

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

Your Right to Raise a Concern (Whistleblowing) Policy

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

Revised locally to take account of Regional Policy

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

This Policy has been developed regionally, in response to the recommendations arising from the Regulation and Quality Improvement Authority's (RQIA) Review of the Operation of Health and Social Care Whistleblowing Arrangements.

The Policy aims to ensure that under the terms of the Public Interest Disclosure (Northern Ireland) Order 1998 a member of staff is able to raise legitimate concerns when they believe that a person's health may be endangered or have concerns about systematic failure, malpractice, misconduct or illegal practice without fear of retribution and/or detriment.

The policy also aims to improve accountability and good governance by assuring staff that it is safe to raise their concerns. It aims to promote a culture of openness, transparency and dialogue which at the same time:

- reassures staff that it is safe and acceptable to speak up;
- upholds patient confidentiality;
- contributes towards improving services;
- assists in the prevention of fraud and mismanagement;
- demonstrates to all staff and the public that the South Eastern Trust is ensuring its affairs are carried out ethically, honestly and to high standards;



- provides an effective and confidential process by which staff can raise genuine concerns so that patients, clients and the public can be safeguarded;
- promote awareness that all staff have a duty of care to raise concerns.

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

Potentially all categories will benefit from the policy. This policy applies to all staff within the South Eastern Trust, including temporary, bank, student and honorary contracts.

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

This policy has been developed regionally and is amended to take account of local systems as appropriate and adopted by the 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?)

In line with the policy the following policies could contribute to an intended aim/outcome:

- Code of Practice on Protecting the Confidentiality of Service User Information
- HR Policies on Harassment and Working Well Together, Grievance and Disciplinary
- SET Fraud Policy Statement
- Safeguarding Vulnerable Adults Regional Policy and Procedures
- SET Incident Reporting
- SET Complaints Procedure
- Department of Health Your Right to Raise a Concern (Whistleblowing) HSC Framework and Model Policy

The following could detract from the intended aim of the policy:

- Staff not being aware of the policy
- Staff reluctance to come forward to raise a concern



(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)

- All staff (including permanent, temporary and bank staff, staff in training, independent contractors engaged to provide services, volunteers and agency staff who have concerns where the interests of others or of the organisation itself are at risk)
- Trade unions
- PSNI, ICO or other public bodies where serious breaches of the policy are involved
- Professional bodies
- Voluntary and community groups

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

In addition to the policies referenced in 1.6, the following could also have a bearing:

- Professional Codes of Conduct and any relevant guidance specific to your profession.

(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.

Details of evidence/information

- Information was gathered on the makeup of Section 75 categories from the Workforce Information Section of HR.
- Census 2011 data and Trust population plans
- Feedback from trade unions
- Feedback from HR colleagues
- Current case law
- Employee Relations related issues
- Complaints

(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.

Category	Needs, experiences and priorities	
	Service users	Staff
Gender		80.56% Female 19.44% Male
Age		0% 0-15 0.26% 16-19 14.37% 20-29 39.20% 30-45 37.56% 46-59 8.61% 60+
Religion		48.26% Protestant 25.71% Roman Catholic 7.19% Other 0.0% None 18.84% Not known
Political Opinion		3.92% Broadly Nationalist 11.64% Broadly Unionist 14.56% Do not wish to answer 7.05% Other 62.83% Not known
Marital Status		30.06% Single 61.99% Married 3.45% Divorced 0.62% Widowed 1.57% Separated 2.31% Other
Dependent Status		19.33% Child or Children 4.20% Dependant Older 2.54% A person with Disability 13.92% None 63.13% Other /Not known
Disability		63.03% Not Known 34.96% No 2.01% Yes
Ethnicity		0.08% Black African 0.03% Irish Traveller 0.01% Bangladeshi 0.02% Pakistani 0.02% Black Caribbean 0.09% Mixed Ethnic Group[0.10% Chinese 41.63% White 0.35% Indian

		0.33% Other 0.0% Other Black 0.28% Filipino 57.06% Not Known
Sexual Orientation		34.79% Opposite Sex 2.22% Do not wish to answer 62.32% Not known 0.10% Both sexes 0.57% Same sex

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

- A regional group comprising a representative from all Trusts, Business Services Organisation and the DHSSPSNI was established develop a model framework and policy for all Trusts to use. Regional trade unions were included within the group.
- Senior HR staff within the Trust were asked for comments to review the policy as part of this process.
- The DHSSPSNI initiated a consultation period from 4th July 2017 to 11th August 2017 to all HSC Bodies, Trade Unions and Prescribed Bodies and responses were considered and incorporated into the final document where appropriate.

(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?

Section 75 category	Details of policy/proposal impact		Level of impact? Minor/major/none
	Services Users	Staff	
Gender		Majority female staff and correlation with caring responsibilities for those who work evenings and weekends	None
Age		Affects all age groups	None

Religion		Majority of staff are Protestant - reflective of Trust area	None
Political Opinion		2 out of 3 Council areas return Unionist Majorities	None
Marital Status		Majority Married – link with caring responsibilities	None
Dependent Status		Correlation with women with caring responsibilities and part-time workers.	None
Disability		Under-reporting - NI average 20%	None
Ethnicity		Majority White	None
Sexual Orientation		National Statistics – 6-10% LGB&T	None

(4.2) Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories?

<i>Section 75 category</i>	<i>Please provide details</i>
Gender	<p>The Trust remains committed to embracing diversity, promoting good relations and challenging sectarianism and racism to ensure service users and staff enjoy equality of opportunity and access to services in a welcoming and safe environment.</p> <p>The Trust has an ongoing strategy of staff training and raising awareness.</p>
Age	As above
Religion	As above
Political Opinion	As above
Marital Status	As above
Dependent Status	As above
Disability	As above
Ethnicity	As above
Sexual Orientation	As above

(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		
Good relations category	Details of policy/proposal impact	Level of impact Minor/major/none
Religious belief		<p>The Trust remains committed to embracing diversity, promoting good relations and challenging sectarianism and racism to ensure service users and staff enjoy equality of opportunity and access to health and social care in a welcoming and safe environment.</p> <p>The Trust has in place its Good Relations Statement which is displayed on staff and service user notice boards.</p> <p>The Trust has an ongoing strategy of staff training and raising awareness.</p>
Political opinion		As above
Racial group		As above

(4.4) Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?	
Good relations category	Please provide details
Religious belief	The Trust has an ongoing strategy of staff training and raising awareness.
Political opinion	As above
Racial group	The Trust provides telephone and face to face interpreting services as requested.

(5) Consideration of Disability Duties

(5.1) How does the policy/proposal encourage disabled people to participate in public life and promote positive attitudes towards disabled people?

The Trust Disability Action Plan 2018 – 2023 promotes these two duties.

Consideration has been given to the profile of staff and/or service users affected by the proposal including those with a disability

No specific issues were identified in this proposal re disability duties.

(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 = human right interfered with or restricted	Neutral impact
Article 2 – Right to life			x
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			x
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			x
Article 5 – Right to liberty & security of person			x
Article 6 – Right to a fair & public trial within a reasonable time			x
Article 7 – Right to freedom from retrospective criminal law & no punishment without law			x
Article 8 – Right to respect for private & family life, home and correspondence.			x
Article 9 – Right to freedom of thought, conscience & religion			x
Article 10 – Right to freedom of expression			x

Article 11 – Right to freedom of assembly & association			X
Article 12 – Right to marry & found a family			X
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			X
1 st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			X
1 st protocol Article 2 – Right of access to education			X

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) Please outline any actions you will take to promote awareness of human rights and evidence that human rights have been taken into consideration in decision making processes.

Human Rights discussed during screening process.

Staff training including e-learning module on Equality and Human Rights promoted alongside face to face training.

(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	X

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

Yes	
No	X

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

Yes	
No	x

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

The policy sets out the revised arrangements by which health and social care staff can raise public interest concerns and what they can expect from their employers in terms of protections under the law. It provides guidance on how to encourage staff to raise concerns and how to deal effectively with concerns in an open and transparent way.

The policy will be communicated through the Trust Intranet and Trust Communication via email. Managers responsible for staff with no access to email will be asked to share the policy with these staff. Additionally an awareness week will be held to launch the policy. Posters and/or other resources will be developed and distributed to all facilities to be displayed on notice boards.

No impact has been identified for any Section 75 categories.

(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?

Information will be provided for the Trust Audit Committee

Lessons learned forum

Regional returns and outcomes

Approved Lead Officer: Jennifer Buchanan

Position: Assistant Director of Employee Relations

Date: 4th April 2018

Policy/proposal screened by: Jennifer Buchanan/Pamela McComb/Kathey Neill