**Equality Impact Assessment Template**

**Step 1 – Scoping the EIA**

The term *policy* is interpreted broadly in equality legislation and refers to anything that describes what we do and how we expect to do it. It can range from published policies and procedures to the everyday customs and practices, sometimes unwritten, that contribute to the way our policies are implemented and how our services are delivered.

Published statements of policy are a helpful starting point for equality impact assessments, as they establish the overall purpose of particular activities. Please use this form to document your assessment.

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| **Title of policy or activity** | |
| Hearing Protocol | |
| **Is a new or existing policy/activity?** | |
| New policy | |
| **What is the main purpose and what are the intended outcomes of the policy/activity?** | |
| The protocol outlines the circumstances and factors that are considered when deciding whether to hold a PCC hearing remotely or in person. The protocol also sets out practical information for participants of those hearings. | |
| **Who is most likely to benefit or be affected by the policy/activity** | |
| Registrants, those specifically under investigation, witnesses, members of the public, legal representatives, Regulatory Committee Members. | |
| **Who is doing the assessment?** | |
| Niru Uddin, Director of Fitness to Practise | |
| **Dates of the EQIA** | |
| * When did it start? | 07/06/2022 |
| * When was it completed? | 09/06/2022 |
| * When should the next review of the policy/activity take place? | Further review post consultation |

**Useful information**

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| **What information would be useful to assess the impact of the policy/activity on equality?** |
| We do not have any data currently which suggests that people with particular protected characteristics will be impacted as a result of this guidance. |
| **Is there data relating to people with any/each of the protected characteristics?[[1]](#footnote-1)** |
| The GCC collects and holds EDI data on its registrants, but this is not 100% complete for all protected characteristics. Activities are being undertaken to encourage registrants to provide more information at the point of registration and retention. |
| **Where can we get this information and who can help?** |
| As part of the consultation, we can check whether the guidance could have an impact for people with particular protected characteristics, whether as chiropractors or patients. |

**Step 2 – Involvement and consultation**

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| **If you have involved stakeholders, briefly describe what was done, with whom, when and where. Please provide a brief summary of the response gained and links to relevant documents, as well as any actions.** |
| The draft protocol was shared with the United Chiropractic Association, Scottish Chiropractic Association, McTimoney Chiropractic Association and the British Chiropractic Association.  GCC lawyers also reviewed the guidance and lawyers instructed for some of the professional associations.  Council will approve the draft guidance on 23 June 2022 for consultation.  To date, the consideration of the draft protocol has largely been limited to the key stakeholders involved in Professional Conduct Committee hearings work and internally to the GCC and its lawyers. Formal consultation with the profession is planned ahead of the GCC reviewing the responses before a final draft is presented to Council for approval. |

**Step 3 – Data collection and evidence**

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| **What evidence or information do you already have about how this policy might affect equality for people with protected characteristics under the Equality Act 2010?**  Please cite any quantitative (such as statistical data) and qualitative (such as survey data, complaints, focus groups, meeting notes or interviews) relating to these groups. Describe briefly what evidence you have used. |
| Key stakeholders have reviewed the guidance and no equality concerns have been raised at this stage.  The protocol covers remote hearings which operate via the use of technology. We know that some people with some protected characteristics may present barriers ie. age and disability. It is noted in the protocol that alternatives to the technology are available, as is assistance with the technology. See paragraph 14.1. Ultimately, if barriers cannot be removed, a case will not be suitable for a remote hearing. The protocol directly requires Equality Act 2010 considerations to be considered when determining the format of a hearing. |
| **What additional research or data is required to fill any gaps in your understanding of the potential or known effects of the policy? Have you considered commissioning new data or research?** |
| To make sure that we are not inadvertently discriminating against people with particular protected characteristics (patients or chiropractors) as a result of this guidance, we will explore this issue as part of our consultation. |

**Step 4 – assessing impact and strengthening the policy**

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| **What does the data reviewed tell us about the people the policy/activity affects, including the impact or potential impact on people with each/any of the protected characteristics?** |
| See Step 3 above.  Where a party does not have the means to use the technology (ie. no device, no internet), in certain circumstances, parties can arrange for them to give evidence in a different location, such as a solicitor’s office. Where the party does not have the skills to use the technology, help and support are given via the Committee Coordinator with test calls and technological assistance. As above, provision can be made for parties to take part in the hearing in a different location with physical support on hand.  If we cannot resolve any particular equality consideration, the hearing will be held  in a different format.  We will ensure during the formal consultation that we seek feedback specifically relating to the impact on those with protected characteristics. We will include a specific question regarding this as part of our consultation. |
| **Are there any implications in relation to each/any of the different forms of discrimination defined by the Equality Act?** |
| We are not aware of any such implications at this stage. |
| **What practical changes will help to reduce any adverse impact on particular groups?** |
| See above. We will explore this during the consultation. |

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| **What could be done to improve the promotion of equality within the policy?** |
| The protocol focuses on decision making as to the appropriate format for a Professional Conduct Committee hearing. It is hoped that making the issues more transparent will make decisions in this area clearer for chiropractors and patients involved in a hearing.  The protocol also requires the conditions within Equality Act 2010 to be taken into account when determining the format of a hearing. |

**Step 5 – making a decision**

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| **Summarise your findings and give an overview of whether the policy will meet the GCC’s objectives in relation to equality.** |
| We will review this once the consultation has been completed.  I believe the protocol does meet the needs of the GCC’s objectives concerning equality because:   * + It has received legal review.   + No concerns have been raised about equality impact at this stage.   + It provides for reasonable adjustments regarding access to technology or ability to use technology.   + The protocol directly requires Equality Act 2010 considerations to be taken into account when determining the format of a hearing.   + Should there be concerns about equality and fair access to the hearing that cannot be overcome, the hearing will not be held remotely. |
| **What practical actions do you recommend to reduce, justify or remove any adverse/negative impact?** |
| To be considered as a result of the consultation. |
| **What practical actions do you recommend to include or increase potential positive impact?** |
| To be considered as a result of the consultation. |

**Step 6 – monitoring, evaluation and review**

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| **How will you monitor the impact/effectiveness of the policy/activity?** |
| Should we receive feedback from those that use the protocol that improvement can be made, the protocol will be updated where appropriate. The protocol will be reviewed annually to ensure the contents are current. |
| **What is the impact of the policy/activity over time?** |
| The protocol should demonstrate how decisions are made when deciding the format of substantive hearings before the GCC’s Professional Conduct Committee or Health Committee (‘the Committee’). The format can be a ‘physical hearing’, a ‘remote hearing’, or a ‘hybrid’ hearing.  We will monitor and evaluate the impact of the protocol on the format of Professional Conduct Committee hearings. |
| **Where/how will this EIA be published and updated?** |
| The EIA will be published on our website alongside the published guidance. |

**Step 7 – action planning**

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| **Please detail any actions that need to be taken as a result of this EIA** | | |
| **Action** | **Owner** | **Date** |
| Review in relation to the consultation process and its outcomes | Director of FTP |  |
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1. The nine protected characteristics in the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. [↑](#footnote-ref-1)