

Equality Impact Assessment (EqIA) Screening Template

The Equality Impact Assessment Screening Template is a short exercise that involves looking at the overall proposal and deciding if it is relevant to the Public Sector Equality Duty, and other key areas.

The questions in the Screening Template below will help you to decide if the proposal is relevant to the Equality Act 2010 and whether a detailed EqIA is required. The key question is whether the proposal is likely to have an impact (either positive or negative) on any of the protected characteristics.

Quite often, the answer may not be obvious, and staff, service-user or provider information will need to be considered to make a preliminary judgment.

There is no one size fits all approach, but the screening process is designed to help fully consider the circumstances and to inform evidence based decisions.

Note: If the proposal is of a significant nature and it is apparent from the outset that a full Equality Impact Assessment (EqIA) will be required, then it is not necessary to complete the Screening Template and you can proceed to complete the full EqIA.

What to do:

In general, the following questions all feed into whether an EqIA is required:

- How many people is the proposal likely to affect?
- How significant is its impact?
- Does it relate to an area where there are known inequalities?

At this initial screening stage, the point is to try to assess obvious negative or positive impacts.

You will need to provide sufficient information within the template to justify the assessment of impact.

If a negative/adverse impact has been identified (actual or potential) during completion of the screening tool, a full EqIA must be undertaken.

If no negative / adverse impacts arise from the proposal, it is not necessary to undertake a full EqIA however, the decision and justification must be clearly recorded.

On completion of the Screening Template, staff should:

- Check that all sections of the template are fully completed
- Ensure that the Project/Policy owner has signed off the Screening Template
- Send a copy of the completed template along with the related policy to the Diversity & Inclusion Team for them to review – email this to Inclusion.hdd@wales.nhs.uk

Date of commencement of Screening Assessment:	16.08.23
Screening conducted by (name and email address):	Sarah Roberts Sarah.roberts@wales.nhs.uk
Title of programme, policy or project being screened:	596 – Section 5(2) Doctors Holding Power Policy

Description of the programme/policy/project being screened (including key aims and objectives)

Section 5(2) of the Mental Health Act, 1983 (MHA) provides the authority for a registered medical Practitioner or approved clinician in charge of treatment (or their nominee) to detain an inpatient for a period of up to 72 hours. This power can be exercised in any hospital and the doctor need not be a psychiatrist. This section is often referred to as a “holding power”. The purpose of the detention is to prevent a patient from discharging themselves from hospital before the application for detention under section 2 or 3 of the MHA has been made.

The aim of this document is to:

- To ensure staff are aware of their individual and collective responsibilities when considering use of the doctors’ holding power under section 5(2).
- To Provide clear direction and guidance to staff in relation to their legal responsibilities under the Mental Health Act 1983 as amended by the MHA 2007.
- To Ensure that statutory requirements under the Mental Health Act 1983 are met.

This will be achieved by the following objectives:

- The purpose of a doctors’ holding power
- The process for assessing the suitability for the use of a doctors’ holding power
- The duties of the practitioners and agencies involved in the management of patients subject to a doctors’ holding power

Evidence considered (including staff and population data, relevant research, expert and community knowledge etc.)

[Population-Needs-Assessment-revision-V2-FINAL-v2.pdf \(wwcp.org.uk\)](#)

[How the population changed where you live, Census 2021 - ONS](#)

[Physically/sensory disabled persons by local authority, disability and age range \(gov.wales\)](#)

[Gender Reassignment - Diverse Cymru](#)

[Equality, diversity and inclusion - Hywel Dda University Health Board \(nhs.wales\)](#)

[Annual Workforce Equality Report 2020-21 Final Version for Board 23.8.21.pptx \(sharepoint.com\)](#)

[hduhb.nhs.wales/about-us/governance-arrangements/policies-and-written-control-documents/policies/supporting-transgender-staff-policy/](#)

[The effects of divorce and separation on mental health in a national UK birth cohort - PubMed \(nih.gov\)](#)

[Maternity and birth statistics: 2021 | GOV.WALES](#)

[Population-Needs-Assessment-revision-V2-FINAL-v2.pdf \(wwcp.org.uk\)](#)

[Armed forces community - Office for National Statistics \(ons.gov.uk\)](#)

[Armed Forces Covenant Duty Statutory Guidance.pdf \(publishing.service.gov.uk\)](#)

[Adult lifestyle \(National Survey for Wales\): April 2021 to March 2022 | GOV.WALES](#)

Assess which protected characteristics will potentially be affected by the proposal:

Group	Positive Impact	Negative Impact	No Impact
Age Is it likely to affect older and younger people in different ways or affect one age group and not another?	X		
Disability Those with a physical disability, learning disability, sensory loss or impairment, mental health conditions, long-term medical conditions such as diabetes	X		
Gender Reassignment Consider the potential impact on individuals who either:			X

<ul style="list-style-type: none"> • Have undergone, intend to undergo or are currently undergoing gender reassignment. • Do not intend to undergo medical treatment but wish to live in a different gender from their gender at birth 			
Marriage / Civil Partnership This also covers those who are not married or in a civil partnership.			X
Pregnancy and Maternity Maternity covers the period of 26 weeks after having a baby, whether or not they are on Maternity Leave			X
Race / Ethnicity People of a different race, nationality, colour, culture or ethnic origin including non-English / Welsh speakers, gypsies/travellers, asylum seekers and migrant workers.			X
Religion or Belief The term 'religion' includes a religious or philosophical belief.			X
Sex Consider whether those affected are mostly male or female and where it applies to both equally does it affect one differently to the other?			X
Sexual Orientation Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.			X

Consider the potential impacts of the programme/policy/project on the following wider determinants:

Additional Determinants	Positive Impact	Negative Impact	No Impact
<p>Armed Forces Community Consider members of the Armed Forces and their families, whose health needs may be impacted long after they have left the Armed Forces and returned to civilian life. Also consider their unique experiences when accessing and using day-to-day public and private services compared to the general population. It could be through ‘unfamiliarity with civilian life, or frequent moves around the country and the subsequent difficulties in maintaining support networks, for example, members of the Armed Forces can find accessing such goods and services challenging.’</p> <p>For a comprehensive guide to the Armed Forces Covenant Duty and supporting resource please see: Armed-Forces-Covenant-duty-statutory-guidance</p>			X
<p>Socio Economic Duty Consider those on low income, economically inactive, unemployed or unable to work due to ill-health. Also consider people living in areas known to exhibit poor economic and/or health indicators and individuals who are unable to access services and facilities. Food / fuel poverty and personal or household debt should also be considered.</p> <p>For a comprehensive guide to the Socio-Economic Duty in Wales and supporting resource please see: more-equal-wales-socio-economic-duty</p>			X
<p>Welsh Language Please note opportunities for persons to use the Welsh language and treating the Welsh language no less favourably than the English language.</p>	X		

Summary of Potential Impacts Identified

Positive Impacts

Disability

The Policy does not differentiate people with disabilities. There are processes in place to support persons with disabilities, for example (not restricted to):- - Easy read patient information leaflets - Wheelchair access at places of safety facilities and inpatient ward. Translation services for those with Sensory issues. All reasonable steps to provide information in a suitable format, i.e. easy word version large print version or pictorially in order to facilitate capacity to understand if at all possible. Staff need to be aware that they may have to explain their rights to such individuals on more than one occasion in the first instance and on a more frequent and ongoing basis.

Welsh Language

A large number of staff are Welsh speakers and will be able to read the patients their rights and any other information in Welsh if required. Welsh Government have produced Leaflets in both English and Welsh. If staff are not Welsh speakers then the Health Board approved translation services will be contacted.

Negatives Impacts

None identified

Has the screening identified any negative impacts?		No
If yes, a full Equality Impact Assessment will need to be undertaken.		

If No negative impacts were identified, please give full justification here

This policy relates to UK statutory legislation (Mental Health Act 1983). Staff in Wales adhere to the MHA Code of Practice and it's guiding principles which are:

- Dignity and respect
- Least restrictive option and maximising independence
- Fairness, equality and equity

- Empowerment and involvement
- Keeping people safe
- Effectiveness and efficiency.

Services provided under the MHA are in line with current strategies and must be compliant with all relevant legislation.

This includes:

- Human Rights Act
- Mental Capacity Act
- Equality Act 2010
- Mental Health (Wales) Measure 2010

Screening Completed by:	Name	Sarah Roberts
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	Date	17.08.23
Screening Authorised by: (Project / Policy Owner)	Name	
	Title	
	Contact details	
	Date	
Seen by Diversity & Inclusion Team:	Name	Alan Winter
	Title	Senior Diversity & Inclusion Officer
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	Date	17.08.23