

EQUALITY IMPACT ASSESSMENT - RESULTS

<p>Title of Policy</p>	<p>Revision of the Charter of Patient Rights and Responsibilities</p>
<p>Summary of aims and desired outcomes of Policy</p>	<p>Under the Patient Rights (Scotland) Act 2011, Scottish Ministers must publish a Charter of Patient Rights and Responsibilities which summarises the existing rights and responsibilities of people who use NHS services and receive NHS care in Scotland. The scope of this work is concerned with the language and tone of the Charter as well as the subsequent promotion of the document. This EQIA does not impact-assess the rights contained in the Charter. The policy from which the rights were created will have already been impact assessed, if appropriate.</p>
<p>Directorate: Division: team</p>	<p>Healthcare Quality and Improvement Planning and Quality: Person-Centred and Participation Team</p>

Executive summary

The Patient Rights (Scotland) Act 2011 aims to improve people's experiences of using health services and support them to become more involved in their health and healthcare. The 2011 Act also made provision for the creation of a charter which summarises individual's rights when accessing NHS services in Scotland and the duties of relevant NHS bodies. The Charter summarises existing rights, it does not create any new ones.

The Charter has been revised, following a review in 2017, which found some of the content was out of date, it was not that widely used and some of the language was difficult to understand.

We have been working with internal and external stakeholders, including members of the public, to update the Charter. By refreshing the language and developing an engagement plan to support the promotion of the Charter, the Scottish Government is working to ensure that awareness of the Charter is raised amongst the people of Scotland, and that they are able to access it when they need it, in a way that they can understand.

The Charter has received the Plain English Campaign Crystal Mark, assuring the language used in the document is as clear as possible so people are able to understand and act on it.

The updating of the Charter is not considered to have a negative impact on any of the protected equality groups. It promotes equality by providing everyone in Scotland, including those with protected characteristics, a comprehensive summary of their rights when accessing NHS services in Scotland and provides information about what to do if they feel those rights are not being upheld.

Background

The Patient Rights (Scotland) Act 2011 gives everyone the right that the healthcare they receive will consider their needs and what would most benefit their health and wellbeing, encourage them to take part in decisions about their health and wellbeing, and provide them with the information and support they need to do so. It also provides the right for people to give feedback, raise concerns or make complaints about the care they have received.

The 2011 Act made provision for Scottish Ministers to publish a Charter of Patient Rights and Responsibilities, which summarises the duties of relevant NHS bodies as well as the behaviour expected from people accessing services. The Act sets out that the Charter may also include other relevant information, including information relating to treatment time targets. It sets out that nothing in the Charter is to give rise to any new rights, impose any new responsibilities, or alter in any way an existing right or responsibility.

Following the initial review of the Charter in 2017, Ministers agreed that the Charter of Patient Rights and Responsibilities should be revised with an aim to ensure it continues to accurately summarise the rights and responsibilities of everyone who uses NHS services or receives NHS care in Scotland, and remains effective in raising awareness of those rights.

Subsequently, the Scottish Government officials further consulted key external stakeholders, including the Alliance, the Scottish Independent Advocacy Alliance, the Scottish Human Rights Commission, the Scottish Health Council, the Mental Welfare Commission and the Patient Advice and Support Service.

Work to revise the Charter has focused on refreshing the language to make it more accessible and as clear as possible so that the intended audience can understand and act on it.

The Scope of the EQIA

As the revised Charter does not introduce any new rights, the Equality Impact analysis is focussed on dissemination of the Charter, to ensure it has a positive effect on those with protected characteristics as it is a vehicle that can ensure their voice is heard and that their rights are clearly articulated.

We have assessed if there are any difficulties preventing people from accessing the Charter easily, or from having it in an accessible format.

Further engagement with key stakeholders to seek their views on the revised draft version of the Charter and to discuss their support in the promotion of the Charter began in April 2019. Three sessions with members of the public (36 attendees in total) took place in April and May 2019, to test the refreshed language and accessibility of the information, and to consider options for raising awareness of the Charter. This will inform promotion activities to be developed by NHS Inform. Further work involved consulting with NHS Equality leads, and policy colleagues to identify how to make the Charter accessible.

Stakeholders and members of the public were asked to respond to the following questions:

- How can we make the Charter accessible to all?
- Can you think of any barriers to accessing the Charter online? And how these could be overcome?

The responses gathered demonstrated that when making the Charter accessible, the appropriate format was key. Most respondents highlighted a need for BSL, Easy Read, Braille and other language formats to be made available. We also received suggestions for the design of the document to make it accessible. Respondents also agreed the need for non-web based copies of the Charter to be available to groups who are less likely, or

unable to access, the internet. We collected suggestions on how best to promote the Charter, with a focus on engaging with more hard to reach groups. We also received many suggestions for where to promote the Charter and network groups that could help disseminate it widely across Scotland.

These suggestions and equality considerations will feed into a communications strategy, to ensure we raise awareness of the Charter, and that it is accessible to all.

The Charter will have a positive effect on those with protected characteristics as it is a vehicle that clearly articulates their rights, provides the information to them in a manner which is accessible, and helps to empower individuals to ensure their rights are being respected.

Key Findings

As the revised Charter does not introduce any new rights, the Equality Impact analysis is focussed on dissemination of the Charter, to ensure we are raising awareness amongst all groups with a protected characteristic.

By considering how best to raise awareness, we have identified three harder to reach groups with the following characteristics: Race, age (young people under 16 and older people) and disability. With the help of stakeholders, colleagues and members of the public we have identified several networks that will help us share information with these groups.

Recommendations and Conclusion

The EQIA consultation process has contributed significantly to the development of the revised Charter, informing the language and structure of the Charter, as well as shaping the communication strategy. Evaluation measures will be incorporated to identify if we are reaching people with a wide range of characteristics and determine the success of the awareness raising campaign.

As required under the 2011 Act, the Charter will be reviewed again in 5 years.

The updated Charter is not considered to have a negative impact on any of the protected equality groups.