

## Equality, Good Relations and Human Rights Screening Template

**\*\*\*Completed Screening Templates are public documents and will be posted on the Trust's website\*\*\***

See [Guidance Notes](#) for further background information on the relevant legislation and for help in answering the questions on this template (follow the links).

### **(1) Information about the Policy/Proposal**

(1.1) Name of the policy/proposal

Policy on Advance Directives (Living Wills)

(1.2) Is this a new, existing or revised policy/proposal?

This is a revised policy.

(1.3) What is it trying to achieve (intended aims/outcomes)?

- The main aim of the policy is to provide guidance with regard to Advance Directives where the patient can continue to exercise autonomy and shape the end of his or her life
- The policy advises on the legal effect, the drafting of advance directives and describes the responsibilities of doctors and nurses

(1.4) Are there any Section 75 categories (see list in 3.1) which might be expected to benefit from the intended policy/proposal?

All patients, staff and their families will benefit from this policy.



(1.5) Who owns and who implements the policy/proposal - where does it originate, for example DHSSPS, HSCB?

The South Eastern Trust.

(1.6) Are there any factors that could contribute to/detract from the intended aim/outcome of the policy/proposal/decision? (Financial, legislative or other constraints?)

No

(1.7) Who are the internal and external stakeholders (actual or potential) that the policy/proposal/decision could impact upon? (staff, service users, other public sector organisations, , trade unions, professional bodies, independent sector, voluntary and community groups etc)

The main stakeholders affected by this policy are patients, their families and Trust staff

(1.8) Other policies with a bearing on this policy/proposal (for example regional policies) - what are they and who owns them?

- Human Rights Act 1998
- SET policy on - Do Not Attempt Resuscitation Orders (Policy Code: SET/PtCtCare (51) 2010 )
- SEHSCT Equality Scheme

## (2) Available evidence

Evidence to help inform the screening process may take many forms. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

<b><i>Details of evidence/information</i></b>
<p>Review by the Director of Legal Services</p> <p>Trust wide consultation</p>

## (3) Needs, experiences and priorities

(3.1) Taking into account the information above what are the different needs, experiences and priorities of each of the Section 75 categories and for both service users and staff.

<b>Category</b>	<b>Needs, experiences and priorities</b>	
	<b><i>Service users</i></b>	<b><i>Staff</i></b>
Gender	This policy is designed to meet the needs of both men and women. It specifically addresses the issue of pregnancy	This policy is designed to meet the needs of both men and women. It specifically addresses the issue of pregnancy
Age	This policy is designed to meet the needs of all persons aged 18 or over. It addresses the	This policy is designed to meet the needs of all persons aged 18 or over. It addresses the

	issue of young people	issue of young people
Religion	This policy is designed to meet the needs of patients and clients of all religions. The Trust will take into account differing religious opinions.	This policy is designed to meet the needs of patients and clients of all religions. The Trust will take into account differing religious opinions.
Political Opinion	This policy is designed to meet the needs of patients and clients from all political opinions.	This policy is designed to meet the needs of staff from all political opinions.
Marital Status	This policy is designed to meet the needs of patients and clients who are married, single, separated, divorced, widowed or have a partner of opposite sex.	This policy is designed to meet the needs of staff who are married, single, separated, divorced, widowed or have a partner of opposite sex.
Dependent Status	This policy is designed to meet the needs of all patients and clients with or without dependents	Not applicable.
Disability	This policy is designed to meet the needs of all patients and clients with or without disabilities. The Trust will assist patients who have a sensory disability through provision of alternative formats, sign language interpreter etc.	Not applicable.
Ethnicity	This policy is designed to meet the needs of patients and clients from all ethnic backgrounds. The Trust will provide interpreters for those who do not speak English as a first language.	Not applicable.
Sexual Orientation	This policy is designed to meet the needs of all patients and clients including those with same sex partners	Not applicable.

(3.2) Provide details of how you have involved stakeholders, views of colleagues, service users and staff etc when screening this policy/proposal.

Reference material was gathered from other Trusts and organisations. The original draft policy was circulated widely throughout the Trust during consultation. There is no material change to the content of this policy following review.

#### (4) Screening Questions

You now have to assess whether the impact of the policy/proposal is major, minor or none. You will need to make an informed judgement based on the information you have gathered.

##### ***(4.1) What is the likely impact of equality of opportunity for those affected by this policy/proposal, for each of the Section 75 equality categories?***

<b>Section 75 category</b>	<b>Details of policy/proposal impact</b>		<b>Level of impact? Minor/major/none</b>
	<b>Services Users</b>	<b>Staff</b>	
Gender	No adverse impact	No adverse impact	None
Age	No adverse impact	No adverse impact	None
Religion	No adverse impact	No adverse impact	None
Political Opinion	No adverse impact	No adverse impact	None
Marital Status	No adverse impact	No adverse impact	None
Dependent Status	No adverse impact	No adverse impact	None
Disability	No adverse impact	No adverse impact	None
Ethnicity	No adverse impact	No adverse impact	None
Sexual Orientation	No adverse impact	No adverse impact	None

<b>(4.2) Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories?</b>	
<b>Section 75 category</b>	<b>Please provide details</b>
Gender	No
Age	No
Religion	No
Political Opinion	No
Marital Status	No
Dependent Status	No
Disability	No
Ethnicity	No
Sexual Orientation	This policy ensures that patients in same sex partnerships can involve their partners in decision making.

<b>(4.3) To what extent is the policy/proposal likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none</b>		
<b>Good relations category</b>	<b>Details of policy/proposal impact</b>	<b>Level of impact Minor/major/none</b>
Religious belief	Conscientious objectors are catered for in this policy	None
Political opinion	None	None



Racial group	None	None
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<b>(4.4) Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?</b>	
<b>Good relations category</b>	<b>Please provide details</b>
Religious belief	Not applicable
Political opinion	Not applicable
Racial group	Not applicable

## **(5) Consideration of Disability Duties**

<b>(5.1) How does the policy/proposal encourage disabled people to participate in public life and promote positive attitudes towards disabled people?</b>
The policy afford all patients, including those disabled patients, a say in their treatment should they become incapable of decision making due to their illness.

## **(6) Consideration of Human Rights**

(6.1) Does the policy/proposal affect anyone's Human Rights?  
Complete for each of the articles

Article	Positive impact	Negative impact =	Neutral impact
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		human right interfered with or restricted	
Article 2 – Right to life	√		
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment	√		
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			√
Article 5 – Right to liberty & security of person	√		
Article 6 – Right to a fair & public trial within a reasonable time			√
Article 7 – Right to freedom from retrospective criminal law & no punishment without law			√
Article 8 – Right to respect for private & family life, home and correspondence.	√		
Article 9 – Right to freedom of thought, conscience & religion	√		
Article 10 – Right to freedom of expression	√		
Article 11 – Right to freedom of assembly & association			√
Article 12 – Right to marry & found a family			√
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights	√		
1 <sup>st</sup> protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			√
1 <sup>st</sup> protocol Article 2 – Right of access to education			√

**Please note: If you have identified potential negative impact in relation to any of the Articles in the table above, speak to your line manager and/or Equality Unit. It may also be necessary to seek legal advice.**





(6.2) Not applicable.

## (7) Screening Decision

**(7.1) Given the answers in Section 4, how would you categorise the impacts of this policy/proposal?**

Major impact	
Minor impact	
No impact	√

**(7.2) Do you consider the policy/proposal needs to be subjected to ongoing screening**

Yes	
No	√

**(7.3) Do you think the policy/proposal should be subject to and Equality Impact Assessment (EQIA)?**

Yes	
No	√



(7.4) Please give reasons for your decision and detail any mitigation considered.

**(8) Monitoring**

Please detail how you will monitor the effect of the policy/proposal for equality of opportunity and good relations, disability duties and human rights?

Review of IR1 (incident reports) at departmental level.

Approved Lead Officer: Irene Low

Position: AD, Risk Management & Governance

Date: 12 June 2018

Policy/proposal screened by: Jackie Mcatamney

**Please forward completed schedule to:**

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