No Quality without Equality

Equality Monitoring FAQ

Do you have a query about equality monitoring? If you do so some “FAQ's” - Frequently Asked Questions and Quickly Found Answers around common topics can be found here.

If after reading this section you have a question that has not been answered then please email SHABIR.ABDUL@aintree.nhs.uk

Q. What is Equality Monitoring?

A. Equality Monitoring is the process used to collect, store and analyse data about people’s protected characteristics which can be used to:

- Understand who is accessing hospital services and whether this is representative of the community we serve
- Equality monitor performance to identify if there is any difference in experience between different groups
- Identify trends
- Highlight possible inequalities
- Investigate the underlying causes of any inequalities
- Seek to put actions in place to redress any unfairness or disadvantage.

Q. What data do we need to collect and why?

A. The Trust is collecting personal information required under the Equality Act 2010 in relation to the protected characteristics of gender, disability, race, sexual orientation, gender reassignment, religious belief, age, carer status, marital & civil partnership status, pregnancy and maternity. Collecting this data will enable the Trust to understand the profile of patients and ensure that all members of the community are accessing services. This will also enable the Trust to equality monitor services and practices to ensure that no discrimination is taking place and that all groups are receiving the same level of service irrespective of the background and to make changes to meet the support needs for particular groups (such as putting reasonable adjustments in place, through appropriate policies, awareness campaigns). The questions about individual details are also asked so that the Trust can comply with requirements under the Equality Act 2010. Unless the Trust can effectively monitor access to services, and performance from an equality perspective the trust will not be able to evidence that all patients are treated fairly and equitably.

Q. Why aren’t you asking if patients are registered disabled?

A. Since 2000, there is no requirement for the compulsory registration of individuals as disabled.
Q. What is the definition of a disability?

A. The definition of disability under the Equality Act 2010 is

In the Act, a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping

People who have had a disability in the past that meets this definition are also protected by the Act.

**Progressive conditions considered to be a disability**

There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled.

**Conditions that are specifically excluded**

Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed substances.

Q. Do I have to complete the equal opportunities monitoring form?

A. We are required by law to ask for equality and diversity information but you are not obliged to provide it. If you do not want to tell us, then you can tick the box to say you do not wish to disclose, however we would encourage you to provide us with this monitoring information to help us to support your diversity and to help us to ensure that our services are fair and equitable for all.

Q. How will this form be used?

A. The information contained in this form will be treated in complete confidence and access to it will be restricted. It will be used in statistics to monitor and analyse patient profiles in comparison to the local community, to analyse and monitor performance. The statistical information will be invaluable in reviewing progress under our equalities agenda. None of this information will be used in a way that can identify individual patients.

Q. Where will the equal opportunities monitoring information be published?

A. Equality statistical monitoring information will be published annually on the Trust external website under the Equality and Diversity section. This is a legal requirement

**Protected Characteristics:**

Age, Disability, Gender Reassignment, Marriage & Civil Partnership, Pregnancy & Maternity, Race/Ethnicity, Religion/Belief, Sex, Sexual Orientation
under the Equality Act 2010. The statistics will also be reported in internal performance reports that will be used to understand how the Trust is performing around equality and make improvements.

Q. How will the monitoring information be used?

A. The monitoring information will be analysed and reported through the E & D Sub-Committee and in the Trust performance reports. If there is any evidence of discriminatory practice then action will be taken to investigate the cause and address this e.g. if it is found that patients accessing services are not representative of the community then the trust will investigate the cause of this and take positive action to change this and improve access for this group. Reporting will be at a level that does not put privacy at risk e.g. the number of gay men using services would be reported but this would not be broken down to a level that may put privacy at risk and allow individual patients to be identified.

Q. Where can I find out more information about equality monitoring?

A. The commission for equality and human rights website has more information on this subject. Stonewall have published a plain english guide to equality monitoring “What’s it got to do with you”, this guide is available at http://www.stonewall.org.uk/at_home/3460.asp

Q. What happens to the form when I give it to a member of staff?

A. The data will be input in to the Trust monitoring systems, only staff with data entry responsibilities will have password permissions to access the system where they have a legitimate business need to do so. Once the date that the data has been entered, it is encrypted and the username is recorded. The form will then be confidentially shredded. An audit trail will be kept of who has made changes to personal information.

Q. What is classed as personal information?

A. Personal information is any information about a living person that affects that person’s privacy (whether in his/her personal or family life, business or professional capacity) in the sense that the information has the person as its focus and identifies a person.

4. What is sensitive personal information?

Sensitive data under the data protection act includes:

- Racial or ethnic origin
- Religion or belief or lack there of
- Sexual orientation
- Disability (Long term health conditions or impairments, Physical or mental health or condition

Other information the Trust is classifying as sensitive for the purpose of this data collection includes:
• Marital and Civil Partnership Status
• Gender Reassignment
• Age
• Gender
• Maternity and pregnancy
• Carer Status

All of the above information is collected for the purpose of meeting monitoring requirements under the Equality Act 2010 to enable equality to be promoted, discrimination to be reduced and to foster good relations. This information is only collected with the patients consent.

We ensure that:

• All personal data is processed fairly and lawfully.
• Personal data shall be obtained only for specified and lawful purposes and shall not be processed in any manner incompatible.
• Personal data shall be adequate, relevant and not excessive in relation to the purposes for which it is processed.
• Personal data shall be accurate and kept up to date.
• Data shall not be kept for longer than is necessary for the purposes for which it is processed.
• Personal data shall be processed in accordance with the rights of data subjects
• Personal data is subject to appropriate measures to protect against unauthorized or unlawful processing and accidental loss, destruction or damage.
• Personal data will not be transferred to a country or territory outside of the EU unless the country has adequate data protection levels.

Q. How do I access information held about me?

A. You have the right to see the information that we hold on you, to do this you need to put your request in writing to ? .

We will respond to a request by:

• telling you what personal information we keep about you
• giving you a description of the type of information held, the purpose it is used for and the types of organisations which it may be passed on to, if any;
• showing you all the information that we keep about you explaining any codes or other unintelligible terms used;
• providing this information in a hard copy or in readily readable, permanent electronic form unless providing it in that way would involve disproportionate effort or you agree to receive it in some other way;
• providing you with any additional information the Trust has as to the source of the information kept about him or her.