



Equality Impact Assessment Initial Screening - Relevance to Equality Duties

Before you complete an Equality Impact Assessment you must read the guidance notes and unless you have a comprehensive knowledge of the equality legislation and duties, it is strongly recommended that you attend an EIA training course.

The EIA should be used to identify likely impacts on:

- disability
- race
- sex
- gender reassignment
- age
- religion or belief
- sexual orientation
- pregnancy and maternity
- caring responsibilities (usually only for HR polices and change management processes such as back offices)

1. Name of the proposed new or changed legislation, policy, strategy, project or service being assessed.

The Charter for the coroner service

2. Individual Officer(s) & unit responsible for completing the Equality Impact Assessment.

Elizabeth Knapp and Hazra Khanom - Coroners and Burials Division

3. What is the main aim or purpose of the proposed new or changed legislation, policy, strategy, project or service and what are the intended outcomes?

Aims/objectives	Outcomes
<p>The Charter sets out the standards of service that bereaved family members, witnesses and other properly interested persons should receive from the coroner service. It will ensure that all coroner offices in England and Wales know the standards they should meet, and that bereaved people and other service users know their rights and responsibilities throughout the investigation process.</p>	<ul style="list-style-type: none"> - People will be made aware of how the coroner investigation process works, who does what, and the standards they should expect; - The transparency of the coroner service will be improved - Monitoring of standards of service will become easier - Bereaved people and other service users will know who they can contact if they wish to make a complaint about a coroner's conduct or about the level of service received.

4. What existing sources of information will you use to help you identify the likely equality impacts on different groups of people?

(For example statistics, survey results, complaints analysis, consultation documents, customer feedback, existing briefings, submissions or business reports, comparative policies from external sources and other Government Departments).

This final Charter is the product of a full public consultation in 2011 which sought views on, amongst other things, the equality impact assessment which accompanied it. No comments were received on the equality impact assessment. In addition before publishing the Charter consultation, we consulted selected stakeholders representing coroners, their officers, local authorities, and voluntary organisations. No specific issues were raised about equality and diversity impacts of the Charter.

MENCAP responded to the 2011 Public Bodies Bill consultation on the Government's proposal to not proceed with having a Chief Coroner. MENCAP was concerned about 'a postcode lottery for bereaved families who rely on coroners to provide vital assurance following tragic circumstances. This variation can often leave families with long waits to establish the cause of death, causing unnecessary stress and anxiety which puts at risk their long term mental health and wellbeing.' The Charter addresses this by setting out standards of service that all coroners should meet, which will help to standardise services.

Over the past 5 years we have consulted widely and publicly on a variety of aspects of coroner change. We published a draft Coroners Bill in June 2006 for consultation, and received responses from a range of interested parties including coroners; coroners' officers; administrative staff; voluntary organisations; local authorities; medical organisations; the legal profession; press organisations; the police; unions and other representative bodies; government departments and committees; as well as numerous individual responses. We also held regional events in London, Birmingham, Leeds and Cardiff. The draft Coroners Bill was also subject to pre-legislative scrutiny by the Constitutional Affairs Select Committee (CASC) in 2006. Also in 2006 MORI carried out a telephone survey of users of coroners' courts across England and Wales, and facilitated a workshop in Parliament to scrutinise the 2006 Draft Coroners Bill (which later became the Coroners and Justice Act 2009). Users reported high satisfaction with the way they were treated by court staff, but were less satisfied with the length of the coroner investigation process.

In 2008 we consulted on an earlier version of the draft Charter, and issues around sensitive reporting in coroner courts. We have also had long term general stakeholder contact in the form of ministerial meetings, meetings with officials and emails and written correspondence. This contact also did not show any specific equality and diversity impacts.

In relation to religion and belief, individuals and groups representing certain faiths, notably Islam and Judaism, have expressed a particular interest in the coroner's timely release of a body for funeral, and also in the use of less invasive post-mortem examinations. The Charter requires all coroners, where possible, to take into account the needs of community and faith groups.

The Ministry of Justice has also worked closely with the Coroners Society on coroner change to ensure that its views, and experience in dealing with people from different equality and diversity groups have been taken account of in drafting the Charter.

5. Are there gaps in information that make it difficult or impossible to form an opinion on how your proposals might affect different groups of people. If so what are the gaps in the information and how and when do you plan to collect additional information?

Note this information will help you to identify potential equality stakeholders and specific issues that affect them - essential information if you are planning to consult as you can raise specific issues with particular groups as part of the consultation process. EIAs often pause at this stage while additional information is obtained.

The consultation paper and accompanying impact assessment and equality impact assessment sought views on the content and impact of the Charter. The responses we received to the consultation

identified no specific equality or diversity impacts. As detailed in box 4 above MENCAP was concerned about the mental health impact of a 'postcode lottery' of coroner services. The Charter will address this by setting out standards of service that all coroners should meet.

The Charter attempts to ensure that the coroner system will not discriminate, directly or indirectly, against any specific groups of people. It also aims to ensure that there is a balance between the coroner's statutory duty to investigate certain deaths and the equality and diversity needs of bereaved people and others who come into contact with the service. Most importantly, the Charter tries to set out the minimum standards that a coroner's office will need to comply with to ensure that they are meeting the needs of all service users.

6. Having analysed the initial and additional sources of information including feedback from consultation, is there any evidence that the proposed changes will have a **positive impact** on any of these different groups of people and/or promote equality of opportunity?

Please provide details of who benefits from the positive impacts and the evidence and analysis used to identify them.

Both the Shipman Inquiry and the Luce Review found that the bereaved especially were not always involved in the coroner investigation. They also showed that the needs and expectations of the bereaved were sometimes not given the consideration they deserve, but they did not find that any one group fared any better or worse than any other. Also, consultations carried out in the past on coroner change have not given any indication that any of the groups of people who come into contact with the coroner service are at risk of having less opportunity than others for involvement or engagement in the coroner system.

We believe that that the Charter will have a positive impact in recognition of the needs of particular faith and community groups, as the Charter requires all coroners, where possible, take into account religious and cultural needs.

As detailed in box 4 above MENCAP was concerned about the mental health impact of a 'postcode lottery' of coroner services. The Charter will address this by setting out standards of service that all coroners should meet, which will help drive up those standards.

7. Is there any feedback or evidence that additional work could be done to promote equality of opportunity?

If the answer is yes, please provide details of whether or not you plan to undertake this work. If not, please say why.

There is no evidence that additional work could be done to promote equality of opportunity.

8. Is there any evidence that proposed changes will have **an adverse equality impact** on any of these different groups of people?

Please provide details of who the proposals affect, what the adverse impacts are and the evidence and analysis used to identify them.

We believe that the Charter will not have an adverse equality impact on any of the different groups of people.

As mentioned earlier, some faiths and cultures require the deceased's body to be disposed of as quickly as possible. The Charter requires all coroners, where possible, to take into account the needs of community and faith groups.

We are also conscious that coroners are already increasingly aware of the religious and cultural sensitivities and needs in their areas. Many have built up good local links with groups who have specific religious requirements, such as Muslims, Hindus and Jews. We wish to recognise that coroners can respond to the need for, for instance, prompt burial or cremations, and be flexible in making arrangements to meet those needs, for example by scheduling a prompt post-mortem examination.

9. Is there any evidence that the proposed changes have **no equality impacts**?

Please provide details of the evidence and analysis used to reach the conclusion that the proposed changes have no impact on any of these different groups of people.

No differential impact on different groups identified. However the Charter will meet equality legislation's 3 tests of a) avoiding unlawful discrimination, b) promoting equality of opportunity and c) fostering good relations between groups. As detailed in box 4 above MENCAP was concerned about the mental health impact of a 'postcode lottery' of coroner services. The Charter will address this by setting out standards of service that all coroners should meet, which will help standardise services.

10. Is a full Equality Impact Assessment Required? Yes No

If you answered 'No', please explain below why not?

NOTE - You will need to complete a full EIA if:

- the proposals are likely to have equality impacts and you will need to provide details about how the impacts will be mitigated or justified
- there are likely to be equality impacts plus negative public opinion or media coverage about the proposed changes
- you have missed an opportunity to promote equality of opportunity and need to provide further details of action that can be taken to remedy this

If your proposed new or changed legislation, policy, strategy, project or service involves an Information and Communication Technology (ICT) system and you have identified equality impacts of that system, a focused full EIA for ICT specific impacts should be completed. The ICT Specific Impacts template is available from MoJ ICT or can be downloaded from the Intranet at: <http://intranet.justice.gsi.gov.uk/justice/equdiv/equal-impact.htm>, and should be referenced here.

The current EIA is considered sufficiently comprehensive as to not require additional data collection or analysis. This conclusion is supported by the fact that the current document has been able to draw on a previous EIA and consultation and the fact that no additional comments have been received from the recent consultation."

11. Even if a full EIA is not required, you are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor evaluate or review your proposals and when the review will take place.

We will continue to engage with our stakeholders (including via a Bereaved Organisations Committee - as detailed in the Impact Assessment which accompanies this document) to see how the Charter is being implemented.

12. Name of Senior Manager and date approved

You should now complete a brief summary (if possible, in less than 50 words) **setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the results of consultation, a summary of the impacts (positive and negative) and, any decisions made, actions taken or improvements implemented as a result of the EIA.** The summary will be published on the external MoJ website.

The Charter for the coroner service sets out the standards of service that bereaved family members, witnesses and other properly interested persons should receive from the coroner service. We have identified no equality and diversity impacts of publishing the Charter.

Name (must be grade 5 or above): Anna Deignan

Department: Ministry of Justice

Date: 9/11/11

Note: The EIA should be sent **by email to anthony.shepherd@justice.gsi.gov.uk of the Corporate Equality Division (CED), for publication.**

Full Equality Impact Assessment

13. Which group(s) of people have been identified as being disadvantaged by your proposals. What are the equality impacts?

14. What changes are you planning to make to your original proposals to minimise or eliminate the adverse equality impacts? Please provide details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes.

15. Please provide details of whether or not you will consult on the proposed changes, particularly with disabled people and if you do not plan to consult, please provide the rationale behind that decision.

16. Can the adverse impacts you identified during the initial screening be justified and the original proposals implemented without making any adjustments to them? Please set out the basis on which you justify implementing the proposals without adjustments.

17. Do your proposals miss an opportunity to promote equality of opportunity? If so, do you plan to take action to remedy this and if so, when? Please provide details.

18. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place.

19. Summary details, sign off by Senior Manager and date approved.

You should now complete a brief summary (if possible, in less than 50 words) **setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the results of consultation, a summary of the impacts (positive and negative) and, any decisions made, actions taken or improvements implemented as a result of the EIA.** The summary will be published on the external MoJ website.

Name (must be grade 5 or above):

Department:

Date:

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