



## 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

Medical Illustration, Consent and Confidentiality for Photography, Digital and Video Imaging Relating to Copyright and Storage.

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

Revised

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

To instruct Trust staff how to take, use and store photographic/digital images and video recordings. It has been developed to protect the individuals rights to confidentiality, informed consent and access to records. Also to protect the Trust and its staff from possible litigation.

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

Not directly.



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

This Policy is written for SETrust, but mirrors policies in use throughout the National Health service. It is written and policed by The Chief Medical Photographer, based in the Ulster Hospital.

(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)

Anybody within the Trust using recording devices or requesting recordings of patients/staff or members of the public on the Trust sites

Patients and clients.

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

- Access to Health Records (NI) Order 1993
- Data Protection Act 1998
- SEHSSC (SET) Consent Policy
- Making and Using Visual and Audio Recordings of patients – General Medical Council
- Using Mobile phones in NHS Hospitals – Department of Health
- Providing and Protecting information – General Medical Council
- Consent for Photography & Video – Cambridge University Hospital
- Law & Ethics – Institute of Medical Illustrators.

<http://www.imi.org.uk/section/legal-and-ethical>



- SET ICT Security Policy
- Belfast Hospital Trust Consent Policy.

## (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*

- Access to Health Records (NI Order) 1993
- Data Protection Act 1998
- Reference Guide to Consent and Examination or Treatment (2009) – Department of Health
- Copyright, Design and Patents Act 1988
- Children’s Act 1989
- Policy of Photography & Video Recordings of Patients – Institute of Medical Illustrators
- Making and using Visual and Audio Recordings of Patients – GMC, April 2011.
- Guide to consent for Examination, Treatment or Care. DHSSPSNI 2003
- Children’s Order 1995

## (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>Service users</b>	<b>Staff</b>
Gender	Female patient	If photograph is of a sensitive area, and a female

		photographer is not available, a nurse trained by Medical Illustration will take the images supervised by a photographer.
Age	Children	Consent is given by the parent/guardian. Older children can counter singe.
Religion	All Religions are respected	As with all medical examinations, respect and sensitivity is shown to all rules relating to the patients religion. Staff can refer to the Trust Multicultural and Beliefs Handbook for further information and guidance
Political Opinion	N/A	
Marital Status	N/A	
Dependent Status	N/A	
Disability	Situation of Department to enable access for those with a disability.	In the future, I hope to enlarge the changing room to allow access for a wheelchair.
Ethnicity	Any service users who do not speak English as a first language will be provided with an interpreter. Written information will be provided in alternate formats as required	Staff have training on working Well with Interpreters
Sexual Orientation	N/A	

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

I am writing a patient questionnaire to obtain information on the patient's experience of Medical Illustration.

Consultation via the various Staff Groups using photography and video recording currently, the Trust Legal Advisors, Operational Work Groups, SET ICT Security Group and Medical Illustrations Management from Belfast Health and Social Care Trust

#### (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	Policy has been written to meet the needs of all Section 75 Categories		None
Age	As above		None
Religion	As above		None
Political Opinion	As above		None
Marital Status	As above		None
Dependent Status	As above		None
Disability	As above		None

Ethnicity	An interpreter will be provided and alternate formats provided as required		None
Sexual Orientation	As above		None

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

<b>Section 75 category</b>	<b>Please provide details</b>
Gender	The policy has been written to meet the needs of all section 75 Categories
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**

<b>Good relations</b>	<b>Details of policy/proposal impact</b>	<b>Level of impact Minor/major/none</b>
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<b>category</b>		
Religious belief		None
Political opinion		None
Racial group	Interpreter will be provided and alternate formats provided as required	None

***(4.4) Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?***

<b>Good relations category</b>	<b>Please provide details</b>
Religious belief	None
Political opinion	None
Racial group	An Interpreter will be provided and alternate formats provided as required

**(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 promotes accessibility to all services and will make reasonable adjustments to enable anyone with a disability can access the same services such as Medical Illustration.

The Trust has plans to enlarge a changing room in the Medical Illustration Department to insure better access to wheelchair users.



## (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			/
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) 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.

The Trust has an ongoing strategy of training and awareness raising for all staff in Equality, Diversity and Human Rights

**(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	X
No impact	

**(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	
No	X



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

This policy safeguards the rights & dignity of the patient using this service.

The policy is written to meet the needs of all 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?

Patient Survey every 6 months

Monitoring will be carried out manually by regular adhoc visits from the Chief Medical Officer to the different authorised departments.

WEBA System which will enable every image, whether photographic/digital or video to be stored and monitored to prevent misuse.

Approved Lead Officer: Patrick Comiskey/Eileen McEneaney

Position: Chief Medical Photographer/ Ass.  
Director

Date: 11<sup>th</sup> Dec. 2013

Policy/proposal screened by: Patrick Comiskey

**Please forward completed schedule to:**

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