

## Equality Impact Assessment

### What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) (“the Act”), which asks public authorities, like Hampshire County Council, to give ‘due regard’ to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid ‘due regard’ to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

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Title:	Complaints Handling Procedure
Related EIAs:	None
EIA for Savings Programme:	No
Service affected	Customer Care Team, Care Governance and Quality Assurance
Description of the service/policy/project/project phase	Complaints, comments and compliments regarding Adults’ Health and Care are administered by the Customer Care Team, with oversight from the Strategic Service Manager for Engagement and Improvement and Care Governance and Quality Assurance Head of Service. The Directorate always aims to provide high quality services that meet the needs and circumstances of individuals and their families, however, despite our best intentions, things do sometimes go wrong. When this happens, we want to put it right and we welcome complaints to help us learn and improve for the future. The Directorate’s definition of a complaint is: ‘Any expression of dissatisfaction or concern about a service provided directly by Adults’ Health and Care.’ The most recent complaints annual report for the year 1 April 2022 to 31 March 2023 shows that a total of 750 complaints were received by the Directorate during the reporting period which represents an increase on the previous year.

New/changed service/policy/project	The updated procedure follows a scheduled review and does not significantly change the way the complaints, comments and compliments are handled within the Directorate, rather much of the content has been revised to ensure that it is more accessible and user friendly. The aim of the procedure is to ensure that appropriate information is available to the public to ensure that they understand how to complain and how that complaint will be dealt with. The Directorate needs to have an open and transparent statutory complaint handling procedure that ensures appropriate redress for upheld complaints. In addition, the procedure serves as a means of obtaining valuable feedback and improving the Directorate's services and processes. The main alteration to practice outlined in the procedure is that under Stage two complaints, the complaint will be investigated by a more senior manager. The procedure does not state that the manager must be within a separate team as due to capacity limitations this does not always prove possible.
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Engagement
The procedure is to be shared with the Hampshire Personalisation Expert Panel for comments.

## Equalities considerations - Impact Assessment

### Age

Impact on public	Positive
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including age. As suggested in data provided at end of EIA, the majority of complainants are of working age, however the next largest cohort of complaints are individuals above 65 years of age. We know that some older people may be digitally excluded and either not have access to the internet or prefer not to communicate with the County Council online. To ensure equal access for making a complaint, comment or compliment, there are various ways that individuals can contact the Directorate as outlined within the procedure, including the online form, email, telephone and post. Complaints are handled the same way and through the same procedure regardless of communication preferences. Complaints may also be received via an elected representative on behalf of an individual if that is preferred.
Mitigation	

### Disability

Impact on public	Positive
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including disability. Adults' Health and Care support individuals who are assessed as having care and support needs and works with individuals with a range of needs, including physical and learning disabilities, as well as mental health needs. We know that over

	<p>half of complainants describe themselves as having a disability and the remaining complainants are likely to be individuals complaining on behalf of a friend or family member who has eligible needs.</p> <p>There is a duty to make reasonable adjustments, whereby the needs of individuals are considered and where appropriate, the service is delivered in a different way in order to provide additional support or remove physical barriers. This duty is anticipatory and additional ways in which the Directorate can consider reasonable adjustments in respect of its Complaints Procedure in advance has been incorporated within the procedure. How this is delivered effectively by staff will also be communicated within training sessions.</p> <p>The new procedure is also being published in Easy Read on the website for the first time to ensure that individuals with different levels of literacy are able to read the procedure independently. In addition, the procedure now makes it clear that it is possible to request a copy in another language or format.</p>
Mitigation	

## Gender Reassignment

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including gender reassignment.
Mitigation	

## Pregnancy and Maternity

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including Pregnancy and Maternity.
Mitigation	

## Race

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including race. It is interesting to note in the below data that 97% of complainants describe their ethnicity as 'White'. The 2021 Census data shows that 93% of Hampshire residents describe their ethnicity as 'White', therefore the complainant data is somewhat in line with this.

Mitigation	
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## Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including Religion or Belief.
Mitigation	

## Sex

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including sex.
Mitigation	

## Sexual Orientation

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including sexual orientation.
Mitigation	

## Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including marriage and civil partnership. It is possible to make a complaint on behalf of another individual, including a spouse, however the County Council will always check that there is permission to share in place before sharing personal information.
Mitigation	

## Poverty

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including poverty.

	The Directorate offers financial recompense in certain situations, namely via Time and Trouble payments – this should ensure that no one is ever ‘out of pocket’ due to experiencing a poor service. The Directorate will also be advised by the Local Government and Social Care Ombudsman on situations when payment is required and will always comply with final decisions and actions.
Mitigation	

## Rurality

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The procedure does not intentionally treat anyone differently, whether they share a protected characteristic or not, including rurality.
Mitigation	

## Geographical Impact: All Hampshire

## Equality Statement

### Additional information:

As part of the EIA process, the current Complaints Register was reviewed, alongside information gathered from the Equality and Diversity questions which form an optional part of the online complaints form. It is worth noting that the data is limited as it is only collected when an individual issues a complaint using the online form (not by email, telephone or post), it is also an optional set of questions that just under 40% of individuals using the online form choose to complete.

The key findings are:

- Majority of complainants are of working age
- 66% of complainants are female
- Just over half (55%) of complainants suggest that their day-to-day activities limited because of a health problem or disability
- 97% of complainants describe their ethnicity as ‘White’
- 71% of complainants describe their sexual orientation as ‘Heterosexual/straight’

Information published by the Local Government and Social Care Ombudsman has also been referred to, specifically the report ‘Equal access: getting it right for people with disabilities’ (May 2022). This report has provided additional information in respect of ensuring that communication with all complainants is inclusive and that the complaints process is accessible to everyone. As well as anticipating and meeting the needs of people with disabilities at the heart of everything the services does. In addition, guidance in respect of making reasonable adjustments and staff training has been included.

### Overview Statement:

A summary assessment to show that due regard to the Public Sector Equality Duty has been paid, which is undertaken when a full EIA is not needed:

EIA reference number: 00555

Date of production of EIA for publication: 08/10/2024