

The proposed changes to the specific duties within the Act will in effect remove the ability for effective external scrutiny. Whilst the purpose is stated as removing prescriptive process in order to focus on outcomes, without clear processes to establish objectives and identify discrimination, not only will outcomes likely be flawed, but the public and external stakeholders will not have sufficient information to identify whether the public body has given due regard to its responsibilities.

Currently the duty to publish Equality Impact Assessments and include in these details of where evidence has been gathered and where relevant stakeholders have been consulted enables external stakeholders to identify whether due regard has actually been given and where relevant stakeholders may have been missed. Therefore robust assessments are guaranteed.

With reforms and financial pressures in the public sector it is even more important to have defined and clear processes to enable compliance. Whilst positive outcomes are essential, a framework by which to reach these is necessary to support commissioners and managers in their work to reach these outcomes. For those not specialist in this field there is still a great deal of uncertainty around how to promote equality and eliminate discrimination. Often this uncertainty leads to inaction if staff are left with a vague sense of having to do something but no clear guidelines for how they might carry out the work.

Therefore on behalf of NHS Brighton and Hove I would offer the feedback that the Specific Duties need to remain unchanged and to be given time to bed down in order that public bodies can evidence the outcomes required. Once positive outcomes are delivered and benefits (in terms of patient outcome and experience as well as financial savings) are seen the job of working without a set of legal processes becomes more attainable. The processes described in the specific duties are neither onerous nor costly, they are however essential in delivering systematic, evidenced improvements in equality and fairness for all

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