

Equality Impact Assessment (EqIA)

Introduction

This EqIA is for:

**Deprivation of Liberty Safeguards
(DoLS) Policy**

Details are set out:

Report to Policy Committee (following on from report to Adult Social Care and Public Health Committee)

Officers undertaking the assessment:

Daniel Prisk – Strategic Development Manager (DoLS)
Anna Oliver – Commissioning officer

Assessment approved by:

Sue Batty Service Director – Mid Nottinghamshire

Date: 16/06/2018

The Public Sector Equality Duty which is set out in the Equality Act 2010 requires public authorities to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation; Advance equality of opportunity between people who share a protected characteristic and those who do not; Foster good relations between people who share a protected characteristic and those who do not.

The purpose of carrying out an Equality Impact Assessment is to assess the impact of a change to services or policy on people with protected characteristics and to demonstrate that the Council has considered the aims of the Equality Duty.

Part A: Impact, consultation and proposed mitigation

1 What are the potential impacts of proposal? *Has any initial consultation informed the identification of impacts?*

This EqIA accompanies the Policy Committee report which seeks approval of the revised DoLS policy (16/06/2018). Further information can be found within this report

2 Protected Characteristics: Is there a potential positive or negative impact based on:

| | | | |
|--|--|--|--|
| Age | <input checked="" type="checkbox"/> Positive | <input checked="" type="checkbox"/> Negative | <input type="checkbox"/> Neutral Impact |
| Disability | <input checked="" type="checkbox"/> Positive | <input checked="" type="checkbox"/> Negative | <input type="checkbox"/> Neutral Impact |
| Gender reassignment | <input type="checkbox"/> Positive | <input type="checkbox"/> Negative | <input checked="" type="checkbox"/> Neutral Impact |
| Pregnancy & maternity | <input type="checkbox"/> Positive | <input type="checkbox"/> Negative | <input checked="" type="checkbox"/> Neutral Impact |
| Race <small>including origin, colour or nationality</small> | <input type="checkbox"/> Positive | <input type="checkbox"/> Negative | <input checked="" type="checkbox"/> Neutral Impact |
| Religion | <input type="checkbox"/> Positive | <input type="checkbox"/> Negative | <input checked="" type="checkbox"/> Neutral Impact |

Gender

Positive

Negative

Neutral Impact

Sexual orientation
including gay, lesbian or bisexual

Positive

Negative

Neutral Impact

3 Where there are potential negative impacts for protected characteristics these should be detailed including consideration of the equality duty, proposals for how they could be mitigated (where possible) and meaningfully consulted on:

| How do the potential impacts affect people with protected characteristics <i>What is the scale of the impact?</i> | How might negative impact be mitigated or explain why it is not possible | How will we consult |
|--|--|---|
| <p>Disability groups: It is probable that statements made within the policy will be more likely to be applicable to adults with a disability, as they are more likely to meet the ‘acid test’ for DoLS than people without a disability. For example, referrals relating to adults aged under 65 commonly concern people with one (or more) learning disabilities who lack capacity to consent to their care/ treatment.</p> | <p>All requests for authorisation of DoLS assessments will be considered on an individual basis and will identify particular situations and the action to be taken specific to the individual</p> | <p>Carers and families are formally consulted as part of the assessment process.</p> <p>Service users who are un-befriended (i.e. without either) receive support from an Independent Mental Capacity Advocate during the assessment and a Paid Representative if the service user is under a DoLS authorisations</p> |
| <p>Age Groups: DoLS can only be considered for adults over the age of 18.</p> <p>It is probable that statements made within this policy will be more likely to be applicable to older adults (aged 65 and over).</p> <p>Adults within this age range are more likely to meet the ‘acid test’ for DoLS and to be subject of a DoLS referral. For example, although Dementia is not a consequence of growing old, the risk of having dementia increases with age. Most people who are affected by dementia are over 65; In 2014, of the estimated that 850,000 people who were living with dementia in the UK, 773,502 (91%) were aged 65 and over¹.</p> <p>Approx. 80% of DoLS referrals the Council receives relate to adults aged 65 and over.</p> | <p>All requests for authorisation of DoLS assessments will be considered on an individual basis and will identify particular situations and the action to be taken specific to the individual.</p> | <p>Carers and families are consulted as part of the assessment process.</p> <p>Service users who are un-befriended (i.e. without either) receive support from an Independent Mental Capacity Advocate during the assessment and a Paid Representative if the service user is under a DoLS authorisations</p> |

¹ <https://www.ageuk.org.uk/information-advice/health-wellbeing/conditions-illnesses/dementia/>

Part B: Feedback and further mitigation

4 Summary of consultation feedback and further amendments to proposal / mitigation

Consultation, as described in Part A, is a mandatory part of this statutory assessment. All protected characteristics of the service user are considered as part of the assessment.

Further information about the assessment can be found within the [Deprivation of Liberty forms and guidance](#)

Completed EqIAs should be sent to equalities@nottsc.gov.uk and will be published on the Council's website.