

## Brighton and Hove City Council

### Policy and Equalities Impact Assessment Process for Reviewing NHS England Pharmacy Consolidation Applications

According to Consolidation Amendment Regulations 26A (2016), when two pharmacies based at two different sites in the same Health & Wellbeing Board (HWBB) area make an application to NHS England (NHSE) to consolidate their services onto one site, NHSE invites the HWBB to make representations within 45 days, as to whether or not a consolidation would result in a gap in local pharmacy provision.

The **HWBB must publish a supplementary statement** if the closure **does not create a gap** in pharmaceutical services.

**NHSE must refuse an application if it would create a gap** in pharmaceutical services.

When consolidation applications are received for representations by the HWBB the following short Equality Impact Assessment (EIA) template should be completed. The EIA process provides the details by which consolidations will be assessed in order to ascertain whether there will be a gap in pharmaceutical services.

The Health and Adult Social Care Directorate public health team will be responsible for completing the assessment and the Pharmaceutical Needs Assessment Steering Group<sup>1</sup> will approve the final version and make a recommendation to DMT for sign off on behalf of the Health and Wellbeing Board, regarding the representation that the Health and Wellbeing Board should make to NHSE.

The EIA can be included as part of the formal representation by the HWBB to NHSE, who may also undertake their own EIA.

---

<sup>1</sup> The PNA Steering Group is chaired by a Consultant in Public Health and its membership includes representatives from the Clinical Commissioning Group (CCG), NHS England, Local Pharmaceutical Committee, Healthwatch and BHCC public health team.

# Short Equality Impact and Outcome Assessment (EIA) Template - 2019

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions.

See end notes for full guidance. Either hover the mouse over the reference number which is the end note link (eg: ID No. [6](#)) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact the Communities, Equality and Third Sector Team on ext 2301.**

## 1. Equality Impact and Outcomes Assessment (EIA) Template

<b>Title of EIA<sup>3</sup></b>	<b>Pharmacy consolidation of Blake's Pharmacy, at 91, Blatchington Road, Hove BN3 3YG, onto the site of Trinity Pharmacy at 3, Goldstone Villas, Hove, BN3 3AT</b>	<b>ID No.<sup>4</sup></b>	
<b>Team/Department<sup>5</sup></b>	Public Health, Health & Adult Social Care Directorate		
<b>Focus of EIA<sup>6</sup></b>	<ul style="list-style-type: none"> <li>• To identify whether any gaps in pharmacy service provision will arise relating to people who share a legally protected characteristic (see endnote 2) from the consolidation of two pharmacies or any opportunities to increase or improve provision</li> <li>• To review whether there is a detrimental impact on local residents as a whole, or any particular group – in terms of access, provision of advanced and enhanced pharmacy services and health &amp; wellbeing needs.</li> <li>• To provide assessment to inform the HWBB representation to NHSE, the pharmacy commissioner, as to whether any gap will arise.</li> </ul> <p>No gaps have been identified in the provision of services to protected characteristic groups following the consolidation of these pharmacies. Provision for wheelchair using patients will be improved by this consolidation; Blake's pharmacy does not have a wheelchair accessible toilet, whereas Trinity pharmacy does.</p>		

	<p>There will be a minor detrimental impact on local residents caused by this consolidation because Trinity pharmacy is proposing a total of 44 opening hours a week, compared to Blake's current total opening hours of 49 a week. The reduction is due to lunch time closures between 1-2pm at Trinity pharmacy 5 days a week. This should be offset though by its close location to Boots pharmacy on George Street which is open at lunch times.</p> <p>The provision of advanced services should be improved for Blake's pharmacy patients because Trinity pharmacy provides a needle exchange service, which is not currently provided by Blake's pharmacy. Patients at both pharmacies will also benefit from the intended provision of an Emergency Contraception services, which was not available at either pharmacy prior to consolidation. Trinity pharmacy also provides a smoking cessation service and is Healthy Living Pharmacy.</p>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Assessment of overall impacts and any further recommendations<sup>7</sup>**

For clarity all disproportionate impacts on specific groups with protected characteristics and other groups are highlighted in the single section below.

Overall impacts and notes:

- E.g. distance between pharmacies after consolidation
- E.g. access for people with physical disabilities
- E.g. provision of specialist services like chlamydia screening, condom distribution or emergency contraception and likely impact on women and young people in particular
- E.g. likely impact of changes in opening hours on specific groups, such as older people and full time employees

There is no negative overall impact in terms of increased distance for patients to travel following consolidation. The two pharmacies are located about approximately 500 meters from each other.

Access for people with physical disabilities should be improved as Trinity pharmacy has an accessible toilet. Trinity pharmacy is co-located with a GP Practice (Trinity Surgery, which had 23,103 registered patients at December 2018) and the GP Practice has an onsite

car park, which will assist patients with disabilities.

The intended provision of emergency contraception at Trinity pharmacy following consolidation will have a positive impact for women and young people in particular.

The reduction of opening hours, with lunchtime closure at Trinity pharmacy, will have a negative impact on full time employees in particular, although Boots pharmacy nearby is open at lunch times.

The consolidation of the pharmacies is likely to lead to increased numbers of people using Trinity pharmacy, which may increase the waiting time for medicines to be dispensed. This may have a negative impact on older patients in particular.

Potential issues	Mitigating actions
<ul style="list-style-type: none"> <li>• Longer waits for dispensing of medicines</li> <li>• Access ( physical access to the premises and ability to move within the premises) no/reduced/improved access at combined/new site for people with               <ul style="list-style-type: none"> <li>-sensory impairment</li> <li>- mobility impairment</li> <li>- who are wheelchair users</li> <li>- with learning disabilities</li> <li>- people with mental health problems</li> </ul> </li> <li>• Access – is the distance of travel from the old to new consolidated pharmacy worse or an improvement for patients and carers</li> <li>• Worsening / improvement in access to public transport at new/combined site</li> <li>• Loss of/increase in specialist services in new/combined pharmacy – note likely impacts on specific groups</li> </ul> <p>Potential issues identified by this Equality Impact Assessment include:</p> <ul style="list-style-type: none"> <li>• Longer waits for dispensing of medicine</li> <li>• As presently, there will be no induction loop provision at Trinity pharmacy after consolidation</li> <li>• The distance between the old and new pharmacy is not an issue, as they are very close to each other.</li> </ul>	<ul style="list-style-type: none"> <li>• More staff required in new/combined pharmacy</li> <li>• Physical adaptations to be made to the building (specify and note what funding is available for these)</li> <li>• Note distance between old and new pharmacy</li> <li>• Note distances from public transport and any options available</li> <li>• Note services to be added/removed/reduced and where else these are available and what benefits will arrive.</li> </ul> <ul style="list-style-type: none"> <li>• Will there be increased staffing from the old site to mitigate against longer waits?</li> <li>• Are there any plans to include induction loop provision?</li> <li>• The distance between old and new pharmacy is approximately 400-500 meters. There are also 4 pharmacies within approximately 1km of the closing Blake’s site. The range of locally commissioned services provided at these</li> </ul>

178

<ul style="list-style-type: none"> <li>• The access to public transport at the new site is the same as at the old.</li> <li>• Specialist services will be improved at the combined pharmacy with the provision of emergency contraception, and will have a positive impact for women.</li> </ul>	<p>other pharmacies include smoking cessation, and emergency hormonal contraception – which are also provided by Trinity pharmacy.</p> <ul style="list-style-type: none"> <li>• The new site is next to a bus stop and within walking distance of Hove Station</li> <li>• Specialist services will be improved at the combined pharmacy with the provision of emergency contraception, and will have a positive impact for women. A needle exchange will also be provided, which was not previously available to Blake’s pharmacy patients. Trinity pharmacy is also a Healthy Living Pharmacy, whereas Blake’s pharmacy is not. Both pharmacies provide a smoking cessation service.</li> </ul>
<p><b>Actions planned<sup>8</sup></b></p>	
<p>Recommended representations by HWBB to NHSE</p> <p>It is recommended that the HWBB make representations to the NHSE to say that no gap in pharmacy provision will arise as a result of this consolidation. It may though want to clarify whether there will be any increase in staffing at the Trinity site to mitigate increased waiting time and also ascertain whether there are any plans to open at lunchtimes or introduce an induction loop system.</p>	

**EIA sign-off:** (for the EIA to be final an email must be sent from the relevant people agreeing it or this section must be signed)

**Lead Public Health Consultant:** Nicola Rosenberg

**Date:** 06.02.19

**Communities, Equality Team and Third Sector officer:** Anna Spragg

**Date:** 06.02.19

## Guidance end-notes

<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

### <sup>2</sup> Our duties in the Equality Act 2010

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership.)

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by equality groups
  - Take steps to meet the needs of equality groups
  - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

---

<sup>3</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>4</sup> **ID no:** The unique reference for this EIA. If in doubt contact Clair ext: 1343

<sup>5</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>6</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>7</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>8</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

