

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

NICE guidelines

Equality impact assessment

Social work with adults experiencing complex needs

The impact on equality has been assessed during guidance development according to the principles of the NICE equality policy.

4.0 Final guideline (to be completed by the Developer before GE consideration of final guideline)

4.1 Have any additional potential equality issues been raised during the consultation, and, if so, how has the Committee addressed them?

- Age

Some issues were raised in relation to the age group of people of 16 to 18 years. These were about educational placements, places of residence and consent to medical treatments. This has been mainly dealt with by including a reference to the NICE guideline on [Transition from children's to adults' services for young people using health or social care services](#). It was highlighted to the stakeholder that the particular issues of educational placements and places of residence were outside the scope of the guideline, but the person-centred social work approach promoted throughout the guideline would be appropriate to help identify the needs, preferences and wishes of people in this age group, too (including education and residence). With regard to consent to medical treatments, no change was made but it was explained that competence of 16 to 18 year olds falls under the jurisdiction of the [Mental Capacity Act](#) and once a person reaches the age of 16, they are presumed in law to be competent. Therefore the recommendations related to capacity in the guideline also apply to this age group including consent to medical treatments.

- Disability

The difficulty of assessing capacity in people with cognitive impairments that may fluctuate in severity was highlighted in a number of comments. This resulted in a couple of changes to the guideline. Cognitive impairment was added to box 1 so that people with such an impairment have to be considered by the social worker for reasonable adjustments. A cross reference was also made to recommendation 1.4.19 of the [NICE guideline on decision-making and mental capacity](#) which describes the challenges of assessing capacity for people with cognitive impairments. Furthermore, it was explained that the details of mental capacity

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assessments is outside the scope of this guideline because it is the topic of the [NICE guideline on decision-making and mental capacity](#) and the [Mental Capacity Act](#) to which the guideline cross-refers (which applies whether the impairment or disturbance is permanent or temporary).

A number of issues related to acquired brain injury were raised, such as training for social workers on this topic, the broad range of possible symptoms (especially their potential invisibility and fluctuation), issues around mental capacity, and the need to be mindful that the support network may not be acting in the person's best interest. Similarly to cognitive impairments, acquired brain injury was added to box 1 so that people with symptoms of this condition have to be considered by the social worker for reasonable adjustments. It was also explained that the details of mental capacity assessments is outside the scope of this guideline because it is the topic of the [NICE guideline on decision-making and mental capacity](#) and the [Mental Capacity Act](#) to which the guideline cross-refers (which applies whether the impairment or disturbance is permanent or temporary). In relation to the issue about being mindful that the support network may not be acting in the person's best interest, it was added to recommendation 1.4.4 that social workers should check with the person whether any new community connection is 'beneficial to wellbeing'. This encourages the social worker to think whether any new connections may be detrimental because people they meet may not be acting in the person's best interest.

Sensory needs were also highlighted as an issue that ought to be considered as a general principle, for instance in the context of autism. This was added to recommendation 1.1.2 as something that the social worker should establish with the person or with their family, carers or people important to them when first contacting someone, and throughout provision of support. A cross-reference was also added to the NICE guideline on [autism spectrum disorder in adults: diagnosis and management](#).

- Marriage and civil partnership

It was pointed out that this was missed from the list of protected characteristics in box 1. This was an oversight and was corrected.

- Other definable characteristics (these are examples):

Further detail of the groups in box 1 and a few other suggested sub- or new groups were suggested by stakeholders. A few new groups were added (see above in relation to disability) but the committee also decided to add to the end of the preamble the word 'including' to highlight that the list is not exhaustive.

4.2 If the recommendations have changed after consultation, are there any recommendations that make it more difficult in practice for a specific group to access services compared with other groups? If so, what are the barriers to, or difficulties with, access for the specific group?

The committee was of the view that none of the recommendations would make it more difficult in practice for a specific group to access services compared with other groups.

4.3 If the recommendations have changed after consultation, is there potential for the recommendations to have an adverse impact on people with disabilities because of something that is a consequence of the disability?

The committee was of the view that there is no such potential.

4.4 If the recommendations have changed after consultation, are there any recommendations or explanations that the Committee could make to remove or alleviate barriers to, or difficulties with, access to services identified in question 4.2, or otherwise fulfil NICE's obligations to advance equality?

None were identified in response to question 4.2.

4.5 Have the Committee's considerations of equality issues been described in the final guideline, and, if so, where?

Where recommendations have been updated in response to the issues raised in section 4.1 above, the related 'rationale' sections of the guideline and 'committee discussion of the evidence' have been updated to highlight the reasons for the change including advancing equality.

Updated by Developer: Katharina Dworzynski

Date: 03 February 2022

Approved by NICE quality assurance lead: Nichole Taske

Date: 10 March 2022