

Equality, Good Relations and Human Rights Screening Template

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

See 'Equality, Good Relations and Human Rights Screening Guidance Notes' (on SharePoint) for further background information on the relevant legislation and for help in answering the questions on this template.

(1) Information about the Policy/Proposal

(1.1) Name of the policy/proposal

The procurement of a range of advocacy services to be delivered across the Southern Health and Social Care Trust area for the client groups noted below:

- Adults in receipt of mental health services and young people aged 17.5+ transitioning to adult mental health services
- Carers of adults in receipt of mental health services
- Adults with a learning disability and young people aged 16+ transitioning to adult learning disability services
- Adults with a physical and or sensory disability and young people aged 16+ transitioning to physical and or sensory disability adult services.

The aim of each advocacy service will be to support Service Users to make more informed decisions to enable them to lead more independent, inclusive lives by enabling them to express views, communicate choices and receive services.

Services will help to promote equality of opportunity, social justice and the protection of human rights. They will reflect the principles and standards detailed in the 'Developing Advocacy Services – A Policy Guide for Commissioners' (May 2012) developed by DHSSPS.

While it is widely accepted that advocacy can be delivered in a variety of ways depending on the needs of the person requiring this type of support. The service will recognise that different types of advocacy may be needed by different people at different times in their lives and to respond to different circumstances.

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

Existing contracts which were previously procured are noted below:

- Adults in receipt of mental health services (Expires 30/06/21)
- Carers of adults in receipt of mental health services(Expires 30/06/21)
- Adults with a learning disability (Expires 30/06/21)
- Adults with a physical and or sensory disability (Expires 30/06/21)
- Advocacy for young people aged 16+ transitioning to adult services (Expires 30/06/21)*

* To enhance service provision advocacy services for young people aged 16+ transitioning to adult services will be delivered via the same contract for adult services going forward (See Section 1.1).

While it is the intention of the Trust to award new contracts to Providers for the delivery of services from 1 July 2021, given the current COVID-19 pandemic and the need to re-prioritise work activity, an extension may be required to the existing contracts arrangements until the procurement activity is complete.

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

The proposed procurement of advocacy services is intended to achieve the following outcomes:

The Provider will maximise the number of Service Users who:

- Are able to access advocacy and have their rights safeguarded.
- Report improved knowledge and understanding of their rights.
- Report improved choice and control over the services they receive.
- Report positive outcomes

The Provider will ensure there is:

- Enhanced understanding by Trust staff, at all levels, of the issues and concerns affecting those using the advocacy service.
- Enhanced signposting and accessing of services required by Service Users.
- Increased cohesive / joint working across the range of services available to Service Users.
- Increased Service User participation / representation and links with Personal / Public Involvement (PPI).
- Increased cohesiveness in approach to service delivery within the community, statutory and voluntary sector services.
- Increased collaboration in relation to service development and new ways of working to meet Service User needs.

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

The proposal for procurement of advocacy services is expected to benefit the S75 groups outlined in Section 1.1 by promoting social inclusion, integration and social justice.

The particular needs of the various S75 groups and types of advocacy will be detailed in the service specification document used within the procurement exercise to ensure equality of access to advocacy support thus ensuring an individual's human rights and dignity are met / furthered.

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

The Southern Health and Social Care Trust own the proposal and are responsible for contract implementation and ongoing monitoring via contract management arrangements.

(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?)

Factors that could contribute to the intended aim/outcome of the policy/proposal/decision?

- The service will be developed to help promote equality of opportunity, social justice and the protection of human rights of the most vulnerable in our society.
- While it will primarily be provided in relation to health and social care issues, it may also address issues around housing, employment, education or leisure issues, if support with these issues will promote peoples overall health and wellbeing.
- The Provider will deliver services from appropriate facilities that are accessible to Service Users across the Trust area.
- The service will be available to eligible Service Users who live in the Trust area (which includes those who are residing within a wide range of environments from acute hospital settings, other hospitals, nursing and residential homes, supported living accommodation or other facilities both inside and outside the Trust geographical area, throughout the UK and Republic of Ireland, who remain the responsibility of the Trust.)

Factors that could detract from the intended aim/outcome of the

policy/proposal/decision?

- The volume of service delivered will be in line with the funding available
- The current COVID-19 pandemic could impact on the planned timescales for the delivery of the service (See Section 1.2).
- Legal challenge in respect of any aspect of the procurement activity could delay or stop the procurement process.

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

- Service Users and Carers
- Advocacy Providers and their Staff
- Trust Staff
- SHSCT Carers Forum
- HSCB
- Trade Unions
- Professional Bodies
- DLS advisory capacity

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

Please note the list below is not intended to be exhaustive:

- Developing Advocacy Services – A Policy Guide for Commissioners’ (May 2012) developed by DHSSPS
- Department of Health, Social Services and Public Safety: Safeguarding Vulnerable Adults, Regional Adult Protection Policy and Procedural Guidance
- The Children (Northern Ireland) Order - 1995
- Mental Health Order (NI) – 1986
- Disability Discrimination Act – 1995
- Bamford Review - Mental Health and Learning Disability (NI)
- Bamford Review report on Human Rights and Equality of Opportunity in relation to advocacy
- Human Rights Act -1998
- UN Convention on the Rights of Persons with Disabilities

- Mental Capacity Bill (NI)/ Mental Capacity Act (NI) 2016
- The Regional Mental Health Care Pathway
- Service Framework for Mental Health and Wellbeing
- NI Public Procurement Policy/Regulations
- Public Contract Regulations
- 2019/2020 Review of Adult Learning Disability Services
- Advocacy Quality Performance Mark and associated Code of Practice HR
- Management of Change Framework
- PPI – Trust’s Consultation Scheme
- DoH Change or Withdrawal of Services - Guidance on Roles and Responsibilities’ published in November 2014

(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? *NB: Specify the details for each of the Section 75 categories for any staff affected, the Trust Workforce, any patients/clients affected and the Trust general population in the following tables **if appropriate**.*

2.1 Staff Affected by this Policy/Proposal

The staff potentially affected by this proposal, are those of the current contract Providers. TUPE information will be requested.

Section 75 Group	Make up of Staff Affected	Percentage
Gender	Female Male	*See Note Above
Religion	Protestant Roman Catholic Not Known/Other	As Above
Political Opinion	Broadly Unionist Broadly Nationalist Other Do Not Wish To Answer/Not Known	As Above
Age	16-24 25-34 35-44 45-54 55-64 65+	As Above
Marital Status	Single Married/Civil Partnership Other/Not Known	As Above
Caring Responsibility	Caring for a Child/Children/Dependant Older Person/Person(s) With a Disability None Not Known	As Above
Disability	Yes No Not Known	As Above
Ethnicity	Bangladeshi Black African Black Caribbean Black Other Chinese Filipino Indian Irish Traveller Mixed Ethnic Pakistani White Not Known	As Above
Sexual Orientation towards:	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	As Above

2.3 Patients / Clients Affected

(Complete as far as possible with information available to you)

A potential impact on Service Users may be a change of Provider for those availing of services at the point of Provider change. This will need to be addressed via the contract implementation plan to minimise the impact of transition. While the impact of this will not be known until contracts are awarded, action will be taken to mitigate against this as far as possible*

A self-referral option is available to Service Users who wish to avail of the service.

Section 75 Group	Make up of Patients/Clients Affected	Percentage
Gender	Female Male	*See Note Above (Both genders will be affected by change of Provider however, it is generally accepted that females live longer and therefore may require advocacy support for longer given the current disparity in longevity rates between men and women).
Religion	Protestant Roman Catholic Other	* As Above
Political Opinion	Broadly Unionist Broadly Nationalist Other Do Not Wish To Answer/Not Known	* As Above
Age	0-15 16-24 25-44 45-64 65-84 85+	* As Above
Marital Status	Single Married/Civil Partnership Other/Not Known	* As Above
Caring Responsibility	Caring for a Child/Children/Dependant Older Person/Person(s) With a Disability None Not Known	* As Above
Disability	Yes No Not Known	* As Above
Ethnicity	Bangladeshi Black African Black Caribbean Black Other Chinese	* As Above

	Filipino Indian Irish Traveller Mixed Ethnic Pakistani White Not Known	
Sexual Orientation towards:	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	* As Above

2.4 Southern Trust's Area Population Profile – Census 2011

Section 75 Group	Trust's Area Population Profile (Population of 358,034)	Percentage
Gender	Female	50.36
	Male	49.64
Religion	Protestant	39.15
	Roman Catholic	56.69
	Other	4.16
Political Opinion	Not collected	
Age	0-15	22.73
	16-24	12.25
	25-44	28.45
	45-64	23.40
	65-84	11.69
	85+	1.48
Marital Status (aged 16+ years)	Single	34.99
	Married/Civil Partnership	50.24
	Other	14.77
Dependent Status	Caring for a Child/Children/Dependant Older Person/Person(s) With a Disability	11.34% of usually resident population provide unpaid care
Disability	Yes	19.64
	No	80.36
Ethnicity	Asian Other	0.20
	Bangladeshi	0.01
	Black African	0.11
	Black Caribbean	0.01
	Black Other	0.10
	Chinese	0.22
	Indian	0.17
	Irish Traveller	0.15
	Mixed Ethnic Group	0.29
	Other	0.16
	Pakistani	0.07
	White	98.51
Sexual Orientation	Estimated 6-10% of persons identify as lesbian, gay, bisexual – <i>Source: 2012 report by Disability Action & Rainbow Project</i>	

(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. **(NB: Use relevant statistical and qualitative data to complete the table below)**

Section 75 Category	Details of Needs, Experiences and Priorities	
	Staff	Service Users
Gender	The staff potentially affected by this proposal are, those of the current contract Providers. TUPE information will be requested.	The activity associated with this service will be managed on an individual Service User case by case basis. The full range of advocacy need required by individuals will be taken into account in totality and resources will be targeted in relation to complexity.
Age	As Above	As Above
Religion	As Above	As Above
Political Opinion	As Above	As Above
Marital Status	As Above	As Above
Dependent Status	As Above	As Above
Disability	As Above	<ul style="list-style-type: none"> - The Provider will be responsible for developing and distributing all marketing material for the service. - Information about the service will be published in a range of formats such as internet, leaflets etc. which are suitable for a range of Service Users including, as a minimum, information about the range of services provided, details about who the service is for, how to access the service, opening times and contact details. This information will be made available in accessible formats as required including an easy read version. - The Provider will have systems /

Section 75 Category	Details of Needs, Experiences and Priorities	
	Staff	Service Users
		<p>processes in place which ensure easy access to the service.</p> <ul style="list-style-type: none"> - Where a Service User requires additional communication support e.g. they require information in a different format, professional translation services, speech and language therapy, the Provider will liaise with the Trust to ensure communication needs are addressed.
Ethnicity	As Above	<p>As Above</p> <ul style="list-style-type: none"> - The Provider will be responsible for developing and distributing all marketing material for the service. - Information about the service will be published in a range of formats such as internet, leaflets etc. which are suitable for a range of Service Users including, as a minimum, information about the range of services provided, details about who the service is for, how to access the service, opening times and contact details. This information will be made available in accessible formats as required including an easy read version. - The Provider will have systems / processes in place which ensure easy access to the service. - Where a Service User requires additional communication support e.g. they require information in a different format, professional translation services, speech and language therapy, the Provider will liaise with the Trust to ensure communication needs are addressed.
Sexual Orientation	As Above	As Above

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

The following will be used to inform the development of Service Specifications:

- Services will be developed in line with the 'Developing Advocacy Services – A Policy Guide for Commissioners' (May 2012) developed by DHSSPS
- Feedback received via the SHSCT Carers Forum
- Output from the 2019/20 regional review of adult learning disability services

The Trust will pay due regard to its equality, human rights and disability obligations in the development of Service Specifications and throughout the procurement process.

The tender opportunity will be advertised via the Northern Ireland public procurement portal etendersNI.

(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.

Trust Staff – None (Other than that which has been denoted at Section 2.1)

(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
	Staff	Service Users	
Gender	N/A	<p>The activity associated with this service will be managed on an individual Service User case by case basis. The full range of advocacy need required by individuals will be taken into account in totality.</p> <p>The aim of each advocacy service will be to support Service Users to make more informed decisions to enable them to lead more independent, inclusive lives by enabling them to express views, communicate choices and receive services. It is expected that this service will have a positive impact.</p>	Minor positive
Age	N/A	As above	As above
Religion	N/A	As above	As above
Political Opinion	N/A	As above	As above
Marital Status	N/A	As above	As above
Dependent Status	N/A	As above	As above

Disability	N/A	As above	As above
Ethnicity	N/A	As above	As above
Sexual Orientation	N/A	As above	As above

(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	Not applicable
Age	Not applicable
Religion	Not applicable
Political Opinion	Not applicable
Marital Status	Not applicable
Dependent Status	Not applicable
Disability	Not applicable
Ethnicity	Not applicable
Sexual Orientation	Not applicable

(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		Not applicable
Political opinion		Not applicable
Racial group		Not applicable

(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	Not applicable
Political opinion	Not applicable
Racial group	Not applicable

(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 development of services will consider feedback noted in Section 3.2. to help achieve the outcomes detailed in Section 1.3

The aim of each service will be to support Service Users to make more informed decisions to enable them to lead more independent, inclusive lives by enabling them to express views, communicate choices and receive services thereby furthering the disability duties of promoting positive attitudes toward disabled and their participation in public life.

(6) Consideration of Human Rights

The Trust has a duty to act compatibly and must take Human Rights considerations into account in its day-to-day functions/activities.

(6.1) How does the policy/proposal impact on 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	X		

Article	Positive impact	Negative impact = human right interfered with or restricted	Neutral impact
punishment			
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
1st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			X
1st protocol Article 2 – Right of access to education			X

The aim of each advocacy service will be to support Service Users to make more informed decisions to enable them to lead more independent, inclusive lives by enabling them to express views, communicate choices and receive services.

Services will help to promote equality of opportunity, social justice and the protection of human rights.

(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 will pay due regard to its equality, human rights and disability obligations in the development of the service specification and throughout the procurement process.

Relevant clauses will be included within the Terms and Conditions of Contract to ensure Providers comply with legislation.

The Trust's proposal to enhance advocacy provisions reflects the growing recognition of the value of advocacy services in protecting the human rights of the most vulnerable in society as acknowledged in the Bamford Review report on Human Rights and Equality of Opportunity. The proposal to provide enhanced advocacy services across the Trust and for the groups denoted at 1.2 aims to promote social inclusion, integration and justice; bring about health improvement and well-being by enabling individuals to more readily access services with the support of advocacy tailored to their individual needs; facilitate participation by having their say and having their needs appropriately met; thereby reducing inequalities in health and well-being and safeguarding adults – those most vulnerable in our society.

(7) Screening Decision

(7.1) Given the answers in Section 4 of this template, how would you categorise the impacts of this decision or policy/proposal? *(Please tick one option below and list your reasons for the decision in 7.2 below)*

Major impact		EQIA Required? <i>(Delete as appropriate)</i>	
		Yes	NO
Minor impact	Minor Positive impact	Mitigation Required	Alternative Policy Required
		Yes/ NO	Yes/ NO
No impact	X	Screened Out	

(7.2) Please give reasons for your decision and detail any mitigation or alternative policies considered.

This proposal seeks to re-procure existing advocacy services, in a manner that is in line with legislation and best practice.

The Trust wishes to minimise the impact on existing Service Users of any change in service provision and aims for a seamless transition between existing services and the new service.

The Provider will be required to develop a Service Delivery Plan which will include details on any take-over and management of existing services, through to the establishment of the new service.

The activity associated with this service will be managed on an individual service User case by case basis. The full range of advocacy need required by individuals will be taken into account in totality and resources will be targeted in relation to complexity.

(7.3) Do you consider the policy/proposal needs to be subjected to ongoing screening? NB: for strategies/policies that are to be put in place through a series of stages – screen at various stages during implementation.

Yes	
No	X

This service specification will be reviewed throughout the life of the contract. Changes in legislation or improvements in practice may result in the need for modifications. The equality screening will be kept under review and if any changes occur then it will be rescreened.

(8) Monitoring

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

- Trust contract management arrangements
- Support from Trust Equality Unit
- Feedback from Service Users
- Comments / complaints

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Date: March 2021

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Policy/proposal screened by: (Completed on behalf of Noreen McComiskey,
Tracy Rogers, Adrian Cluett and Stephen
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Please forward completed screening template to christine.white@southerntrust.hscni.net for inclusion in the Trust's Policy Screening Reports which are uploaded to the Trust's website.