A. EQUALITY IMPACT ASSESSMENT

1. Describe and explain the impact of the proposal on people with protected characteristics as described in the Equality Act 2010.

The proposed reform of the Resident Doctors and Dentists contract has been assessed for its impact on individuals and groups with protected characteristics under the Equality Act 2010. This Equality Impact Assessment (EqIA) supports the Welsh Government's commitment to eliminating discrimination, advancing equality of opportunity, and fostering good relations.

The reform addresses disparities in pay progression and working conditions, particularly for those in training grades. It promotes transparency and fairness in contractual terms, which is expected to positively impact groups historically underrepresented or disadvantaged in medical careers.

Key anticipated benefits include:

- *Improved equity in pay and progression systems*
- *Enhanced working conditions that support health and wellbeing*
- *Greater flexibility and safeguards that benefit those with caring responsibilities or health conditions*

Record of Impacts by protected characteristic:

Protected characteristic or group	**What are the positive or negative impacts of the proposal?**	**Reasons for your decision (including evidence)**	**How will you mitigate Impacts?**
Age (think about different age groups)	The proposal will have a positive impact on younger resident doctors and dentists as the pay scales have been shortened to 7 points and the new structure frontloads pay earlier in the pay scale. They are also likely to benefit from reforms that prioritise structured and supportive training	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.

	environments. The reforms may ensure better access to training opportunities, mentorship, and clear career development plans, all of which are vital at this stage in their careers. The age of a doctor can influence how the resident doctor contract reform impacts them, particularly in terms of career stage, work-life balance, experience, and expectations. If an older doctor re-enters training and their pay is determined by the training stage rather than their length of service, they may be at a disadvantage compared to others with the same experience they may have. However, this would be their own choice as they are opting into a training contract.		
Disability (consider the social model of disability[1] and the way in which your proposal could inadvertently cause, or could be used to proactively	The proposal is expected to have a positive impact on resident doctors and dentists who have a disability. The proposal will introduce structured job planning and comprehensive, wide-ranging limits on working hours, designed to ensure	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.

[1] Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

remove, the barriers that disable people with different types of impairments)	rotas are safe for resident doctors and dentists. The proposal creates a new 'Guardian of safe and flexible working' advocate role to promote and support resident doctors and dentists' health and wellbeing.		
Gender Reassignment (the act of transitioning and Transgender people)	The proposal is not anticipated to have an impact on people who have undertaken or are in the process of gender reassignment. The reform aims to create a more equitable and supportive work environment for all healthcare professionals.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Pregnancy and maternity	The proposal is not anticipated to have a negative impact on those who are Pregnant or on Maternity leave. The new contract's emphasis on fairness and wellbeing for example safe working hours, supports inclusive practices and may reduce indirect discrimination. The new contract also aligns TCS for maternity and paternity to those on Agenda for Change for	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.

	consistency across the NHS.		
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	The Proposal is not anticipated to have a negative impact on race. While the reforms themselves do not explicitly focus on race, the broader goals of improving working conditions, career development and reducing discrimination are designed to benefit all doctors and dentists regardless of their race.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Religion, belief and non-belief	The Proposal is not anticipated to have a negative impact on religion. Whilst reforms to pay and the working week may result in it becoming easier to roster a high number of doctors on the weekend and this impacting on their ability to participate in religious worship. The NHS in Wales aims to be inclusive and under the flexible leave policy, allows staff to request time off for religious practices and holidays. NHS employers have a duty to make reasonable adjustments for staff with protected characteristics under the Equality Act 2010, which includes religion or belief. If a	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.

	doctor's religious observances require specific time off or scheduling adjustments (e.g., fasting during Ramadan or attending religious services), NHS Wales would work to make accommodations wherever feasible.		
Sex / Gender	The Proposal is not anticipated to have an impact on gender.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Sexual orientation (Lesbian, Gay and Bisexual)	The Proposal is not anticipated to have an impact on sexual orientation.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Marriage and civil partnership	The Proposal is not anticipated to have an impact on marriage and civil partnership.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Children and young people up to the age of 18	The Proposal is not anticipated to have an impact on children and young people.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.
Low-income households	The Proposal is not anticipated to have an impact on low-income households.	The new contract does not have a negative impact on this group.	There are no negative impacts to this group.

Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights?

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
	The Proposal is not anticipated to have an impact on human rights.	The new contract does not have a negative impact on human rights.	There are no negative impacts.

EU/EEA and Swiss Citizens' Rights

Part 2 of the EU-UK Withdrawal Agreement, along with the EEA EFTA Separation Agreement and Swiss Citizens Rights Agreement ("Citizens Rights Agreements") give EU, EEA[2] and Swiss citizens who were lawfully resident in the UK by 31 December 2020 certainty that their citizens' rights will be protected.

The Citizens Rights Agreements are implemented in domestic law by the European Union (Withdrawal Agreement) Act 2020 (EUWAA)[3]

Eligible individuals falling within scope of the Citizens Rights Agreements will have broadly the same continued entitlements to work, study and access public services and benefits, in as far as these entitlements have derived from UK membership of the EU as well as its participation in the EEA Agreement and the EU-Swiss Free Movement of Persons Agreement.

Subject to certain limited exceptions[4], individuals will need to have applied for a new residence status (either pre-settled or settled status) through the EU Settlement Scheme. The deadline for making such an application expired on 30 June 2021.

Policy considerations to take into account:

- Have you considered if your policy proposal will impact EU, EEA or Swiss citizens whose rights are protected by the Citizens Rights Agreements?
- If there is the potential for any negative impact on such EU EEA or Swiss citizens, how will any such impacts be eliminated or managed if management is deemed appropriate?
- Is legal advice required?

Please consider the impacts of your policy on the areas below, indicating whether the impact is positive or negative and any action required to eliminate potential negative impact. Please note the basis for your answer, including where legal advice has been sought and please also indicate where a right is not relevant for your policy:

Residency – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;

The contract is anticipated to have no impact on the right to reside or other rights related to residency as its purpose is to provide resident doctors and dentists with a modernised contract.

[2] The EAA includes the EU countries as well as Iceland, Liechtenstein and Norway.
[3] Sections 5 and 6 of EUWAA.
[4] E.g. where an individual has Irish citizenship (including dual British and Irish citizenship) or where they had indefinite leave to enter or remain in the UK)

Mutual recognition of professional qualifications –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK)

The contract is anticipated to have minimal impact on the mutual recognition of professional qualifications as its purpose is to provide resident doctors and dentists with a modernised contract.

However residents with experience gained from work abroad will be able to access enhanced pay progression based on being able to evidence the following criteria:

- ▪ Competencies completed as per equivalent training year and specialty requirement (this may be evidenced by an appropriate certificate of readiness)
- ▪ Regular meetings with an Educational Supervisor or equivalent ▪ Demonstrate their contributions to a wider role, for example, meaningful participation in or contribution to relevant
  - • Management or leadership
  - • Service development and modernisation
  - • Teaching and training (of others)
  - • Committee work
  - • Representative work
  - • Innovation
  - • Audit
- ▪ Continual Professional Development (including courses, training sessions and presentations)
- ▪ Evidence presented as would be expected from ARCP or appraisal process.

Where a resident is able to evidence the criteria described above, each year of service as a locally employed doctor (LED) or doctor abroad will be regarded as equivalent to a year in a training programme for the purposes of calculations towards enhanced pay progression. If the resident doctor is unable to provide this evidence then each calendar year in service will be counted as equivalent to half a year in a formal training programme for these purposes.

Access to social security systems – these include benefits, access to education, housing and access to healthcare

The contract is anticipated to have no impact on the right to access social security systems, as its purpose is to provide resident doctors and dentists with a modernised contract.

Equal treatment – this covers non-discrimination, equal treatment and rights of workers;

The contract is anticipated to have minimal impact on equal treatment of workers, as its purpose is to provide resident doctors and dentists with a modernised contract. The proposal will have a **positive impact** on resident doctors and dentists by improving pay progression, working hours, and wellbeing safeguards, the reform promotes **fair work**, enhances job satisfaction, and supports retention.

Workers rights - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.

(Frontier workers (those citizens who reside in one state and regularly work in another) can continue working in the UK if they did so by the 31 December 2020).

The contract is anticipated to have minimal impact on workers rights, as its purpose is to provide resident doctors and dentists with a modernised contract. The proposal will have a **positive impact** on resident doctors and dentists by improving pay progression, working hours, and wellbeing safeguards, the reform promotes **fair work**, enhances job satisfaction, and supports retention.