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**EQIA – Standard Impact Assessment (Form 1)**

**EQIA Document Control**

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| **Date started**  | 10/10/2017 |
| **Date completed**  | 20/09/2018 |
| **Date published**  | Post 10th October 2018  |
| **EQIA approved**  | 10/10/2018 |

**EQIA – Standard Impact Assessment (Form 1)**

**Question 1:**

**Which Service, Group or Committee is responsible for carrying out the Standard Impact Assessment?**

|  |  |
| --- | --- |
| **Name**  | **Information Governance and Security Group** |

**Question 2:**

**Lead Assessor’s contact details**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name**  | Garry Taylor | **Tel. No** | 01592 643355 |
| **Job Title:** | eHealth Security Manager | **Ext:** | 30062 |
| **Department**  | eHealth | **Email**  | garrytaylor@nhs.net |

**Question 3:**

**Title of Document / Policy (please include the Policy number) / Proposed Change (project or initiative)**

|  |
| --- |
| **GP/D3 Data Protection and Confidentiality Policy** |

**Question 4**

**Define the work– is it? N= New, R= Review / Redesign**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Policy**  | Review | **Procedure (inc SOPs)** |  | **Guideline** |  | **Project**  |  |
| **Strategy**  |  | **Protocol** |  | **Service**  |  |  |
| **Other?**  | **(Please describe)**  |

**Question 5**

**Briefly outline the aim and the purpose of the work that is being screened for Adverse Equality Impact.**

|  |  |
| --- | --- |
| **Aim**  | To combine the GP/C9 Confidentiality Policy with the GP/D3 Data Protection Policy |
| **Purpose**  | To ensure NHS Fife staff comply with the Data Protection Act 2018 and General Data Protection Regulations in relation to data protection, information governance and confidentiality. |

**Question 6**

**Is this a new development? (Please tick)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Yes** |  | **No**  | **✓** |

**Question 7**

**If yes, what is it replacing or changing?**

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|  |

**Question 8:**

**What is the scope for this EQIA? (Please tick\*)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **NHS Fife (all)** | **✓** | **NHS Fife (Acute)**  |  | **NHS Fife (Corporate)** |  |
| **HSCP West Division**  |  | **HSCP East Division**  |  | **HSCP Fife wide Division**  |  |
| **\*Service specific?****Name**  |  | **\*Discipline specific?****Name**  |  |

**Question 9:**

**Who is it intended to benefit?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Staff** | **✓** | **Service Users**  | **✓** | **Public**  | **✓** |

**Question 10:**

**Identifying the Impacts**

Consider any potential Impacts on the Protected Characteristic Groups, etc and the relevance of policy/ change to each group is described as**:**

 **H- High Relevance ,M = Medium Relevance**  or **L= Low relevance**

**Equality Impact Assessment Matrix**

|  |  |  |  |
| --- | --- | --- | --- |
| **Protected Characteristic** | **Positive Impact**  | **No Impact** | **Adverse Impact** |
|  **High Relevance** **Medium Relevance****Low Relevance**  | **NO Full EQIA required** | **NO Full EQIA** **required** | **Full EQIA required – Action Plan required**  |
| **NO Full EQIA required** | **NO Full EQIA required** | **Full EQIA required – Action Plan required**  |
| **NO Full EQIA required** | **NO Full EQIA** **required** | **EQIA may be required – discuss with Equality and Participation Co-ordinator as you may be able to address these Impacts immediately.** |

|  |  |  |
| --- | --- | --- |
| **Relevant Protected Characteristics**  | **Employees** | **Applies to**  |
| **Age** - children and young people, older people  | **✓** | all information relating to the data subjects age groups. |
| **Disability** - including people with mental health difficulties | **✓** | all information relating to the data subjects disabilities. |
| **Race** - black and ethnic people including gypsy travellers | **✓** | all information relating to the data subjects races or ethnicity |
| **Sex** - women and men | **✓** | all information relating to the data subjects sex. |
| **Sexual orientation** - lesbian, gay or bisexual | **✓** | all information relating to the data subjects sexual orientations |
| **Religion and Belief**  | **✓** | all information relating to the data subjects religions and beliefs. |
| **Gender Reassignment**  | **✓** | all information relating to the data subjects gender reassignments data |
| **Pregnancy and Maternity**  | **✓** | all information relating to a data subjects pregnancy and maternity data |
| **Marriage and Civil Partnership**  | **✓** | all information relating to a data subjects marriage and civil partnership data |
| **Fair Scotland Duty 2018 – please ‘give due regard’ to following areas and consider whether the work /policy/ function you are carrying out the assessment for has any impact on the 9 Protected Characteristics for things like:** * childcare costs
* travel costs
* stigma of living in poverty
* ensure that those with protected characteristics has the same access to health and health and social care services as anyone else
* maintains an individual’s dignity and respect
* People living in rural areas
* the homeless
* *Any other cross cutting issues*
 | **Description**  | **Description** |
| This policy ensures that staff are aware of their responsibility to comply with the General Data Protection Regulation, which ensures the protected characteristics are not impacted by the data processing carried out by NHS Fife. | This policy is to ensure the Data Protection Act, the General Data Protection Regulations and the common law duty of Confidentiality is complied with by all NHS Fife staff.These laws protect the right to privacy of individuals (staff, patients and other members of the public who have contact with NHS Fife.)GDPR gives equal rights in relation to privacy and protection of data to all living individuals. The duty of Confidentiality also relates to deceased patients. |

**Question 11:**

**Have you consulted with staff, public, service users, others to help assess for Impacts?**

**(Please tick)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Yes** | **✓** | **No**  |  |

If yes, **who** was involved and **how** were they involved? If not, why not, was this necessary as it is just a refresh of existing policy or guidance already in place for example?

|  |
| --- |
| **Who?**The members of the Information Governance and Security (IG & S) Group.**How?** This Equality Impact Assessment for the GP/D3 Confidentiality and Confidentiality policy was emailed to the IG&S group. They were asked to read, assess and feedback any comments to improve its content. |

**Question 12:**

If necessary- please include in brief evidence or relevant information that has influenced the decisions being made (this could include demographic profiles, audits, research, published evidence, and health needs assessment, work based on national guidance or legislative requirements etc) . Any evidence /data that support’s your assessment can be inserted into the box below.

|  |
| --- |
| **Please enter evidence/data links :**The author of this EQIA (eHealth Security Manager) has been certified to the EU GDPR Practitioner qualification. |

**Question 13:**

**Meeting the Public Duty for Equality Impact Assessment**

Please provide a rationale to support the results of the Standard Impact Assessment, in that due consideration has been given to:

* **Eliminate unlawful discrimination, harassment and victimisation**
* **Advance equality of opportunity between different groups; and**
* **Foster good relations between different groups**

|  |  |
| --- | --- |
| **What we must do** | **Provide a description or summary of how this has been achieved** |
| **Eliminate discrimination** | The GP/D3 Data Protection Policy embodies the GDPR principles, which gives equal rights in relation to privacy and protection of data to all living individuals. |
| **Advance equality of opportunity**  | The GP/D3 Data Protection Policy embodies the GDPR principles, which gives equal rights in relation to privacy and protection of data to all living individuals. |
| **Foster good relations**  | The implementation of the GP/D3 Data Protection Policy demonstrated that all groups of individuals will have their personal information treated equally under the GDPR. |

**Question 14:**

**Has your assessment been able to demonstrate the following?**

|  |  |
| --- | --- |
| **Positive Impact** | The personal data that is held by NHS Fife shall be process lawfully, transparently and fairly. |
| **No Impact** |  |
| **Adverse Impact** |  |

If you have identified that a Full EQIA is required then you will need to ensure that you have in place, either a working group or a means to address the results of the Adverse Impact Assessment at one of your meetings or as a separate arrangement. **Prepare for this in advance**; bring any information or reports to the meeting, make contact with community groups or other organisations that you would like to have involved or to check your policy/program or service change etc.

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| **To be completed by Equality and Participation Co-ordinator** |
| EQIA checked by: Shirley Ballingall |
| Date: 10/10/2018  |
| Comments:  |
| Date EQIA published: Post 10th October 2018 |