

Equality Analysis (EA)

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| Date of Assessment | January 2018 Amended May 2018 and May 2019 |
| Assessor Name & Job Title | Ruby Newton, Senior Supervision and Authorisation Officer |
| Name of Policy/Function to be Assessed | CAT team – Accessibility |
| Aim/Purpose of Policy | <p>CAT Accessibility</p> <p>The Contact and Assessment Team (CAT) will be a single, public facing function, which acts as the point of entry for most types of unprompted information and queries received by the BSB. The purpose of CAT is to ensure that the BSB consistently captures all incoming information, risk assesses it where appropriate, responds to it consistently, and deals with queries consistently and efficiently.</p> <p>Unprompted information and queries which currently go into departments such as the Professional Conduct Department (PCD) and the Regulatory Assurance Department (RAD), and other departments, will be directed to CAT.</p> <p>CAT's role will be to assess whether information relates to a matter that falls within the BSB's regulatory remit. For information inside the BSB's remit, CAT will systematically capture it and assess it for regulatory risk and then decide which team(s) in the BSB should know about the information in order to develop a regulatory response. CAT will also record information which does not present an immediate risk but which adds to the risk profile of those who we regulate.</p> <p>The vast majority of contact with CAT will be via an online reporting form, on the BSB website. Contacting us using the reporting form will be encouraged, for efficiency. We are aware, however, that this form of contact will not be accessible for all.</p> <p>This EIA will consider how individuals engage with the CAT team and how individuals with certain protected characteristics may be particularly impacted by the introduction of CAT and therefore what action we need to take to ensure that CAT is as accessible as possible.</p> <p>Our aim is that individuals providing CAT with information do not experience significant barriers because of any protected characteristics which they may have.</p> <p>Since CAT will be a large part of the way in which the BSB interacts with members of the public, we must get this right. This is part of a larger group of EIA's relating to the implementation of CAT. It may be useful to consult other EIAs, or further information about CAT is available in the Project Initiation Document (PID).</p> |

1. Evidence

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| <p>What evidence will you use to assess impact on equality?</p> |
| <ul style="list-style-type: none"> - Reasonable adjustments collected by CAT (and by other teams) will be logged in the BSB's case management system. Based on current information from our Professional Conduct Department and our Supervision Team, we can expect a diverse range of users of CAT across all protected characteristics, many of whom may require reasonable adjustments. We have some understanding at present of these demographics and the reasonable adjustments that have been offered and can compare these statistics with those collected following the formation of CAT; - The optional monitoring forms individuals use when contacting CAT will form a key part of our evidence base to monitor groups who are engaging with us; - CAT will monitor service complaints received from individuals about their experiences of communicating with CAT. |

2. Impact on Equality

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| <p>Consider whether the evidence listed above shows the potential for differential impact, either adverse or positive, for different groups. If there are negative impacts, explain how you will attempt to mitigate these. Mitigating actions can be described in more detail in your Action Plan (Section 4).</p> <p>CAT will interact with the public, members of the profession and other third parties. For ease, we have described these groups of people as "providers of information" for CAT.</p> <p>Many of the impacts outlined below are already likely to impact the groups highlighted when they contact the BSB. The CAT Project Team is alive to this and we are therefore taking the opportunity of setting up the CAT to consider how we can mitigate against these adverse impacts.</p> | |
| <p>Race</p> | <p>Some providers of information may not have English as their first language. We are mindful of the need to ensure that CAT's communications are in plain English in order to be as inclusive as possible. CAT may occasionally need to use translators, though we foresee this being rare- this is based on our current experience of the use of translators by our PCD assessment and Supervision Teams.</p> <p>To address this, we have asked the charity Barrow Cadbury (who work with disadvantaged groups, including migrants and young people) to review our reporting form to consider how accessible it is for these groups. We have incorporated their comments in our final version of the form.</p> |
| <p>Gender</p> | <p>We do not anticipate that the creation of CAT will have any impact on the basis of gender.</p> |
| <p>Disability</p> | <p>CAT will change how providers of information get in touch with the BSB. This will be through changing the language around "complaints" to "providing information" and by having a one-stop online portal for queries and complaints.</p> <p>There is the potential that people who have learning and physical disabilities could be adversely impacted. We envisage that the creation of CAT will particularly impact those who may find it challenging to communicate in certain ways. This could include:</p> <ul style="list-style-type: none"> - People who have difficulties with sight and/or hearing; |

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| | <ul style="list-style-type: none"> - People who have difficulties writing things down; - People who may find any form of communication stressful or difficult; - People who struggle to maintain their concentration - People who struggle to meet time-based requests - People who may have difficulty reading our guidance. <p>Our present processes mean that many of these individuals may already be impacted. By simplifying and clarifying guidance, particularly, CAT should improve the experience for these individuals.</p> <p>In addition, we should consider communication around the change from the current system to CAT, and the support people may need with understanding new processes.</p> <p>The Project Team is alive to this and has had discussions about how people with disabilities may want to interact with us. So far, we have:</p> <ul style="list-style-type: none"> - Met with the Communications and Public Engagement and the Equality and Access to Justice Teams to discuss how providers of information should interact with CAT; - Identified a training need around dealing with vulnerable people, people who may present as difficult and identifying harassment within reports coming through. This training is scheduled for CAT and our Regulatory Operations and Legal and Enforcement Departments; - Met with a member of our Advisory Panel of Experts (APEX), a disability specialist, who provided feedback on CAT processes and the reporting form; - Asked the charity Law for Life (whose aim is to ensure people have the knowledge, confidence and skills needed to secure access to justice) to review and comment upon our reporting form to ensure it is as “plain English” as possible. We have incorporated their comments into our development of the form. The form has also been reviewed by Mencap, an organisation which supports individuals with learning disabilities and their families and carers, to ensure the form is appropriate for the groups they work with. <p>Processes are being designed to ensure that CAT will offer and make reasonable adjustments. Specifically, we will be giving providers of information other options for contacting us at the point they are completing the online reporting form (e.g.: the option to give us information via phone or in paper format). Discussion around this considered using language such as “if you would prefer to use another method of communication this is how you can contact us... “. This language is designed to avoid asking or suggesting the reason why someone may wish to contact us in a different format.</p> <p>In addition, the form to submit information to CAT will be available 24 hours a day, which may help individuals with disabilities which mean they prefer, or have to, operate outside of conventional office hours.</p> <p>The Project Team has discussed ensuring that information about CAT, particularly how to contact CAT and how to request reasonable adjustments should be in plain English to ensure that people with learning difficulties can contact the team. Website content for CAT is being developed at present (May 2019) with these principles in mind.</p> |
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| Age | Older people may experience some of the challenges with communication outlined in the disability section. Additionally, some older people may be more familiar with certain forms of communication and may feel more comfortable communicating with the BSB in that format (e.g. by telephone rather than an online form). CAT must be sufficiently flexible to allow people to communicate with us in different ways. |
| Sexual Orientation | We do not anticipate that the creation of CAT will have any impact on people who have different sexual orientations. |
| Religion/Belief | We do not anticipate that the creation of CAT will have any impact on different religions or beliefs. |
| Gender Reassignment | We do not anticipate that the creation of CAT will have any impact on individuals who have, or intend to have, gender reassignment. |
| Pregnancy/ Maternity | Pregnant or new mothers can be more vulnerable to health issues than the population at large. Such ill health may impact on their ability to communicate with CAT. Specifically, it may: <ul style="list-style-type: none"> - Mean they prefer to communicate in certain formats rather than others; - Mean that they are unable to meet time-based requests made by the team CAT will take this in to account when dealing with members of the public and will be as flexible as possible. |
| Marriage and Civil Partnership | n/a – not an employment scenario |
| Other Identified Groups (<i>e.g carers, people from different socio-economic backgrounds, or any other groups likely to experience disadvantage</i>) | We anticipate that carers and those from a lower-socio economic background could experience changes to CAT similarly to those individuals with disabilities; however, the detail is outlined above. Individuals, such as carers, will be able to submit information on behalf of others, as per the current complaints system. In addition, the form to submit information to CAT will be available 24 hours a day, which may help individuals with caring responsibilities which may mean they prefer, or have to, operate outside of conventional office hours. |

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| How does the policy advance equality of opportunity? |
| <ul style="list-style-type: none"> - The introduction of CAT will make communication with the BSB streamlined and easier for providers of information. There will be one clear point of contact rather than several. Individuals who contact us with information will be dealt with consistently. It will ensure that where a matter is urgent, action is taken quickly and appropriately. In addition, a single point for collecting data on the people who contact us will mean it is easier for us to monitor and promote equality of opportunity. - Through the process of reviewing how people contact us, we have increased our understanding of how vulnerable consumers may interact with us and some of the issues they may encounter. This has been highlighted through our meetings with the Equality & Access to Justice Team, the Communications & Public Engagement Team and the Bar Council well being team. - The change in language from that of “complaints” and “complainants” should make expectations |

clearer for providers of information. This can cause confusion, since at present complainants often (wrongly) believe we are able to provide redress.

How does the policy promote good relations between different groups?

As highlighted above, the introduction of CAT will:

- Make it easier for people to contact us;
- Ensure that information entering the BSB is dealt with consistently. (At present, the way a piece of information is dealt with can differ massively depending on where it entered the BSB).
- The change of language from “complaints” and “complainants” will create consistency and avoid the need to handle information according to artificial distinctions in its labelling. Instead, the BSB will treat all incoming information about the profession as just that: “information”.

Therefore, we feel that this is likely to have a positive impact on relations between different groups since it will resolve issues some groups may have when contacting us presently.

3. Summary of Analysis

Now you have considered the potential impacts on equality, what action are you taking? (Mark ‘X’ next to one option and give a reason for your decision)

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| a. No change to the policy (no impacts identified) | Your analysis demonstrates that the policy is robust and the evidence shows no potential for discrimination. You have taken all appropriate steps to advance equality and foster good relations between groups. | |
| b. Continue the policy (impacts identified) | Continue with the proposal, despite any adverse impacts, provided it is not unlawfully discriminatory and is justified. | |
| c. Adjust the policy and continue | Take steps to remove barriers, mitigate impacts or better advance equality before continuing with the policy. | x |
| d. Stop and remove the policy | There are adverse effects that are not justified and cannot be mitigated. The policy is unlawfully discriminatory. | |

Reason for decision:

As discussed above, the project team has given considerable attention to potential adverse effects on equality, and has resolved to act to appropriately mitigate this.

4. Action Plan for Improvement

| Give an outline of the key actions that need taking based on any challenges, gaps and opportunities you have identified. Include here any action to address negative equality impacts or data gaps. | | | |
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| Action Required | Desired Outcome | Person Responsible | Timescale |
| <i>Ensure that all of the EIAs relating to the implementation of CAT are reviewed internally by the BSB's Equality and Access to Justice Team.</i> | <i>CAT EIAs are consistent and thorough.</i> | <i>Ruby Newton</i> | <i>On 16.2.2018, all passed over to Equality Team aside from this document. Completed May 2019</i> |
| <i>Equality and Access to justice Team to internally review processes, identifying gaps and contributing to this EIA.</i> | <i>We have identified how our processes might impact on protected characteristics and what adjustments and next steps we need.</i> | <i>Ruby Newton Equality and Access to Justice Team</i> | <i>April 2018</i> |
| <i>Consider, with the advice of the Equality and Access to Justice Team, whether the BSB needs external assistance to consider the impact of our processes on the protected characteristics (in the form of a specific audit or similar).</i> | <i>Have considered and defined the scope of any external help or audit. Research and source this help.</i> | <i>Ruby Newton Equality and Access to Justice Team</i> | <i>Following April 2018 SEE NEW ACTION BELOW</i> |
| <i>Document reasonable adjustments process for organisation and additional operational guidance where needed</i> | <i>Ensure process is in place before CAT is operational and review with Equality and Access Team to ensure that there are no gaps.</i> | <i>Ruby Newton and Ben Burns</i> | <i>Will be delivered by implementation of CAT, October 2019.</i> |
| <i>When considering training needs, consider training needs gap around vulnerability and mental health conditions. This is in addition to the training needs identified in the full CAT EIA, which include identifying harassment, and dealing with difficult customers.</i> | <i>Assessors are aware of particular needs around mental health and vulnerability</i> | <i>CAT Project Team</i> | <i>Added to Regulatory Operations training plan by Senior Support Lawyer. Training due late 2019.</i> |
| <i>Consider all documents relating to CAT, with particular attention to those that will be publicly available in terms of:</i> | <i>People are clear how to tell us information.</i> | <i>Ruby Newton and CAT project team</i> | <i>October 2019</i> |

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| <ul style="list-style-type: none"> - Plain English; - Use of pictures or diagrams to mitigate against an adverse impact on people with particular disabilities; - Accessibility in terms of easy to read/ large text versions and hard copies. - Guidance to assist people with the process of providing us with information to CAT. | | | |
| <p>Feed into the IM programme about requirements for accessibility around the portal and search engine optimisation.</p> | <p>Ensure our IM requirements are appropriate for consumers and that we fulfil our obligations under the Equality Act 2010.</p> | <p>Ruby Newton/ Andrew Wylie</p> | <p>This has been fed into process.</p> <p>Reporting form in development, due for delivery by October 2019.</p> |
| <p>Following a process review with the Equality and Access to Justice team on accessibility, it was decided that a member of APEX should be consulted to discuss the process for providing CAT with incoming information and the impact on accessibility. An external review of accessibility may be considered depending on APEX advice. In addition, a set of general accessibility principles for the organisation will be prepared, with APEX review.</p> | <p>Our processes are fair and allow everyone to submit information.</p> <p>We fulfil our obligations under the Equality Act 2010.</p> | <p>Ruby Newton</p> | <p>Review undertaken in September 2018.</p> <p>Requirements fed into development of reporting form.</p> |