



### "Fw: Age discrimination and the Equality Act 2010 - your views"

Document Type:	Formal
File Title:	GHP - Blood Policy - Equality Bill 2010 - *
File Reference:	GHP/005/032/001 Vol 2
Protective Marking:	No Marking
Filed by:	Michael Rogers/OIS/DOH on 20/07/2010 at 10:09
Created by:	Michael Rogers on 20/07/2010 at 09:10

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#### Modification History Prior To Moving To Archive:

Modified Date and Time	Details

Michael Rogers/OIS/DOH  
20/07/2010 09:10

ToPHST/OIS/DOH  
cc  
bcc  
SubjectFw: Age discrimination and the Equality Act 2010 - your views

Hi,

Three points to make concerning blood donation.

1. Protection of blood recipients from vCJD has often had an age-based element. Those born after 1 January 1996 (which is when meat hygiene rules concerning BSE were implemented) have not been exposed to BSE/vCJD through diet. There has therefore been some emphasis put on protecting this group of recipients from the risk of vCJD from blood transfusion. An example is the existing policy on fresh-frozen plasma, a blood component, which is imported from the USA for use in this cohort. Please note that the practicalities of this approach has meant that measures aimed at this cohort actually extend to all under-16s, for ease of supply and delivery on paediatric wards.
2. An upper age limit has traditionally been set to protect the safety of the donor. However, there is little evidence to support such an approach. Regular donors are now allowed to donate blood after the age of 70. First-time donors are excluded over the age of 66. There is a lower age limit (17yo) which takes into account

national guidance on the age of consent.

3. When considering cost-effectiveness of new blood safety interventions, our expert committee is usually given cost-effectiveness information on the intervention as it applies to the under-60s, with the inclusion of an "equity cost" calculation for the over-60s. This is because inclusion of over-60s frequently skews the cost-effectiveness in such a way to make most potential new interventions ineffective on the grounds of cost. This approach has not extended to impact assessments based on committee advice, which include the over-60s.

Very happy to discuss, if you'd find it useful.

Mike

Dr Michael Rogers  
SaBTO Secretary  
Infectious Diseases and Blood Policy  
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----- Forwarded by Michael Rogers/OIS/DOH on 20/07/2010 08:47 -----

Rowena  
Jecock/PH6/DOH/GB

19/07/2010 17:52

To "Dr Mike Rogers" <michael.rogers@[GRO-C]>

cc

Subject Fw: Age discrimination and the Equality Act 2010 - your views

Mike,

Could you please respond briefly: if only to flag the points about which we are concerned - eg most protection from vCJD risk for those not exposed thru' primary epidemic, cost-effectiveness scewed by inclusion of older age group.

Thanks.

Message sent from a Blackberry handheld device.

PHST

----- Original Message -----

**From:** PHST

**Sent:** 19/07/2010 17:01 GDT

**To:** Crispin Acton; John Mccracken; Andrew Black; Lee McGill; John Tilley; Andrea Duncan; Sheela Reddy; Paul Stonebrook; Gul Root; Michelle Wiseman; Richard Sangster; Sam Mellor; James Steatham; Helen Garnham; Gerry Robb; Cathleen Schulte; Suzanne Paylor; Gerry Robb; Ray Smith; Sue Hammond; Dorian Kennedy; Anne Griffin; Tim Hepburn; Tim Baxter; Gill Littlehales; Ruth Hickson; Alan Bell; Zubeda Seedat; Joe Monks

**Cc:** Sunjai Gupta; Rumku Basu-Owen; PH Intelligence And Workforce; Ruth Chadwick; Christine McGuire; Craig Westwood; Rowena Jecock; Tim Elliott; Alison Daykin; Heather White; Jane Mezzone; Tim Elliott; Sally Chapman; John

Bolton

**Subject:** Fw: Age discrimination and the Equality Act 2010 - your views

Dear All

Kathryn Tyson has requested to be briefed in relation to potential exceptions to the provisions around banning age discrimination in the Equality Act 2010. Relevant documents are attached at the bottom of the email from Catherine Davies which refers to the matter.

As you will see the first document under public health programmes refers to the national cancer screening and seasonal flu vaccination programmes which specify age bands within which the programme applies. Others such as chlamydia screening, NHS Health Checks and NHS abdominal aortic aneurysm screening programme, are also listed. However there may be other public health programmes that are relevant and comments you wish to make in relation to the issue.

Grateful if you can please contribute to this briefing request - and respond to the PHST mailbox **by close on Thursday 22 July 2010.**

Many thanks

Public Health Strategy Team  
IHPHD  
Health Improvement and Protection

-----  
**Kathryn**

**Tyson/COS/DOH/GB**

Sent by: Yolanda

Jani/OIS/DOH

16/07/2010 18:57

To Sunjai Gupta/PH1/DOH/GB@GRO-C

cc

Subject Fw: Age discrimination and the Equality Act 2010 - your views

Sunjai

Grateful for your input from you and yours- it's an 'overview' question - note that immunisation and cancer screening have their own homes. Could someone do me a brief and a half an hour chat early next week. Thanks.

Kathryn Tyson  
Director, International Health and Public Health Delivery  
Health Improvement and Protection Directorate  
Department of Health

Tel: GRO-C

----- Forwarded by Yolanda Jani/OIS/DOH on 16/07/2010 18:49 -----

**Catherine  
Davies/DAC/DOH/GB**

08/07/2010 15:28

To Sally Chapman/POLICY/DOH/GB@GRO-C; John Bolton/OIS/DOH@GRO-C;  
Tim Elliott/POLICY/DOH/GB@GRO-C; Jane  
Mezzzone/SHASM/DOH/GB@GRO-C; Alison  
Daykin/POLICY/DOH/GB@GRO-C; Heather White/OIS/DOH@GRO-C;  
Edward Waller/OIS/DOH@GRO-C; Rowena Jecock/PH6/DOH/GB@GRO-C;  
Michael Rogers/OIS/DOH@GRO-C; Craig Westwood/OIS/DOH@GRO-C;  
David Roberts/POLICY/DOH/GB@GRO-C; Eleanor Shenton/MPI-  
PPB/DOH/GB@GRO-C; Kathryn Tyson/COS/DOH/GB@GRO-C; Clara  
Swinson/PR-OFF/DOH/GB@GRO-C; Simon Reeve/MPI-  
CCE/DOH/GB@GRO-C; Bruce Calderwood/OIS/DOH@GRO-C; David  
Buck/CAT/DOH/GB@GRO-C;  
cc Rosemary Main/OIS/DOH@GRO-C; Temi Akinrinade/OIS/DOH@GRO-C;  
Natalie Blake/OIS/DOH@GRO-C; Nicholas Gunn/OIS/DOH@GRO-C; Barry  
Mussenden/ES/DOH/GB@GRO-C; Claire Crawley/COS/DOH/GB@GRO-C;  
Subject Age discrimination and the Equality Act 2010 - your views

Dear colleagues,

You have been in discussions with my predecessor (Jenny Harper) about potential exceptions to the provisions around banning age discrimination in the Equality Act 2010 - specifically around:

Distribution of resources / resource allocation formulae

- |    |                        |                 |
|----|------------------------|-----------------|
| 3. | To Primary Care Trusts | - Sally Chapman |
| 4. | To Local Authorities   | - John Bolton   |

Cancer screening

- |    |          |               |
|----|----------|---------------|
| 5. | Cervical | - Tim Elliott |
| 6. | Breast   | - Tim Elliott |
| 7. | Bowel    | - Tim Elliott |

Other health checks and screening

- |     |   |                 |
|-----|---|-----------------|
| 8.  | Chlamydia                               | - Jane Mezzzone |
| 9.  | Health checks for 75 year olds and over | - Alison Daykin |
| 10. | CVD health checks for 40-74 year olds   | - Heather White |

Immunisation and vaccination

- |      |                      |              |
|------|----------------------|--------------|
| 11.  | Seasonal flu         | - Ed Waller  |
| 12.  | Swine flu            | - Ed Waller  |
| [13. | Childhood programmes | - Ed Waller] |

Donation

- |     |               |                              |
|-----|---------------|------------------------------|
| 14. | Blood , vCJD  | - Rowena Jecock, Mike Rogers |
| 15. | Sperm and egg | - Craig Westwood             |

Charges

- |     |   |
|-----|---|
| 16. | - David Roberts (dental, eyes), Eleanor Shenton (prescriptions) |
|-----|---|

Treatment

- |     |     |                  |
|-----|-----|------------------|
| 17. | IVF | - Craig Westwood |
|-----|-----|------------------|



In addition, further work as part of the Age Review has identified potential exceptions around:

- Public health prog overview - Kathryn Tyson
- Health protection overview - Clara Swinson
- Advice and guidance and individual assessment of need - Simon Reeve (NICE / QALYs), Bruce Calderwood (mental health / learning disabilities),
- Indicators (premature mortality etc), age bands - Dave Buck

This work was somewhat in limbo because of the change in Government. However, we have now got a steer that MS(CS) is content to commence the provisions in the Act, and also for us to explore in more detail whether to have exceptions or not. We plan also to relook at the Impact Assessment in terms of potential costs, to produce a detailed IA to go out with the consultation on the commencement order (in the Autumn).

To take this work forward, myself and Rosemary Main / Temi Akinrinade would like to meet with you over the next few weeks to discuss - if this is okay, my colleagues Natalie Blake / Nicholas Gunn will be in touch to sort a date.

MS(CS) has also just asked for a list of potential exceptions and the pros and cons of each (for his last box before recess - 23rd July) - therefore I will be drafting / circulating a note for your comments - based on previous discussions you've had with Jenny. If there are any areas you'd particularly like me to include then please let me know.

We are also going to be running some contact groups with stakeholders at the end of July to work through the pros and cons of the various exceptions - Mark Reed at GEO is organising and I will ask him to ensure you are invited.

I am also attaching the final version of a paper produced by Richard Gleave as a result of the review / work on age - and suggested details of what exceptions might look like.

Cath



Uses of Age Final Advisory Group Paper 200610.doc



Draft template on exceptions.doc



Draft Terms of Reference for the contact groups.doc

Catherine Davies

Policy & Strategy - Policy Partner, Equalities & Inclusion

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