

## Equality & Health Impact Assessment for Claims Management Policy

**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).
- Formal consultation must be undertaken, as required
- Appendices 1-3 must be deleted prior to submission for approval

Please answer all questions:-

<b>1.</b>	For service change, provide the title of the Project Outline Document or Business Case and Reference Number	Claims Management Policy
<b>2.</b>	Name of Clinical Board / Corporate Directorate and title of lead member of staff, including contact details	Quality, Nursing and Allied Health Professionals Directorate Rhiannon Beaumont-Wood, Director of Quality, Nursing and Allied Health Professionals. <a href="mailto:Rhiannon.Beaumont-Wood2@wales.nhs.uk">Rhiannon.Beaumont-Wood2@wales.nhs.uk</a>
<b>3.</b>	Objectives of strategy/ policy/ plan/ procedure/ service	<ul style="list-style-type: none"> <li>• To ensure that claims made against Public Health Wales are dealt with in a proactive and timely manner;</li> <li>• To ensure that there are appropriate structures in place to facilitate the claims management process;</li> <li>• To ensure that lessons are learned from claims to facilitate</li> </ul>

		continuous improvement in standards of services.
<b>4.</b>	<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>An Equality Impact Assessment was undertaken in 2013 and was used as a reference point in undertaking this assessment.</p> <p>There are no specific equalities data available in relation to staff and service users.</p> <p><i>The NHS Centre for Equality and Human Rights toolkit for carrying out Equality Impact Assessment</i> good practice guidelines was also considered when undertaking this assessment.</p> <p>The policy defines the internal processes in place to ensure that claims are dealt with in an equitable and timely manner. The Equality Impact Assessment has identified some actions to mitigate any negative effects.</p>
<b>5.</b>	Who will be affected by the strategy/ policy/ plan/ procedure/ service	<p>This policy is intended to be an internal facing policy which sets out the roles and responsibilities of individual members of staff and the reporting structures in place to facilitate the claims management process. It has the potential to impact on staff who are involved in the investigation process, but may also impact on service users who pursue a claim against Public Health Wales.</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 Clinical Board / Corporate Directorate.</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>	This policy does not have an impact on people because of their age. Each claim is assessed on its own merits in accordance with legislation, such as the Civil Procedural Rules, regardless of gender.	None required.	
<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	This policy is predominantly intended to be an internal facing document. There is potential however for service users to request copies.  The policy is not routinely	Large print, Braille or audio versions could be provided on request.  Consideration should be given to producing a separate document which is aimed at	

<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 Clinical Board / Corporate Directorate.</b> Make reference to where the mitigation is included in the document, as appropriate
diabetes	<p>produced in alternative formats such as Braille.</p> <p>The policy may not be understood by those who have difficulty deciphering or reading the written word, for example, dyslexia.</p>	<p>service users.</p> <p>The Welsh Government are currently revising the 'Putting things Right' leaflet and this may be an option for including an explanation of the claims management process.</p> <p>Further explanations and support to understand the policy will be provided as required.</p>	
<b>6.3 People of different genders:</b> Consider men, women, people undergoing gender reassignment	<p>This policy does not have any negative or positive effects on people of different genders.</p> <p>Each claim is assessed on</p>	<p>None required.</p>	

<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 Clinical Board / Corporate Directorate.</b> Make reference to where the mitigation is included in the document, as appropriate
<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	the basis of facts and in accordance with the law. Public Health Wales has a legal obligation to provide all information it holds relating to the claim in accordance with the law.		
<b>6.4 People who are married or who have a civil partner.</b>	See 6.3 above	None required.	
<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	See 6.3 above.	None required.	

<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 Clinical Board / Corporate Directorate.</b> Make reference to where the mitigation is included in the document, as appropriate
whether or not they are on maternity leave.			
<b>6.6 People of a different race, nationality, colour, culture or ethnic origin including non-English speakers, gypsies/travellers, migrant workers</b>	<p>Each claim is assessed on the basis of facts and in accordance with the law. Discrimination to people of a different race, nationality, colour, culture or ethnic origin is unlikely to occur.</p> <p>There may however be a negative impact for individuals who do not understand written English or for whom English is not their first language.</p>	<p>Public Health Wales can explore the option of using an interpretation service.</p> <p>The negative impact could be mitigated via the use of plain English. The policy can be explained to individuals who are able to understand English.</p>	
<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	See 6.3 above.	None required.	

<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 Clinical Board / Corporate Directorate.</b> 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>	See 6.3 above.	None required.	
<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	Negative – existing policies are not routinely translated into Welsh.  Welsh speakers who wish to pursue a claim through the medium of Welsh will be supported in doing so.	Consideration should be given to publishing this policy in Welsh.	
<b>6.10 People according to their income related group:</b> Consider people on low	People on low incomes may be dissuaded from pursuing a legal claim due to the cost	None required.	

<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 Clinical Board / Corporate Directorate.</b> Make reference to where the mitigation is included in the document, as appropriate
<p>income, economically inactive, unemployed/workless, people who are unable to work due to ill-health</p>	<p>involved. However, for low value clinical negligence claims (below £25,000), the individual can pursue the 'Putting things Right' route. Individuals who pursue this avenue as a form of redress will be entitled to free legal advice, where a qualifying liability in law exists. Public Health Wales can explain the process to individuals and support them to pursue this route.</p> <p>Public Health Wales also advises every service user, who raises a concern, of their right to access independent and free advocacy and support</p>		



<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 Clinical Board / Corporate Directorate.</b> Make reference to where the mitigation is included in the document, as appropriate
	services e.g. Community Health Council.		
<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	See 6.10 above	None required.	
<b>6.12 Consider any other groups and risk factors relevant to this strategy, policy, plan, procedure and/or service</b>	None identified.	None required.	

**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 Clinical Board / Corporate Directorate</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	This policy is an administrative document which has no direct impact on the health of the population, the addressing of inequalities in health or the delivery of services.  Please refer to section 6.10		
<b>7.2 People being able to improve /maintain healthy lifestyles:</b> Consider the impact on healthy lifestyles, including	This policy does not have an impact in this area.	None	

<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 Clinical Board / Corporate Directorate</b> Make reference to where the mitigation is included in the document, as appropriate
<p>healthy eating, being active, no smoking /smoking cessation, 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>			
<b>7.3 People in terms of their income and employment status:</b> Consider the impact on the availability and	This policy does not have an impact in the area (although please refer to Section 6.10)	None	

<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 Clinical Board / Corporate Directorate</b> Make reference to where the mitigation is included in the document, as appropriate
accessibility of work, paid/unpaid employment, wage levels, job security, working conditions Well-being Goal – A prosperous Wales			
<b>7.4 People in terms of their use of the physical environment:</b> 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	This policy does not have an impact in this area.	None	

<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 Clinical Board / Corporate Directorate</b> Make reference to where the mitigation is included in the document, as appropriate
and safety of play areas and open spaces  Well-being Goal – A resilient Wales			
<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  Well-being Goal – A Wales of cohesive communities	This policy does not have an impact in this area.	None	
<b>7.6 People in terms of macro-economic,</b>	This policy does not have an impact in this area.	None	

<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 Clinical Board / Corporate Directorate</b> Make reference to where the mitigation is included in the document, as appropriate
<b>environmental and sustainability factors:</b> Consider the impact of government policies; gross 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><b>8.1 Please summarise the potential positive and/or negative impacts of the strategy, policy, plan or service</b></p>	<p>This policy is predominantly intended as an internal facing policy which describes the staff responsibilities and the organisational structures needed to support the claims management process.</p> <p>The policy is intended to make the claims management process as quick and as fair as possible, with claim being assessed on the basis of facts and in accordance with the law. It is therefore felt that the impact is largely positive. The positive effect could be enhanced with perhaps a document which is aimed at service users and explains the claims process in plain English. This option will be explored with the Welsh Government who are currently reviewing the 'Putting things Right' leaflet.</p> <p>The screening process did however identify some potential for negative impacts, for example, for service users whose first language is not English.</p>
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## Action Plan for Mitigation / Improvement and Implementation

	Action	Lead	Timescale	Action taken by Clinical Board / Corporate Directorate
<b>8.2 What are the key actions identified as a result of completing the EHIA?</b>	<p>Explore the option of producing a separate document on the claims management process which is specifically aimed at Service Users.</p> <p>Consider the implications of the Welsh Language Standards on this policy</p>	Lead for Putting things Right/ Claims Manager		



	Action	Lead	Timescale	Action taken by Clinical Board / Corporate Directorate
<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>	No – the impact of the policy is <b>positive</b> .	--	--	

	Action	Lead	Timescale	Action taken by Clinical Board / Corporate Directorate
<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/or service proposals <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> </ul>	<p>Following consultation with Executive Team, present the policy to the Public Health Wales Board for approval.</p> <p>Publish updated version of the policy on the website.</p> <p>Consider translating and publishing the policy in Welsh</p> <p>Explore the option of linking with the Welsh Government, as they are producing a universal leaflet on the Putting things Right Scheme. It may be possible to include an explanation of the claims process. It is likely that the leaflet on the PTR Scheme will be translated into a number of languages.</p>	<p>Director of Quality, Nursing &amp; Allied Health Professionals</p> <p>Claims Manager</p> <p>Claims Manager</p> <p>Director of Quality, Nursing &amp; Allied Health Professionals/Claims Manager</p>	<p>January 2017</p> <p>January-February 2017</p> <p>February-April 2017</p> <p>February – May 2017</p>	

	<b>Action</b>	<b>Lead</b>	<b>Timescale</b>	<b>Action taken by Clinical Board / Corporate Directorate</b>
<ul style="list-style-type: none"> <li>• Have your strategy, policy, plan, procedure and/or service proposal approved.</li> <li>• Publish your report of this impact assessment Monitor and review</li> </ul>	Monitor and review compliance with policy throughout the claims management process	Claims Manager	Ongoing	