**SNBTS FAIR Implementation; Equality Impact Assessment**

**Key Considerations:**

**The Equality Act 2010 means that public authorities (including health boards) have a legal duty to have ‘due regard’ to the need to:**

* + **Eliminate discrimination, harassment and victimisation**
  + **Promote equality of opportunity**
  + **Promote and foster good relations between the protected groups**

**Public bodies are responsible for making a wide range of decisions, from the contents of overarching policies and budget setting to day-to-day decisions which affect specific individuals. Equality analysis is a way of considering the effect on different groups protected from discrimination by the Equality Act, such as people of different ages.**

**There are two reasons for this:**

* **to consider if there are any unintended consequences for some groups**
* **to consider if the service, function, policy or practice will be fully effective for all target groups**

**Please consider the following questions in relation to the Service/System/Policy/Project/Review you are working on and assess what the potential impact on the Equality Act 2010 Protected Characteristics could be. The Equality Act 2010 Protected characteristics are:**

* **Age**
* **Disability**
* **Faith/Religion/Belief**
* **Race**
* **Sex (men and women)**
* **Sexual Orientation**
* **Transgender**
* **Pregnancy Maternity**
* **Marriage Civil Partnerships**

| **Consideration** | **Response** |
| --- | --- |
| Implementation of the FAIR (For the Assessment of Individual Risk) donor selection criteria that supports the individual risk assessment of each donor regardless of sex, age, gender, race or sexual orientation | SNBTS aim to implement this in Scotland on the 14th of June 2021 alongside the other UK Blood Services. This development is designed to be fairer and promote equality and enable donation from individuals who have been previously excluded. The recommendations of the FAIR report are evidence based and support the ongoing safety of the Blood Supply |
| **Who is affected?** | All current and prospective blood donors in Scotland. |
| **All donors will now be asked about their recent sexual activity and sexual health history** | SNBTS have developed a comprehensive communications plan with input from external stakeholders to ensure that all prospective donors are aware of the changes and are clearly signposted on where to get advice across a range of communication channels.   * + Website, Digital and Social media   + On session Leaflet   + Direct marketing   + Internal communications   + Media responses and FAQs   + Can I donate Quiz & Portal   Communications Update   * Website updated with FAIR “Can I donate quiz” on 17/5/2021 * FAIR Donor Leaflets sent to all Donor Centre Donors * All Community session donors receive a notification of FAIR SMS before invite * Community session donors receive FAIR leaflet with invitation letter * Donor Portal now has popup boxes linking to FAIR criteria and directing donors on how to get advice. * The Donor Portal will have the FAIR questions online with the ability for donors to book a telephone risk assessment from 6th July 2021 * Staff provided with FAQ’s designed to give clear advice   In addition, SNBTS have undertaken quantitative research in Donor & Non Donor Cohorts to assess   * The impact on existing donors * Acceptability of the questions * The impact on future intention to donate * The impact on our ability to supply patients in Scotland   The findings of this research have been used   * To inform our communication strategy * Undertake analysis of who these criteria affect different cohorts (e.g Age, Sex, Donor Status, sexual orientation& race) * To inform supply and demand planning to ensure that SNBTS continue to meet the transfusion needs of patients in Scotland |
| **The new questions ask more specific questions on recent sexual history that are likely to have different impacts on different age cohorts**   * **Age** | As outlined above, SNBTS have   * researched acceptability of questions * ensured outcomes from research inform the strategy and approach to offer reassurance and address concerns * the research indicates high level of acceptability across all age cohorts |
| * **Mental health**   **Donors affected by experience of discrimination and stigma may be distressed by the questions**  **Donors affected by previous history of unwanted sexual activity may find the questions distressing**   * **Disability** * **Sight Impaired Donors:**   **May require assistance in completing the DSR and online questionnaire may require assistance to complete the form may find questions more embarrassing or intrusive**   * **Hearing Impaired/Deaf**   **Donors may find verbal questions on the criteria more difficult to hear and this could compromise confidentiality. This is compounded by the need for staff to wear face masks.**   * **Physical Impairment** * **Mental Impairment**   **May find the changes in donor selection and the rationale difficult to comprehend. Donors need to be mentally competent and able to demonstrate comprehension and give consent** | SNBTS have ensured that we:   * Provide information of where to get support * Specialist training for staff in managing concerns and distress * Addressed in the communications across all strands * Provided options for donors to seek advice in a safe and confidential space via the 03459090999 call line and the Donor Enquiry form   SNBTS have provided effective sign posting for staff and donors on where to seek advice in communication channels and on session. In addition, we have provided specialist training to help staff support affected donors  A number of the solutions in place address a number of concerns and issues raised or encountered by donors with disabilities and the same solution may offer benefits to more than one cohort of donors affected by disability   * Scotblood website is built to be accessible to Sight Impaired Donors * Leaflets can be made available in alternative formats * SNBTS are exploring additional solutions from Vaccination Scheduling tool and will update on progress * The ability to undertake a confidential risk assessment via telephone will improve service to visually impaired donors * The ability to complete the Health Check question at home already assists sight impaired donors to complete the questionnaire with trusted assistance * Making the questions available on line allows donors to complete out with session environment * Option to undertake assessment and appointment booking via telephone is available * Telephone appoint allows donors to choose time when they won’t be overheard * SNBTS researched availability of transparent masks and evaluate their use if feasible. Note: No suitable safe options were identified. We will continue to explore this as an option * All staff trained to answer questions and use talkback technique to assess comprehension.   **No impact**   * All staff trained to answer questions and use talkback technique to assess comprehension. * All communication seeks to simplify language and avoid jargon to assist with comprehension * Help and support is provided on website and via Donor Help line |
| * **Faith/Religion/Belief**   **The questions in relation to sexual behaviours and recent sexual activity may offend those who believe these activities are forbidden by faith rules**  **Also may be more difficult to discuss these questions in the School environment** | To address concerns SNBTS have   * Clear communication on the reasons we need to ask the questions and offer advice or information. * Used a forewarn and inform strategy –to ensure donors not surprised by the changes * Signpost donors to the information to allow decision to donate * Ensure that the questions are handled as sensitively as possible   SNBTS will ensure that information of fair is provided to all schools participating in collection sessions |
| **Race**[[1]](#footnote-1)  **Donors affected by the high risk partner from Sub Saharan Africa may believe that they are being discriminated against as they will still be excluded by the despite.**  **This would disproportionately affect people from areas of high prevalence of HIV** | SNBTS have worked with UK Colleagues to address these concerns  From the 14th of June 21 this exclusion criteria will no longer apply to donors in Scotland |
| * **Sex**   **Female donors may perceive that these questions as more judgemental and shaming that other donor cohorts** | SNBTS have taken actions via communications and staff training to   * Offer reassurance that all donors are asked the same questions * Provide communication to explain the need for the questions and these are not in any way judgmental * Ensure that protocols and processes for managing any disclosure of intimate partner violence will remain in place   In addition the research offered some reassurance that very few donors felt judged or shamed by the questions |
| **Sexual Orientation**   * **Heterosexual donors who were previously accepted under the previous criteria but now deferred may feel discriminated against.** * **Some Gay and Bisexual men and men who have had sex with men may not be able to donate under the FAIR criteria and feel that they are being discriminated against.** | **T**he criteria are designed to ask all donors the same questions and are likely to be welcomed by LGBT+ donors.  SNBTS have actions in place to address these concerns   * Ensure rationale for the exclusion criteria and supporting evidence is clear. * Provided training that enable staff to address donor concerns and keep the advice proportionate. * Provided FAQs to support the provision of clear concise explanations. * SNBTS continue to participate and seek further advice form FAIR committee. The discussions with FAIR ongoing and plans are in place for post implementation review and monitoring of the new criteria * SNBTS continue to participate and seek further advice form FAIR committee in relation to the use of PrEP and PEP and Condom use that may address some of these concerns. The discussions with FAIR ongoing and plans are in place for post implementation review and monitoring of the ne criteria |
| * **Gender reassignment** | This will improve access to donation for transgender donors |
| * **Pregnancy Maternity** | Pregnant and recently pregnant donors are deferred from donation on Donor Safety grounds. No impact from this change |
| **Marriage Civil Partnerships**  **The sexual partner risks exclusions will disproportionately affect donors in long-term relationships and this will be perceived** | **No Impact**   * SNBTS continue to participate and seek further advice form FAIR committee in relation to the exclusion criteria relating to partner risk that may address some of these concerns. The discussions with FAIR ongoing and plans are in place for post implementation review and monitoring of the ne criteria |
| **During an impact assessment you should consider any impacts on:**  **Gypsy Travellers**  **Homeless people**  **Poverty including the Fairer Scotland Duty**  **General Considerations on Poverty**  **Digital Poverty may limit ability to undertake the FAIR online assessment**   * **Staff**   **Staff may find the need to ask the more explicit questions uncomfortable and stressful** | No impact  No impact  SNBTS have taken a number of actions to address issues of poverty   * Introduced ability to check eligibility on line * Provide local call rate help line * Offer the option to be called back if concern about the length or cost of the call * Provided better online options to check eligibility to avoid costs of travel * SNBTS are exploring options and affordability to provide free phone helpline * Retain option for telephone and on session help   SNBTS have designed a number of solutions to address these concerns   * Specialist and familiarisation training undertaken * Provide excellent support using the donor selection toolkit that provides staff with clear but detailed information to help address their and donor concerns * Where possible we have used a tick box format for questions that avoid verbalising the questions   + On Paper Donor Health History for   + Online in Donor Portal * For inbound call processes we have introduced options for staff to use pre recorded voice clips to provide sensitive information if required * SNBTS have undertaken extensive staff engagement throughout implementation and in designing the underpinning processes and procedure |

**Further Commentary and supporting evidence:**

All publications are available on the Scotblood website alongside news articles and the Can I donate quiz. The Donor Portal can be accessed via the website. In addition, a document summarising the FAIR Communication Strategy is available on request

**Document approved: FAIR Implementation Steering Group**

**Signed off by: Dr Lorna McLintock**

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1. “Race” is specified in legislation, but in practice, what is monitored is ethnic group, which is ‘the social group a person belongs to, and either identifies with or is identified with by others, as a result of a mix of cultural and other factors including language, diet, religion, ancestry and physical features traditionally associated with race’ (Bhopal 2004). [↑](#footnote-ref-1)