



# Ministry of JUSTICE

## 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 policies and change management processes such as back offices)

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

Abolition of the Public Guardian Board as provided for in the Public Bodies Bill.

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

Elinor Howard, Head of Sponsorship  
Arm's Length Body Governance Division,  
Corporate Performance Group.

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
The government's reforms of public bodies will increase accountability, remove duplication and streamline the public bodies landscape. The Public Bodies Bill provides the legislative basis for reform but does not itself enact any changes. These will be made through secondary legislation.	Increased Ministerial accountability relating to functions carried out on behalf of the state; elimination of duplication and reduced waste; fewer public bodies and reduced costs.

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).*

Alternative arrangements have already been made for the staff member who carries out Secretariat duties for the Board.

The Public Guardian Board sits in a purely advisory role and does not provide a direct service to users. There is thus no data on service users and any general impact of abolition is too indirect to be measurable. We consider that there will be minimal impact on the 7 Board Members of the PGB who are public appointees not employees. They are aware of the PGB's impending abolition and hold fixed term non permanent posts. Due to the small number of members we are not providing a breakdown in terms of protected characteristics.

The Public Guardian Board has a statutory obligation to report to the Lord Chancellor by way of an Annual Report. Its last meeting in December 2010 was used to inform stakeholders of the abolition and this year will be used as an introduction to the new governance structure.

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.*

Because of the small number of staff (one person), we would not provide a detailed breakdown of protected characteristics.

As above, the Public Guardian Board does not provide a service directly to users. We do not consider that it is possible to accurately assess the indirect impact of abolition.

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.

No

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.

No

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.

No

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.

New Governance Arrangements will ensure that there will be no adverse equality impacts. There will be a Management Board, chaired by the OPG Chief Executive, and with executive membership from OPG and MoJ as well as three Non-Executive Directors.  
The Management Board will be charged with overseeing the management and performance of the OPG, including the OPG's transformation programme.  
The presence of the Non-Executive Directors will provide independent scrutiny and challenge of the discharge of the Public Guardian's functions and those of his office. We will ensure that between them the Non-Executive Directors have relevant experience such as dealing with those who lack capacity, business/performance management and financial management.

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/eqdiv/equal-impact.htm>, and should be referenced here.**

A full EIA is not required for the proposed abolition of the Public Guardian Board. New Governance Arrangements will be put in place to monitor the Office of the Public Guardian (OPG).

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.

The MoJ will monitor the new structure and independent, non-executives will sit on the Board, this will allow for accountability. Cabinet Office will carry out a post legislative scrutiny review after the passage of the Public Bodies Bill and MoJ will monitor the outcome of that.

12. Name of Senior Manager and date approved

Name (must be grade 5 or above): Pat Lloyd

Department: Head of ALB Governance Division, MoJ

Date: 11 May 2012