

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 and Procedure for Redaction of Patient/Client/Service User Records

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

Revised

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

*Inform staff in respect of their role in undertaking a review of a patient/client/service user record for release.
Inform them of their roles and responsibilities in line with data protection, confidentiality and Trust procedure.*

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



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

Data Protection Act 1998

DHSSPS Code of Practice on Protecting the Confidentiality of Service User Information, January 2009

(1.5) 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)

Trust staff

Partner organisations internal and external to the HSC and including the voluntary sector

Trust population notably patients and clients

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

Records Management Procedures

Records Management Policy

Data Protection Policy

ICT Strategy



Email management policy

Legislation

Data Protection Act 1998

(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

In order to revise this Policy reference was made to the following documentation:-

Information Commissioner's Office – Data Protection Guidance Note (June 2009)

DHSSPS Cod of Practice on Protecting the Confidentiality of Service user Information (Privacy Advisory Committee) January 2009 Updated November 2010 to reflect the needs of the NI Prison Service

As there has been no change to the legislation the Policy did not require significant amendment/revision.

(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	This policy is designed to meet the needs of all categories listed.	This policy is designed to meet the needs of all categories listed.
Age		
Religion		
Political Opinion		

Marital Status		
Dependent Status	This policy is designed to meet the needs of all categories listed.	This policy is designed to meet the needs of all categories listed.
Disability		
Ethnicity		
Sexual Orientation		

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

The revised policy was subject to internal consultation via the Safe & Effective Care Department.

(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			None
Age			None
Religion			None



Political Opinion			None
Marital Status			None
Dependent Status			None
Disability			None
Ethnicity			None
Sexual Orientation			None

(4.2) Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories?	
Section 75 category	Please provide details
Gender	The policy is designed to meet the needs of all categories listed
Age	
Religion	
Political Opinion	
Marital Status	
Dependent Status	
Disability	
Ethnicity	
Sexual Orientation	

(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		none
Political opinion		none
Racial group		none

(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 policy is designed to meet the needs of all categories listed
Political opinion	
Racial group	

(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?
<p><i>The Policy is developed in accordance with the Data Protection Act 1998. Under the DPA Principles data subject have a right to request access to their personal records.</i></p> <p><i>Information leaflets are available to both staff and members of the public.</i></p>

Information is also provided on the Trust website.

(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.

- *Monitor levels and severity of complaints received with regard to the processing of FOI requests.*
- *Compliance data is included in Quarterly Directorate Performance Reviews.*
- *Ensure publicity materials about the process are current and available to all.*
- *In line with the legislation provide assistance to requestors when they are submitting requests.*

(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 and Equality Impact Assessment (EQIA)?

Yes	
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No	x
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(7.4) Please give reasons for your decision and detail any mitigation considered.

- *Monitor levels and severity of complaints received with regard to the processing of subject access requests.*
- *Ensure publicity materials about the process are current and available to all.*
- *In line with the legislation provide assistance to requestors when they are submitting requests and detail reasons for redacting information from their records.*

(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?

- *Monitor levels and severity of complaints received with regard to the processing of subject access requests.*
- *Ensure publicity materials about the process are current and available to all.*
- *In line with the legislation provide assistance to requestors when they are submitting requests and detail reasons for redacting information from their records.*

Approved Lead Officer:

Lynda McAree

Position:

Information Governance & Records



South Eastern Health
and Social Care Trust

Management Manager

Date:

15/08/2013

Policy/proposal screened by: _____

Please forward completed schedule to:

Susan Thompson

Equality Manager

Lough House, Ards Hospital

Newtownards

BT23 4AS

Telephone: 028 9151 2177

Textphone: 028 9151 0137

e: susan.thompson@setrust.hscni.net

Suzanne McCartney

Equality Manager

Lagan Valley Hospital

Lisburn

BT28 1JP

Telephone: 028 9266 5141 ext 2604

Textphone: 028 9263 3522

e: suzanne.mccartney@setrust.hscni.net