

Stage 1 Equality Impact Assessment – Initial Screening

Assessor(s) Name(s):	Stephen Ward
Directorate:	Community Wellbeing and Social Care Directorate
Date of Completion:	27 th April 2015

Name of Policy/Strategy/Service/Function Proposal

Aftercare – Section 117 Mental Health Act 1983 (Joint policy with IW NHS Trust)

The Aftercare – Section 117 Mental Health Act Policy can be located on the Adult Social Care Intranet site and/or can be accessed under the documents tab, 'A' and named Aftercare – Section 117 Mental Health Act 1983 Policy. An Officer Decision Record (ODR) has also been completed and is filed within Adult Social Care's ICT system.

The Aims, Objectives and Expected Outcomes:

The Aftercare – Section 117 Mental Health Act 1983 policy is an updated joint policy between the Isle of Wight NHS Trust and the Isle of Wight Council and has been officially agreed by both.

The policy provides a framework for the discharge of the responsibilities of health and social care to provide aftercare for entitled patients. The overall aim of this policy is to promote the recovery and rehabilitation of patients with severe mental disorders and applies equally to all patients entitled to aftercare.

The service is provided to any clients who have been detained under long term provisions of the Mental Health Act. This policy will include anything necessary to meet patients' immediate health and social care needs arising from the mental disorder for which they have been detained, to support them to cope with life outside the hospital and avoid readmission.

Please delete as appropriate:

- This is a revised policy that has been in place for a number of years and continues existing practice.
(The previous equality impact assessment was carried out on 18th June 2014)


Key Questions to Consider in Assessing Potential Impact

Will the policy, strategy, service or council function proposal have a negative impact on any of the protected characteristics or other reasons that are relevant issues for the local community and/or staff?	No
Has previous consultation identified this issue as important or highlighted negative impact and/or we have created a "legitimate expectation" for consultation to take place? A legitimate expectation may be created when we have consulted on similar issues in the past or if we have ever given an indication that we would consult in such situations	No
Do different groups of people within the local community have different needs or experiences in the area this issue relates to?	No
Could the aims of these proposals be in conflict with the council's general duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not?	No
Will the proposal have a significant effect on how services or a council function/s is/are delivered?	No
Will the proposal have a significant effect on how other organisations operate?	No
Does the proposal involve a significant commitment of resources?	No
Does the proposal relate to an area where there are known inequalities?	No
<p>If you answer Yes to any of these questions, it will be necessary for you to proceed to a full Equality Impact Assessment after you have completed the rest of this initial screening form.</p> <p>If you answer No to all of these questions, please provide appropriate evidence using the table below and complete the evidence considerations box and obtain sign off from your Head of Service.</p>	

Protected Characteristics	Positive	Negative	No impact	Reasons
Age			✓	The process will be applied equitably to ensure that we meet the needs of the diverse range of people who meet the criteria for this Policy regardless of their age.
Disability			✓	<p>The process will be applied equitably to ensure that we meet the needs of the diverse range of people who meet the criteria for this policy regardless of their disability.</p> <p>The Council and NHS currently have patients/service users who have a severe mental health condition for which this policy would cover.</p>
Gender Reassignment			✓	The policy will ensure that procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's status with regard to gender reassignment.
Marriage & Civil Partnership			✓	The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's marriage or civil partnership status.
Pregnancy & Maternity			✓	The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's pregnancy or maternity status.
Race			✓	The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's race or ethnic background.
Religion / Belief			✓	The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's religion or belief.
Sex (male / female)			✓	The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's gender.

Sexual Orientation			✓	The policy will ensure that procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's sexual orientation.
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Are there aspects of the proposal that contribute to or improve the opportunity for equality?	Yes
<p><i>If answered Yes, describe what these are and how they may be promoted or enhanced</i></p> <p>This policy applies equally to all mental health patients entitled to after-care. The decision to update the existing policy is to ensure effective discharge of statutory duties.</p> <p>The service is provided to any clients who lack mental capacity and this policy will provide better patient care and comply with statutory duty.</p>	

Evidence Considered During Screening	
<p>People have different needs and experiences in all impact area groups. The Aftercare S117 MHA 1983 policy does not differentiate. The policy is applied within wider Community care policies, which are based on personalization, individual assessment of needs and care planning. This should ensure that people's varying needs are addressed and that there is no discrimination on basis of protected characteristics.</p> <p>People who have not been sectioned, may have the same needs as someone who has been detained are not entitled to aftercare and are therefore disadvantaged. They have to pay for services provided, whereas others get them free and without being subject to FACS.</p> <p>Those who have been sectioned could argue to be more disadvantaged than other disabled people. The law and this policy seek to redress that disadvantage, whilst at the same disadvantaging others. The Council are being fair to all.</p> <p>Also statutory guidance and current legislation.</p>	
Head of Service Sign off:	Martin Elliott 
Advice sought from Legal Services (Name)	Helen Miles
Date	27 th April 2015

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