Southern Health and Social Care Trust
Quality Care - for you, with you

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 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

Work Life Balance Policy (WLB)

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

Revised policy which now incorporates manager and employee guidelines to ensure all requests for WLB are given serious consideration in line with the existing legislative provisions.

NB: With effect from April 2015 **all** employees (regardless of whether they have parental responsibilities or not) will have a right to request flexible working.

Employees with a qualifying period of 26 weeks employment can make an application for change in their working pattern. The right is *the right to request and the right to have one's request considered seriously.*

NB: A request must only be refused for a ***good business reason(s)*** – see section 3 and 4 of the revised policy.

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

The policy sets out the various WLB provisions currently available to employees to help them balance their work/life commitments.

The policy's **aim** is to:

- enable staff to achieve a balance between their work/life commitments.

The intended **outcomes** of the Work Life Balance Policy are to:

- enable the Trust to retain the skills and expertise of staff who are no

longer able/wish to continue in their usual working pattern;

- facilitate staff who wish to continue working at the same time as meeting other commitments;
- provide new job opportunities in the Trust;
- provide an opportunity for employees to return to employment within the Trust on a flexible basis;
- enable the Trust to become an Employer of Choice in line with the Health and Social Care Workforce Strategy 2026;

The Trust's WLB policy has been drawn up to reflect the current legislative provisions.

The Trust's WLB provisions extend beyond statutory minimum compliance to include e.g. phased return from maternity leave and the Trust's work break scheme.

The Trust will take seriously all requests for flexible working. It may not always be possible to facilitate requests for flexible working due to e.g. business reasons/needs of the service etc. The merits of each application will be considered in line with the WLB policy bearing in mind the various anti-discrimination statutes e.g. sex/sexual orientation discrimination etc.

Important note: The Trust has a range of other statutory provisions such as shared parental leave, paternity leave, maternity and adoption leave, etc. In addition, the Trust has a Time off Work Policy which sets out details of other arrangements for time off work, details of the time permitted and if the time off work is paid or unpaid.

For further details go to the HR SharePoint on the Trust's Intranet or contact the Employee Relations Team for further information.

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

All Section 75 equality categories have the potential to benefit from the Trust's WLB provisions including those with or without dependants.

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

The Trust is the author of this policy. The policy is based on current legislative provisions and best practice.

(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?)

Staffing levels may have the potential to impact on the intended policy outcomes. As will the need for business continuity.

NB: Reasons for refusal should be documented and be in line with the statutory provisions – see supporting guidance notes for managers and employees sections 3 and 4 refer.

A manager is only able to refuse an application where there are clear business reasons. These are specified in the legislation and can only be for the following reasons:

- Burden of extra costs to the business.
- Inability to meet patient/client demand.
- Inability to organise work within available staffing.
- Detrimental effect on performance/quality.
- Inability to find extra staff.
- Insufficiency of work during the period the employee proposes to work.
- Planned structural changes.

The explanation should include the key facts about why the business grounds apply. These should be accurate and clearly relevant to the business grounds.

(NB: Accuracy is particularly important, as one of the factors that a tribunal can consider is 'incorrect facts'.)

(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)

Internal: Management, Staff, Trade Unions, BSO – Legal Directorate.

External: Statutory Agencies such as the Equality Commission for NI, Labour Relations Agency, Industrial Tribunal.

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

This policy compliments the existing range of Equal Opportunities Policies designed to promote equality of opportunity and good working relations within the workplace e.g.:

- Equality, Diversity and Inclusion Policy,
- Disability Equality Policy,
- Disability Tool Kit which now incorporates guidance on Reasonable Adjustments in the Workplace.

This list is illustrative and not intended to be exhaustive.

(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

Section 75 Group	*Make up of Staff Affected*	*Percentage*
Gender	Female Male	All staff are potentially affected by the policy as the revised policy extends to all employees including those with or without dependants. NB: All requests will be considered on their individual merits taking into account the need for business continuity.
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 Not Known/Other	As above
Dependent Status	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	Black African Bangladeshi Black Caribbean Chinese Indian Irish Traveller Pakistani Mixed Ethnic Filipino Black Other White Not Known/Other	As above

Sexual Orientation *towards:*	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	As above

2.2 Composition of Southern Trust Workforce

Section 75 Group	***Southern Trust Workforce Profile as at 1 January 2019***	***Percentage***
Gender	Female Male	**85.6** **14.4**
Religion	Protestant Roman Catholic Neither	**37.0** **57.1** **5.9**
Political Opinion	Broadly Unionist Broadly Nationalist Other Do Not Wish To Answer/Not Known	**9.5** **9.6** **7.6** **73.4**
Age	16-24 25-34 35-44 45-54 55-64 65+	**5.1** **25.8** **24.6** **23.3** **18.3** **2.9**
Marital Status	Single Married Not Known	**29.3** **62.3** **8.4**
Dependent Status	Caring for a Child/Children / Dependant Older Person / Person With a Disability None Not Known	**22.2** **27.8** **50.0**
Disability	Yes No Not Known	**2.3** **78.3** **19.4**
Ethnicity	Bangladeshi Black African Black Caribbean Black Other Chinese Filipino Indian Irish Traveller Mixed Ethnic Pakistani White Not Known	**0** **0.09** **0.02** **0.03** **0.12** **0.24** **0.64** **0.03** **0.1** **0.1** **80.4** **18.2**
Sexual Orientation *towards:*	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	**52.9** **0.9** **0.1** **46.1**

2.3 Patients / Clients Affected

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

Section 75 Group	*Make up of Patients/Clients Affected*	*Percentage*
Gender	Female Male	Not applicable – internal policy affecting Trust Staff
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 Other	As above
Dependent Status	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	Black African Bangladeshi Black Caribbean Chinese Indian Irish Traveller Pakistani Mixed Ethnic Filipino Black Other Asian Other White Other	As above
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

(NB: in some instances you may need to be more specific and use local District Council areas – please contact the Equality Unit).

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

(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	There is likely to be a higher uptake of the Trust's Work Life Balance Policy by female employees by virtue of the Trust's workforce composition which is predominantly female i.e. 85.6% as at 1st January 2019. Further, research conducted by the Equality Commission for NI revealed that the majority of carers are women. It is also recognised that men are increasingly taking a greater role in caring responsibilities. As such the WLB Policy is open to both male and female employees including those with or without dependants and same sex partners.	Not applicable
Age	With effect from April 2015 **all** employees (regardless of whether they have parental responsibilities or not) now have a right to request flexible working.	
Religion	Nil of note	
Political Opinion	Nil of note	
Marital Status	See correlation with gender and dependent status.	

Section 75 Category	Details of Needs, Experiences and Priorities	
	Staff	Service Users
Dependent Status	Whilst it is acknowledged that those with dependants have greater caring commitments than those without - the scope of the policy has been extended to reflect current legislative provisions to include all employees including those with and without dependants to make an application.	
Disability	The Trust's WLB Policy can be utilised to facilitate a reasonable adjustment in the workplace for employees who have a disability as defined by the DDA 1995.	
Ethnicity	Employees from Black and Minority Ethnic Communities and in particular new arrivals may not have the same support from extended family networks. As such they may be more reliant on the Trust's Work Life Balance provisions to support them in reconciling their caring commitments…. 'Believe in Child Care' Research Report Barnardo's NI and NICEM - March 2014.	
Sexual Orientation	The Trust's WLB Policy applies equally to same sex partners – Sexual Orientation Regs. refer. NB: The definition of a Parent under the legislation is "the biological parent, guardian, adopter or foster carer of the child; married to such a person and who lives with the child; the partner of such a person and lives with the child. A partner is a person who (regardless of	

Section 75 Category	Details of Needs, Experiences and Priorities	
	Staff	Service Users
	their sex) lives with the mother or adopter in an enduring family relationship but is not a blood relative". With effect from April 2015 **all** employees (regardless of whether they have parental responsibilities or not) now have a right to request flexible working.	

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

This is a refresh of the current WLB policy as a separate Time Off Work Policy has been approved to include a number of the provisions which were formally part of the WLB suite of policies. There is no diminution of the existing WLB provisions. Of note the current provisions extend beyond the statutory minimum requirements.

In addition, the views of recognised Trade Unions have been incorporated within the revised policy and the policy has been fully endorsed by TUs.

(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***
	Staff	***Service Users***	
Gender		Not applicable	Level of impact for **staff** - None. The Trust's WLB Policy is a **positive intervention** intended to enable staff to reconcile their work life balance commitments. The policy together with supporting guidelines for both managers and employees are intended to facilitate the fair application of the policy and facilitate its intended aims and outcomes. The statutory procedure governing the timely consideration of all applications received under the Trust's WLB Policy should be adhered to. Reasons for refusal should be documented in line with legislative provisions. A right of

			appeal is provided for.
Age			None – as per gender above
Religion			None – as per gender above
Political Opinion			None – as per gender above
Marital Status			None – as per gender above. See also needs, experiences and priorities as denoted in table 3.1 above and correlation with gender and dependent status
Dependent Status			None – as per gender above. See also needs, experiences and priorities as denoted in table 3.1 above
Disability			None – as per gender above. See also needs, experiences and priorities as denoted in table 3.1 above
Ethnicity			None – as per gender above. See also needs, experiences and priorities as denoted in table 3.1 above
Sexual Orientation			None – as per gender above. See also needs, experiences and priorities as denoted in table 3.1 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	See needs, experiences and priorities as denoted in table 3.1 above together with the need to ensure the fair application of the policy in line with relevant legislative provisions including the right of appeal. The policy will be subject to review in line with the agreed default of every 3 years or sooner where legislative provisions and/or case law dictate.
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		None - having regard to considerations denoted in tables 3.1 and 4.2
Political opinion		None - having regard to considerations denoted in tables 3.1 and 4.2
Racial group		None - having regard to considerations denoted in tables 3.1 and 4.2

(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	Fair application of the policy in line with relevant legislative provisions including provision for the right of appeal.
Political opinion	As above
Racial group	As above – see also considerations at table 3.1 in respect of BME communities and in particular new arrivals who may have a lack of extended family networks and support.

(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 Work life Balance Policy can be viewed as a reasonable adjustment in and of itself. The provisions within the policy can often be utilised to facilitate the continued employment of people with a disability e.g. job sharing, reduction in working hours, etc. Thereby promoting continued inclusion and integration in the workplace.

(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	Positive impact	Negative impact = human right interfered with or restricted	Neutral impact
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 With proper adherence to relevant legislative provisions and statutory procedures		
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

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 on tel: 028 375 64151. 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.

On-going staff training i.e. completion of mandatory 'Making a Difference' eLearning programme and via the use of the Trust's equality screening template thus ensuring Equality and Human Rights considerations are mainstreamed within the policy development and decision making processes of the Trust at the outset.

(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?** ***(Delete as appropriate)***	
			No

Minor impact		Mitigation Required	Alternative Policy Required
		No	**No**

No impact	√	**Screened Out**

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

The policy has been screened out as the intended policy aims and outcomes are to further the Trust's equality obligations by providing for a range of flexible working options to enable staff to reconcile their competing work life balance commitments.

Proper adherence to relevant legislative provisions and statutory procedures

should ensure the fair application of the policy across the Trust. In keeping with Trust policy and practice a right of appeal will be provided for where applications have been refused.

The Trust will review the operational effectiveness of this policy in line with legislative developments, relevant case law and operational experience.

(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	√

(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?

As stated above the Trust will review the operational effectiveness of this policy – see commitment at 7.2.

Southern Health and Social Care Trust
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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.