EQUALITY IMPACT ASSESSMENT

SUMMARY

Title of policy, project or function:

Civil Legal Assistance Office contact handling, query handling and casework file opening, review and file closing management system Oracle database to replace Access database development project.

Is the policy, project or function new (proposed) or already exists?

There already exists a Microsoft access database for the following purposes:
- gathering data on service delivery;
- recording and managing the processing of requests by members of the public for referral to advice services;
- recording and managing second tier query and training requests by partner advice agencies; and
- recording and managing the casework file opening and closing and monthly review process.

The aim of the project is to replace the Microsoft access database, which is both vulnerable and unsupported by the IT department, with a more robust Oracle based database on a like for like basis in terms of processes. During the operation of the database, information will be reviewed in order to ensure that the protected characteristics of members of the public are appropriately identified; and reasonable adjustments are made to support access to our services. The database will also allow identification of those who would be covered by corporate parenting responsibilities due by the organisation.

Has a screening exercise been carried out before this full assessment?

Yes

Key findings from the assessment:

The database generated correspondence is not adaptable to meet equalities considerations within a reasonable cost. This part of the project will not progress. As a like for like replacement was ultimately considered most appropriate for business needs some process improvements were not taken forward via the database, but through other processes.

Actions as a result of the assessment:

System generated letters not to be implemented to maintain full letter formatting options so that we can respond to reasonable adjustment requests.

Date impact assessment published:

08/10/2018

Lead official(s) responsible for assessment:

John Osborne, Policy Projects Manager

Department:

Strategic Development Directorate

Name of sponsor/Director who has signed off that the policy/ function has been sufficiently assessed against the needs of the equality duty:

Anne Dickson, Director of Strategic Development

Date of sign off:

10th August 2018

Step 1 - Examine the information available to assess likely impact of the function/ policy on different equality groups

1.1   Describe the policy, project or function. What does it aim to do? What and who will it affect?

The project is to technically upgrade the database and information management systems used by the Civil Legal Assistance Office to manage and monitor their functions by replacing an existing access database with a like for like Oracle database.   The Civil Legal Assistance Office network is part of the Scottish Legal Aid Board and it provides assistance to members of the public in certain identified geographic areas seek assistance to access legal and other advice services; partnership advice agencies to seek second tier support and training from solicitors and to deliver a direct legal casework service all within the statutory framework of the Legal Aid (Scotland) Act 1986. The access database being replaced is used to record information in relation to these functions and to facilitate staff in the management of these functions as well as provide data for reporting on these functions. The Civil Legal Assistance Office identifies the nature of the presenting need for legal advice and/or representation. This is triaged by a paralegal staff member who is supported and supervised by a solicitor. The member of the public is then considered for admission to the direct casework service operated by the Civil Legal Assistance Office, or if that cannot be done, guided and referred to advice agencies who are able to meet their needs or to solicitors in private practice (where eligible for civil legal assistance).   The service aims to assist members of the public obtain appropriate advice services for their presenting need at the most appropriate level of assistance. In addition the database partially supports the other functions of the CLAO in undertaking second tier support and training of partner advice agencies and some limited casework file opening, closing and review functions. The project aims to upgrade the functions of that database if possible.

The upgrading considered the generation of email and letter correspondence from within the database rather than being individually typed for each referral. Members of the public, solicitors in private practice and other advice agencies who are currently affected by the existing database should not notice any appreciable difference in the delivery of service by the replacement of one database based on Microsoft access by another database based on an oracle system. However, some of the changes may have an impact and will have to be carefully considered.

There will also be an opportunity to consider process improvements in particular (1) the monitoring information obtained in the process; and (2) improvement of the information taken about people's vulnerabilities or special needs (which would include but

not be limited to protected characteristics) will allow appropriate service delivery to all presenting members of the public; and (3) that more detailed information than that requested for the database will be sought for a casework assessment meeting which takes place when the CLAO solicitor undertakes consideration of any case for admission to the casework service.

People affected by the current database are likely to be the people affected by the new database and these are as follows: -
1. Members of the public and advice agency staff who call into the service seeking referral to appropriate sources of advice or second tier support.
2. Staff taking details of the members of the public and entering the information into the database.
3. Staff using the database for carrying out the functions of assessment and referral.
4. Staff using the database for managing and supporting the second tier query and training services and direct casework service file opening, review and closing.
5. Staff using the database for the purpose of reporting & in particular Equalities monitoring
6. Solicitors in private practice who receive referrals of particular cases.
7. Advice agencies who also receive referrals in relation to members of the public.

1.2   What is known about each of the equality groups who might use or be affected by this policy?

The customer group using the CLAO includes members of the public who have a disability, caused by mental health problems, learning disability, sensory disability and developmental conditions as well as physical disability. Reasonable adjustment is made to service delivery on a case by case basis. In addition the CLAO has members of the public presenting from ethnic minority groups and interpretation and translation services are often required and are put into place on a case by case basis.

In terms of the replacement of the database there will be no impact on those falling within protected characteristics relating to sex (gender), gender reassignment, sexual orientation, pregnancy and maternity, religion and belief and marriage and civil partnership. There may be an impact on those affected by race, disability and age. These observations relate to the replacement of the existing Microsoft access database with an oracle based database. See below for impacts on protected characteristics.

1.3   Are there any gaps in understanding of your policy/ function in relation to equality groups? *You should think about opportunities to fill any gaps in evidence through your consultation plans for the policy/ function at Step3.*

The original database as first developed had limited opportunity for taking information about equality groups and, in particular, any needs that people may have arising out of being in an equality group. The new database system will be updated to allow more detailed assessment of that to take place through routine reporting.

Step 2 - Impacts on priority characteristics and suggested steps to address these

Does the policy/ function have any impacts (whether intended or unintended, positive or negative) on any of the equality groups? Describe for each group the ways in which the policy, as it is planned or as it operates, might have negative and/ or positive impacts. You should answer these three questions for each group:

1) Is there potential for discrimination?

2) Is there potential for developing good relations?

3) Is there potential to advance equality of opportunity?

Race

Is there any potential impact on this group? Yes
Please explain your answer:

1)   Yes. Noting any translation needs in the database will help ensure clients receive information in an appropriate language, as a proactive part of our service delivery.
2)   No
3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will be able to systematically analyse outcomes by this protected characteristic.

Sex (gender)

Is there any potential impact on this group?No
Please explain your answer:

1)	No
2)	**No**
3)	The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will be able to systematically analyse outcomes by this protected characteristic.

Gender reassignment

Is there any potential impact on this group? No
Please explain your answer:

1)	No. Options to enter a non-binary response is to be considered as part of a separate project on broader data collection.
2)	No
3)	The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will not be able to systematically analyse outcomes by this characteristic, as it will not be a standardised field, but a free text entry where applicable.

Disability

Is there any potential impact on this group? Yes
Please explain your answer:

1)	No. The potential for discrimination here would have been that the system generated letters could cause difficulty with access for information for some disabled people in terms of the inability to access the written word. All correspondence remains bespoke and therefore can be edited as appropriate in MS Word.
2)	No
3)	The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. There is a potential to advance

equality of opportunity in terms of the new database. The database will be set up so that members of the staff taking information from members of the public will be able to address issues of disability that require delivery of information in alternative formats or to the reasonable adjustments to the service delivery. We will be able to systematically analyse outcomes by this protected characteristic.

Pregnancy and maternity

Is there any potential impact on this group? No
Please explain your answer:

1)   No
2)   No
3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity.

Religion and belief

Is there any potential impact on this group? No
Please explain your answer:

1)   No
2)   No
3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will not be able to systematically analyse outcomes by this characteristic, as it will not be a standardised field, but a free text entry where applicable.

Age

Is there any potential impact on this group? Yes
Please explain your answer:

1)   No. Where a person has difficulty accessing information as a consequence of their age, either the stage of learning where they are younger or ability to access services due to an age related vulnerability, there is a potential for discrimination in a system which creates standard letters. All correspondence remains bespoke and therefore can be edited as appropriate in MS Word.

2)   No

3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will be able to systematically analyse outcomes by this protected characteristic.

Marriage and civil partnership

Is there any potential impact on this group? No
Please explain your answer:

1)   No

2)   No

3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will not be able to systematically analyse outcomes by this characteristic, as it will not be a standardised field, but a free text entry where applicable .

Sexual orientation

Is there any potential impact on this group? No
Please explain your answer:

1)   No

2)   No

3)   The database system will allow better information to be taken to better understand the particular presenting needs of a member of the public and this will advance the equality of opportunity. We will not be able to systematically analyse outcomes by this characteristic, as it will not be a standardised field, but a free text entry where applicable .

Where there is potential for indirect/ direct discrimination, what can you do to reduce or eliminate this risk?

The replacement of one database system for another will not have any potential for indirect or direct discrimination except if development of standard letters and documentation had been taken forward. CLAO continues to manually generate correspondence to maintain the same level of adjustment possible to meet service users' needs.

We will be able to report outcomes for clients by the equalities characteristics that are routinely collected via the contact handling database in specific fields, as well as potentially through analysis of the free text box "special needs notes".

Do you need to make changes to your policy or function on the basis of this assessment?
No

What is the likely impact of these changes on the plans for the policy/ function? (resources, cost, timings etc.)
In order to ensure that computer generated documentation is capable of being appropriately edited there may have been an additional cost or delay in terms of the completion of phase one of the project or a retention of the current process which has sufficient flexibility. The development of computer generated correspondence was moved to phase 2, which was not taken forward. For Phase 1, a like for like replacement was taken forward as the available Information Systems development resource was soon to be allocated to other major projects. The potential process changes in the database outlined below will be considered in any future development or procurement of a contact- and case-handling system for the CLAO.

As a like for like replacement was ultimately considered most appropriate for business needs some process improvements were not taken forward. Improvement of the information taken about people's vulnerabilities or special needs (which would include but not be limited to protected characteristics) would have allowed appropriate service delivery to all presenting members of the public. However, that more detailed information will instead be sought for a casework assessment meeting which takes place when the CLAO solicitor undertakes consideration of any case for admission to the casework service.

More active monitoring of the system is undertaken, which is combined with user surveys to understand any equalities impacts.

Step 3 - Consultation and stakeholder engagement

Do you/did you have any consultation/ involvement planned for the policy/ function?
No

What do you hope to achieve from your consultation/ involvement?

n/a

List the main stakeholder agencies that you intend to or have already discussed this policy with. Give details of any equality groups represented.

n/a

Step 4 - Discuss and review the assessment with decision makers and governance structures

You **must** discuss the results with senior decision makers before you finalise the assessment.

The draft Equalities Impact Assessment was given to the Corporate Policy Officer (Equalities) and the Policy Department Team Leader (SLAB) who works with the Civil Legal Assistance Office. Thereafter it will be discussed with the Director of Strategic Development who now has the overview of the functions of the Civil Legal Assistance Office. It will be reported to the Project Board and to the Executive Team.

If you have presented the results of the assessment to the groups you have listed above please include the date you presented to each group listed.

1. Corporate Policy Officer (Equalities)
2. Policy Team working with CLAO
3. Director of Strategic Development
4. Project Board
5. Executive Team

Will there be any changes made to the plans for the policy/ function or actions as a result of this assessment?

Yes

If yes, give details of likely changes and actions arising from this assessment.

If the database generated correspondence is not adaptable to meet equalities considerations within a reasonable cost then that part of the project will not progress.

Step 5 - Publication and review of EQIA

All assessments must be published as early as possible after the decision is made to implement a new policy or function.

Date of publication:

08/10/2018

Review date:

14/09/2020