

Account of Equality Action Plan by the HSE regarding GP Interpreter Services

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Glossary

CHW - Community Healthcare West (also known as Community Healthcare Organisation Area 2 and covering counties Galway, Mayo and Roscommon)

ESA - Equal Status Acts 2000-2018

HSE - Health Service Executive

IHREC - Irish Human Rights and Equality Commission (the Commission)

1. Introduction

Further to the HSE's completion of an Equality Review in relation to the provision of professional linguistic interpreter services to non-Irish nationals accessing free GP services in CHW, an area covering counties Galway, Mayo and Roscommon, the Commission invited the HSE under s. 32(1)(b) of *the Irish Human Rights and Equality Commission Act 2014* ("the Act") to prepare and implement an Equality Action Plan in this respect.

Pursuant to s28(2) of the Act, this account provides a summary description of the Equality Action Plan prepared by the HSE in relation to this issue.

The Commission had identified CHW as the functional area to be the focus of the Equality Review on the basis that it contains a major urban centre as well as county towns and more rural areas and would therefore be reflective of the different contexts in which GP services operate.

2. The invitation to prepare an Equality Action Plan

The Commission welcomed the HSE's positive engagement with the Equality Review process and invited the HSE to develop an Equality Action Plan to ensure the implementation of the findings of the Equality Review undertaken in respect of HSE CHW.

In its invitation to the HSE the Commission outlined that, at a basic level, an Equality Action Plan should seek to address the following broad matters:

- address any findings of discriminatory practices and promote equality of opportunity;
- address organisational equality arrangements;
- make provision for an Equal Status policy and related training on equality and diversity; and
- take actions to implement the Public Sector Equality and Human Rights Duty

In the context of addressing and prioritising the findings of the Equality Review, the Commission referred the HSE to the recommendations arising from its Equality Review and set out a non-exhaustive list of points to be addressed in that Equality Action Plan, including, in summary:

- determination of current and future funding needs to enhance interpreter services;
- form and content of communication with GPs in relation to interpreter services, and procedures for GPs to book and pay for interpreter services;
- engagement of stakeholders to ensure efficiency and effectiveness of interpreter services and monitoring of same;
- awareness raising measures in relation to such services; and
- monitoring and review arrangements in relation to the action plan.

In its guidance regarding any Equality Action Plan, the Commission indicated that any Plan be prepared in consultation with relevant stakeholders, and include specified actions with clarity on ownership of each action and timeframes for delivery.

3. Timeframe

In January 2019, the Commission invited the HSE to prepare an Equality Action Plan and asked that the completed plan be delivered within a set time period. In May 2019, there was an exchange of information between the HSE and the Commission regarding the contents of the plan.

Delivery by the HSE of the Equality Action Plan was first delayed by the Covid-19 pandemic and subsequently as a result of the cyber-attack on the HSE.

After meetings between representatives of the HSE and CHW and the Commission in early 2022, a copy of the final Equality Action Plan was received by the Commission on 27 June 2022.

4. Summary of the Equality Action Plan

The HSE's Equality Action Plan ("the Plan") firstly outlines the steps undertaken by CHW in preparation of the Plan, including engaging the services of University of Limerick ("UL") to

assist in its preparation due to UL's expertise in this area and the establishment of a Steering Committee reflecting many areas of expertise, both academic and experiential, to oversee the Plan's preparation.

The Plan states that the Steering Committee met virtually on a number of occasions between November 2020 and June 2021 and also oversaw a consultation process with stakeholders from civil society, general practice settings and migrant support groups, giving stakeholders the opportunity to comment on the draft Plan, shape its content and provide feedback on an advanced draft.

The Plan then describes the national context for addressing the provision of professional linguistic interpreter services in respect of free GP services and emphasises the complexity of addressing the problem comprehensively in the HSE CHW region in this context. It states that discussions in the Steering Committee and in consultations with stakeholders also highlighted that the preparation and implementation of an Equality Action Plan in this area is *"a complex task in a difficult context, particularly due to the lack of national agreed standards for community interpreting and of training and accreditation for professional interpreting in general"*. The Plan states that *"[t]his has implications for the supply and demand of competent, trained interpreters and highlights that a whole of government approach is required to enable the HSE to develop and implement best practice in medical interpreting in the Irish health service."*

The Plan states that HSE CHW is committed to making progress with implementation by focusing on levers for implementation that are within its control. It sets out measures including new appointment of a lead person and support worker to support implementation of the Plan. It states that implementation of the Plan will involve communication with GP practices and all other relevant stakeholders to ensure that persons on the General Medical Services scheme, who cannot speak English, or who have limited English, can access GP services. It also states that implementation of the Plan will entail changes in existing procedures, appropriate training and monitoring of the service.

The Plan outlines a series of specific and discrete actions under the following broad headings and identifies the person within the HSE who is to lead on a particular action and the requirement and source of funding in respect of each action, including, in summary:

(i) *Awareness and buy-in*

CHW will prepare contents for an awareness raising campaign for all stakeholders, including service providers, service users, interpreters and HSE management and produce materials such as posters, short videos and/or a booklet. CHW will roll out an information and awareness raising campaign on interpretation services using these materials. It will identify champions within CHW to support promotion of the campaign. A social media campaign will also run and CHW will engage at intercultural forums in the area to present the Plan and the information campaign.

(ii) *Implementation in practice settings*

CHW will develop an updated model of service for interpreting within CHW, firstly operating a pilot in Roscommon Primary Care. It will gather background data to inform any new model. CHW will develop an initial CHW policy document setting out the desired model and

addressing several of the issues raised in the Equality Review. An online training course will be developed based on the updated model of service in CHW and inform on access to interpreter services and equality and diversity issues.

(iii) Pilot in Roscommon Primary Care

A pilot project will initially run in Roscommon Primary Care under which a protocol for booking and working with trained interpreters in GP practices and Roscommon Primary Care will be developed. There will be engagement with patients and GP practices to support introduction and use of the new protocols, and there will be engagement with external stakeholders in order to promote the new model.

(iv) Monitoring and governance

CHW will establish a multi-stakeholder monitoring and governance system. It will gather, analyse and disseminate data about the interpreting service use. It will run regular consultation events to get feedback from all stakeholders and will run annual meetings of the Steering Group in order to assess achievement of objectives of the Plan. There will be quarterly reporting internally. Progress on the implementation of the Plan will also be monitored through the performance and monitoring structures for both the Chief Officer of CHW reporting to the National Director of the HSE, and Head of Service reporting to the Chief Officer of CHW.

(v) Gather, analyse and disseminate data on interpreting service use

There will be an evaluation of the training used in the pilot in Roscommon Primary Care and the findings of that evaluation will be used to inform national actions and a potential roll-out of that training nationally. An incident reporting system will be put in place for reporting of any problems with or barriers to the use of interpreters and this will be reviewed monthly. Anonymised feedback will be sought from service users with translation options to promote engagement. Participatory research will be conducted to review the levers and barriers to implementation of the service.

The Plan also lists issues that are stated to be outside the control of CHW yet that are relevant to addressing provision of interpreter services more broadly, including:

- The implementation of an Equality Action Plan across all state agencies;
- A whole of government approach for the development of training, certification and accreditation of interpreters and appropriate professional supports, e.g. debriefing and counselling services;
- The development, agreement, implementation and monitoring of standards for Linguistic Services;
- Collaboration with Irish Translators' and Interpreters' Association to promote a mentoring programme and CPD events for interpreters, especially regarding medical interpreting;
- The implementation of a national procurement framework for the provision of interpretation services;
- Funding for the implementation of an Equality Action Plan across all divisions in CHW;
- Collaboration with the Irish Council of General Practitioners (ICGP) to integrate the training course into the GP training scheme as core components of the curriculum and into the ICGP's Continuing Medical Education ;

- Collaboration with other relevant medical organisations, e.g. the IMO and the Irish General Practice Nurses Educational Association (IGPNEA), in the roll-out of the training; and
- The development of an online training module for all HSE staff on the use of interpretive services.

The Plan states that the above issues are outside the control of CHW and indicates that they are therefore not addressed in the Plan. It states: *“the fact that it is entirely foreseeable that those issues will negatively impact on the ability of Community Healthcare West to implement the EAP have been clearly outlined and recorded.”*

In relation to funding to enable the actions set out above, the Plan sets out for which actions funding is required and states that the Plan will be submitted to the HSE at national level to implement, initially as a pilot in Roscommon Primary Care services. It is stated that, if successful in CHW, it would recommend that the pilot be implemented in other community healthcare areas.

5. Conclusion

The Commission welcomes the preparation and implementation of the Equality Action Plan.

The Commission recalls that it raised two concerns with the HSE prior to the final Equality Action Plan being submitted. The Commission would welcome further consideration on these two concerns in the course of the implementation of the EAP.

The Commission brought to the HSE’s attention that the invitation to complete an Equality Action Plan was directed to the HSE regarding services within CHW, and was not solely directed at CHW, and in that context, national issues were within the scope of consideration within the Plan. The EAP acknowledges the challenges at national level, including the lack of agreed standards for interpreting and accreditation for professional interpreting in general. The Commission welcomes the broader actions within the EAP that include feeding learnings from the activities within CHW into the national level work of the HSE. The Commission would welcome further clear, time-bound actions to ensure broader learning and implementation at national level.

Prior to its submission, the Commission also queried the availability of funding of the actions set out in the Plan. The Commission is cognisant of a degree of uncertainty regarding funding and recommends that the HSE make a clear commitment to fund the work detailed under the Equality Action Plan.

Two further considerations arise.

Noting the contents of the Equality Action Plan, the Commission commends the inclusion of actions that are relevant to implementation of the Public Sector and Equality Duty (“the Duty”) pursuant to section 42 of the Irish Human Rights and Equality Act 2014. The Commission would welcome implementation of the EAP with due regard to the obligations under the Duty, noting the Commission’s published guidance on the Duty.

Finally, noting the contents of the Equality Action Plan, the Commission notes the absence of any reference to HSE organisational equality arrangements and policies therein, including a specific policy that demonstrates the organisation's commitment to provide its services in compliance with the Equal Status Acts, and recommends an action responding to this aspect of the invitation.