

# Equality Impact Assessment Form Section One – Screening

Name of Function, Policy or Strategy:

## **Mental Capacity Act Policy**

Officer completing assessment: Dave Sherwood, Head of Clinical Effectiveness

Telephone: 01962 898187

1. *What is the main purpose of the strategy, function or policy?*

The Mental Capacity Act 2005 (MCA) provides a statutory framework to empower and protect vulnerable children and adults (aged 16 years and over), including those with learning disabilities who may not be able to make their own decisions. The Act makes it clear who can take decisions, in which situations and how they should go about this. It also allows for people to plan ahead for a time when they may lose capacity.

2. *List the main activities of the function or policy? (for strategies list the main policy areas)*

This guidance is for staff working within South Central Ambulance NHS Trust who are involved in the care, treatment and support of people over the age of 16 (living in England or Wales) who are unable to make all - or some - decisions for themselves.

3. *Who will be the main beneficiaries of the strategy/function/policy?*

- 3.1 Patients from safeguarded care
- 3.2 The Trust in terms of having robust governance arrangements
- 3.3 The staff and managers who will have clarity of roles and expectations
- 3.4 Other stakeholders will be informed of the Trusts procedures

4. Use the table overleaf to indicate the following:-

- a. Where do you think that the strategy/function/policy could have an adverse impact on any equality group, i.e. it could disadvantage them?
- b. Where do you think that there could be a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups?

		Positive Impact – it could benefit	Negative Impact – it could disadvantage	Reasons
<b>GENDER</b>	Women	N/A	N/A	No impact either positive or negative identified
	Men	N/A	N/A	No impact either positive or negative identified
<b>RACE</b>	Asian or Asian British People	N/A	Yes	No impact either positive or negative identified
	Black or Black British People	N/A	Yes	If English not first language may effect employ's ability to understand /follow procedures and policy
	Chinese people and other people	N/A	Yes	If English not first language may effect employ's ability to understand /follow procedures and policy
	People of Mixed Race	N/A	Yes	If English not first language may effect employ's ability to understand /follow procedures and policy
	White people (including Irish people)	N/A	N/A	No impact either positive or negative identified
	<b>Disabled People</b>	N/A	Yes	If English not first language may effect employ's ability to understand /follow procedures and policy
	<b>Lesbians, gay men and bisexuals</b>	N/A	N/A	No impact either positive or negative identified
	<b>Trans people</b>	N/A	N/A	No impact either positive or negative identified
<b>AGE</b>	Older People (60+)	N/A	N/A	No impact either positive or negative identified
	Younger People (17 to 25) and children	N/A	N/A	No impact either positive or negative identified
	<b>Faith Groups</b>	N/A		No impact either positive or negative identified
	<b>Equal Opportunities and/or improved relations</b>	Yes		Clear statements made in relation to Equality and Diversity throughout policy.

Notes:

Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when considering positive and negative impacts.

The categories used in the race section refer to those used in the 2001 Census. Consideration should be given to the specific communities within the broad categories such as Bangladeshi people and to the needs of other communities that do not appear as separate categories in the Census, for example, Polish.

5. If you have indicated that there is a negative impact, is that impact:		
	<b>Yes</b>	<b>No</b>
<b>Legal</b> (it is not discriminatory under anti-discriminatory law)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Intended</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Level of Impact</b>	<b>High</b>	<b>Low</b>
	<input type="checkbox"/>	<input type="checkbox"/>
If the negative impact is possibly discriminatory and not intended and/or of high impact then please complete a thorough assessment after completing the rest of this form.		
6(a). Could you minimise or remove any negative impact that is of low significance? Explain how below:		
N/A – None identified		
6(b). Could you improve the strategy, function or policy positive impact? Explain how below:		
N/A – None identified		
7. If there is no evidence that the strategy, function or policy promotes equality, equal opportunities or improves relations – could it be adopted so it does? How		
N/A – None identified		
Please sign and date this form, keep one copy and send one copy to the Trust's Equality Lead.		
Signed:	<i>Dave Sherwood</i>	
Name:	Dave Sherwood, Head of Clinical Effectiveness	
Date:	14 <sup>th</sup> October 2010	