Department of
Health
An Roinn Sláinte
Männystrie O Poustie
www.health-ni.gov.uk

Equality Screening, Disability Duties and Human Rights Assessment Template

Part 1 – Policy scoping

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Guidance on completion of the template can be found on the Equality Commission website at S75 screening template 2010 (web access checked 230920) .docx

Part 1. Policy scoping

1.1 Information about the policy

Name of the policy:

Safe and Effective Staffing

Is this an existing, revised or a new policy?

New Policy

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

To place legislative requirements on the Department and other employers to engage in activities linked to providing adequate staffing. The legislation provides clarity on responsibilities for workforce planning, reporting and monitoring, staff calculation.

The purpose is to provide transparency for how decisions around staffing are made that provide a safer working environment for staff and more effective health and care services for everyone.

Are there any Section 75 categories which might be expected to benefit from the intended policy?
If so, explain how.

It is not anticipated that there are any Section 75 consequences at present.

However, this will be reassessed regularly during the development of the

legislation.

Who initiated or wrote the policy?

Initiated by Health Minister in 2020 and in turn drafted by the Department, specifically Safe Staffing Policy Team – Workforce Policy Directorate.

Who owns and who implements the policy?

Department of Health owns the policy. The policy will be implemented by the Department of Health alongside each Health & Social Care Trust. Assistance may also be provided by the Regulation and Quality Improvement Authority (RQIA).

1.2 Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they (please delete as appropriate)

- Financial

- Legislative

- Labour market conditions

1.3 Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon? (please delete as appropriate)

- staff

- service users

- other public sector organisations

- voluntary/community/trade unions

- Private care providers

1.4 Other policies with a bearing on this policy

- what are they?

  Delivering Care

  Regional and Operational workforce strategies

- who owns them?

Department of Health

1.5 Available evidence

What <u>evidence/information</u> (both qualitative and quantitative[1]) have you gathered to inform this policy? Specify <u>details</u> for each of the Section 75 categories.

Religious belief evidence / information:

Religious belief will have no bearing on the legislation.

Political Opinion evidence / information:

Political opinion will have no bearing on the legislation.

Racial Group evidence / information:

Racial grouping will have no bearing on the legislation.

Age evidence / information:

Age will have no bearing on the legislation.

Marital Status evidence / information:

Marital status will have no bearing on the legislation.

Sexual Orientation evidence / information:

Sexual Orientation will have no bearing on the legislation.

Men & Women generally evidence / information:

Gender will have no bearing on the legislation.

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[1] ***** Qualitative data – refers to the experiences of individuals related in their own terms, and based on their own experiences and attitudes. Qualitative data is often used to complement quantitative data to determine why policies are successful or unsuccessful and the reasons for this.

Quantitative data - refers to numbers (that is, quantities), typically derived from either a population in general or samples of that population. This information is often analysed either using descriptive statistics (which summarise patterns), or inferential statistics (which are used to infer from a sample about the wider population).

Disability evidence / information:

Disability will have no bearing on the legislation.

Dependants' evidence / information:

The legislation will have no bearing on people with dependants.

1.6 Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify <u>details</u> of the <u>needs, experiences and priorities</u> for each of the Section 75 categories below:

Religious belief

None Anticipated

Political Opinion

None Anticipated

Racial Group

None Anticipated

Age

None Anticipated

Marital status

None Anticipated

Sexual orientation

None Anticipated

Men and Women Generally

None Anticipated

Disability

None Anticipated

Dependants

None Anticipated

Part 2. Screening questions

2.1   What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none

Details of the likely policy impacts on Religious belief: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Political Opinion: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Racial Group: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Age: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Marital Status: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Sexual Orientation:

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Men and Women: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Disability: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Dependants:

What is the level of impact? Minor / Major / None (circle as appropriate)

2.2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? Yes / No

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

Religious Belief - If Yes, provide details:
If No, provide reasons: There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Political Opinion - If Yes, provide details:
If No, provide reasons There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Racial Group - If Yes, provide <u>details:</u>
If No, provide <u>reasons</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Age - If Yes, provide <u>details:</u>
If No, provide <u>reasons:</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Marital Status - If Yes, provide <u>details:</u>
If No, provide <u>reasons</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Sexual Orientation - If Yes, provide <u>details:</u>
If No, provide <u>reasons:</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Men and Women generally - If Yes, provide <u>details:</u>
If No, provide <u>reasons:</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Disability - If Yes, provide <u>details:</u>
If No, provide <u>reasons:</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

Dependants - If Yes, provide <u>details:</u>
If No, provide <u>reasons:</u> There is no realistic scope for the policy itself to be used to better promote good relations between people of different religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or dependants

2.3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Please provide <u>details of the likely policy impact</u> and <u>determine the level of impact</u> for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on Religious belief: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Political Opinion: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

Details of the likely policy impacts on Racial Group: (insert text here)

What is the level of impact? Minor / Major / None (circle as appropriate)

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

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Religious Belief - If Yes, provide <u>details</u>:
If No, provide <u>reasons</u>: There is no realistic scope for the policy to be used to better promote good relations between people of different religious belief, political opinion or racial group.

Political Opinion - If Yes, provide <u>details</u>:
If No, provide <u>reasons</u> There is no realistic scope for the policy to be used to better promote good relations between people of different religious belief, political opinion or racial group.

Racial Group - If Yes, provide <u>details</u>:
If No, provide <u>reasons</u> There is no realistic scope for the policy to be used to better promote good relations between people of different religious belief, political opinion or racial group.

2.5 Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. **Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?**
(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

There are no potential impacts of the policy for persons within any Section 75 groups including people with multiple identities.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

None

2.6 Was the original policy / decision changed in any way to address any adverse impacts identified either through the screening process or from consultation feedback. If so please provide details.

No, however this screening will be reviewed based on consultation response.

Part 3. Screening decision

3.1 Would you summarise the impact of the policy as; No Impact/ Minor Impact/ Major Impact? No Impact

3.2 Do you consider that this policy/ decision needs to be subjected to a full equality impact assessment (EQIA)? No

3.3 Please explain your reason.

It is not anticipated that there will be any equality considerations. There have been no considerations or potential impacts raised by the various stakeholders throughout the extensive evidence gathering phase.

3.4 Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations? No – however this can be reviewed following consultation response if necessary

If so, give the reasons to support your decision, together with the proposed changes/amendments or alternative policy.

3.5 Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been **'screened in'** for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Effect on equality of opportunity and good relations – **Rating** _____ (1-3)

Social need – **Rating** _____ (1-3)

Effect on people's daily lives – **Rating** _____ (1-3)

Relevance to a public authority's functions – **Rating** _____ (1-3)

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details.

Part 4. Monitoring

Monitoring is an important part of policy development and implementation. Through monitoring it is possible to assess the impacts of the policy / decision both beneficial and adverse.

4.1 Please detail how you will monitor the effect of the policy / decision?

As with any piece of legislation, it will be important to assess its impact and address any unintended consequences. The mechanisms for this will be developed as the legislation is developed.

4.2 What data will you collect in the future in order to monitor the effect of the policy / decision?

A reporting structure will be put in place to monitor the effect of the policy once implemented.

Please note*: - For the purposes of the annual progress report to the Equality Commission you may later be asked about the monitoring you have done in relation to this policy and whether that has identified any Equality issues.*

Part 5. Disability Duties

5.1   Does the policy/decision in any way promote positive attitudes towards disabled people and/or encourage their participation in public life?

The legislation is neutral on the promotion of positive attitudes and participation for disabled persons.

5.2   Is there an opportunity to better promote positive attitudes towards disabled people or encourage their participation in public life by making changes to the policy/decision or introducing additional measures?

No

Part 6. Human Rights

6.1   Does the policy / decision affects anyone's Human Rights?

Details of the likely policy impacts on Article 2 – Right to life: (insert text here)

What is the impact? Positive / Negative (human right interfered with or restricted) / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 5 – Right to liberty & security of person: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 6 – Right to a fair & public trial within a reasonable time: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 7 – Right to freedom from retrospective criminal law & no punishment without law: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

Details of the likely policy impacts on Article 8 – Right to respect for private & family life, home and correspondence: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on Article 9 – Right to freedom of thought, conscience & religion: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on Article 10 – Right to freedom of expression: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on Article 11 – Right to freedom of assembly & association: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on Article 12 – Right to marry & found a family: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on Article 14 – Prohibition of discrimination in the enjoyment of the convention rights: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on 1st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property: (insert text here)

What is the impact? Positive / Negative / (Neutral) (circle as appropriate)

Details of the likely policy impacts on 1ˢᵗ protocol Article 2 – Right of access to education: (insert text here)

What is the impact? Positive / Negative / Neutral (circle as appropriate)

6.2   If you have identified a likely negative impact who is affected and how?

At this stage we would recommend that you consult with your line manager to determine whether to seek legal advice and to refer to Human Rights Guidance to consider:

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction in order to comply with the Human Rights Act (1998).*

It is anticipated that the legislation will not have a negative impact.

6.3   Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy/decision.

At present it is anticipated that the legislation will contain no aspects which will raise awareness of human rights.

Part 7 - Approval and authorisation

Screened by:	Position/Job Title	Date
Andrea Owens	DP	
Approved by:		
Michael Blower	G7	
Copied to EHRU:		

The Screening Template is 'signed off' and approved by a senior manager responsible for the policy (at least Grade 7), made easily accessible on the public authority's website as soon as possible following completion and made available on request.

ADDITIONAL INFORMATION TO INFORM THE ANNUAL PROGRESS REPORT TO THE EQUALITY COMMISSION

(PLEASE NOTE : THIS IS <u>NOT</u> PART OF THE SCREENING TEMPLATE BUT <u>MUST</u> BE COMPLETED AND RETURNED WITH THE SCREENING)

1. Please provide details of any measures taken to enhance the level of engagement with individuals and representative groups. Please include any use of the Equality Commissions guidance on consulting with and involving children and young people.

2. In developing this policy / decision were any changes made as a result of equality issues raised during :

   (a) pre-consultation / engagement;
   (b) formal consultation;
   (c) the screening process; and/or
   (d) monitoring / research findings.

   If so, please provide a brief summary including how the issue was identified, what changes were made, and what will be the expected outcomes / impacts for those effected.

3. Does this policy / decision include any measure(s) to improve access to services including the provision of information in accessible formats? If so please provide a short summary.

Thank you for your co-operation.
Equality and Human Rights Unit.