service plans and design</p> <p>Well-being Goal – A Wales of vibrant culture and thriving Welsh language</p>	There is no specific evidence to suggest the procedure has a disproportionate impact on people who communicate using the Welsh language.	<p>The procedure is available in Welsh on the Intranet.</p> <p>Correspondence and meetings can be made available in Welsh as requested.</p>	
<p>6.10 People according to their income related group:</p> <p>Consider people on low income, economically inactive, unemployed/workless, people who are unable to work due to ill-health</p>	There is no specific evidence to suggest the procedure has a disproportionate impact on people according to their income related group.		

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6.11 People according to where they live: Consider people living in areas known to exhibit poor economic and/or health indicators, people unable to access services and facilities	There is no specific evidence to suggest the procedure has a disproportionate impact on people according to where they live.		
6.12 Consider any other groups and risk factors relevant to this strategy, policy, plan, procedure and/or service	There is no specific evidence to suggest the procedure has a disproportionate impact on any other groups.		

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.

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>7.1 People being able to access the service offered: Consider access for those living in areas of deprivation and/or those experiencing health inequalities</p> <p>Well-being Goal - A more equal Wales</p>	<p>There is no specific evidence to suggest the procedure has any impact on people being able to access the service.</p>		
<p>7.2 People being able to improve /maintain healthy lifestyles: Consider the impact on healthy lifestyles, including healthy eating, being active, no smoking /smoking cessation,</p>	<p>There is no specific evidence to suggest the procedure has any impact on people being able to improve/maintain healthy lifestyles.</p>		

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<p>reducing the 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>7.3 People in terms of their income and employment status: Consider the impact on the availability and accessibility of work, paid/ unpaid employment, wage levels,</p>	<p>There is no specific evidence to suggest the procedure has a disproportionate impact on people in terms of their income and employment status except in the case of dismissal of</p>	<p>Dismissal is only appropriate in specific circumstances; following an act of gross misconduct/negligence and/or a serious continued failure to meet required standards; or</p>	

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<p>job security, working conditions</p> <p>Well-being Goal – A prosperous Wales</p>	<p>staff as an outcome of the Fitness to Practise process.</p>	<p>where there is a failure to reach the required standards which have been specified in previous warning(s).</p>	
<p>7.4 People in terms of their use of the physical environment: 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>There is no specific evidence to suggest the procedure has any impact on the use of the physical environment.</p>		

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Well-being Goal – A resilient Wales			
<p>7.5 People in terms of social and community influences on their health: 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>	There is no specific evidence to suggest the procedure has any impact on people in terms of social and community influences on their health.		
<p>7.6 People in terms of macro-economic, environmental and sustainability factors: Consider the impact of government policies; gross</p>	There is no specific evidence to suggest the procedure has any impact on people in terms of macro-economic, environmental and sustainability factors.		

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domestic product; economic development; biological diversity; climate Well-being Goal – A globally responsible Wales			

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

<p>8.1 Please summarise the potential positive and/or negative impacts of the strategy, policy, plan or service</p>	<p>The procedure may have an impact on disabled people and those people for whom English is an additional language.</p> <p>The procedure aims to address any potentially disproportionate impact through providing additional explanation, support or translation services, and the consideration of reasonable adjustments to the Fitness to Practise process where these could mitigate the effects of any substantial disadvantage.</p> <p>If Fitness to Practise action leads to dismissal, this will impact on those people who are dismissed in terms of their income and employment status.</p>
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Action Plan for Mitigation / Improvement and Implementation

	Action	Lead	Timescale	Action taken by Directorate / Division
8.2 What are the key actions identified as a result of completing the EHIA?	Apply the procedure fairly and consistently.	NQIG/ OMD	Ongoing	
	Provide support and guidance to managers and staff.	NQIG/ OMD	Ongoing	
	Monitor the protected characteristics of staff affected by Fitness to Practise action, including dismissal, to identify any disproportionate impact on particular groups of people	NQIG/ OMD	Annually	
8.3 Is a more comprehensive Equalities Impact Assessment or Health Impact Assessment required? 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?	No			

<p>8.4 What are the next steps?</p> <p>Some suggestions:-</p> <ul style="list-style-type: none"> • Decide whether the strategy policy, plan, procedure and/ service proposal: <ul style="list-style-type: none"> ○ continues unchanged as there are no significant negative impacts ○ adjusts to account for the negative impacts ○ continues despite potential for adverse impact or missed opportunities to advance equality (set out the justifications for doing so) ○ stops. • Have your strategy, policy, plan, procedure and/or service proposal approved • Publish your report of this impact assessment • Monitor and review 	<p>Approved Procedure to be disseminated on PHW Policy Webpages</p>	<p>BBU</p>	<p>Jan 2025</p>	
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