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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

Proposed Piloting of a Staff Transfer Scheme within the Older People and Primary Care (OPPC) Directorate, SHSCT

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

New Scheme

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

This Scheme sets out the general principles for the proposed piloting of a staff transfer scheme within the Directorate of Older People and Primary Care. It is proposed this pilot will commence for a 6 month period with effect from 1st October 2019.

At the end of the pilot phase the Scheme will be formally evaluated with relevant stakeholders against pre-determined criteria (to be discussed and agreed). Following evaluation, appropriate recommendations will be made.

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

During the pilot phase this Scheme will apply to all OPPC employees who hold a substantive post in the Directorate, have satisfactorily completed their probationary period and have a minimum of one year's service with the Trust.

See table 2.1 for the make-up of staff within the OPPC Directorate who might be

expected to benefit from the Scheme, subject to meeting the eligibility criteria, stated above.

The proposed scheme explicitly states that reasonable adjustments as recommended by Occupational Health for employees with a disability will take precedence where appropriate over another employee's request for a transfer.

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

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- Are there any factors that could contribute to/detract from the intended aim/outcome of the policy/proposal/decision? (Financial, legislative or other constraints?)

The Scheme will operate on the following Terms and Conditions:

- Employees accepted for transfer during this proposed pilot will not be required to subject to a probationary period process.
- As the request for a transfer is voluntary, excess mileage expenses will not be applicable.
- Once an internal transfer is facilitated, no employee will be eligible to make another transfer request for a minimum of two years.
- In all cases, any agreed transfer must be from/to the same band, within the same job family and the employee must meet the essential job related criteria, to include all required professional body registration requirements.
- It is expected that most employees transferring from one service or location to another will not be changing their contractual number of hours. An increase or decrease in contractual hours may however be possible in some circumstances and with the manager's and employee's agreement.
- An employee's request for a transfer will not normally be considered and may have to be put "on hold" where he/she is subject to ongoing Trust policies or procedures relating to potential misconduct or performance/ capability.

- This Scheme and guiding principles must be set in the context of other relevant Trust procedures such as those relating to redeployments as a result of organisational change, disability or ill health. In these circumstances, priority will be given to the employee who requires redeployment as a result of service change or to facilitate a reasonable adjustment recommended by the Trust's Occupational Health Department and in fulfilment of the requirements of the Disability Discrimination Act 1995.

- All applications will be considered on their individual merits bearing in mind all of the circumstances as well as all other relevant legislation provisions such as e.g. the Disability Discrimination Act 1995 and the consideration afforded to employees who have a disability.

- For a transfer to happen there must be a permanent vacant funded post for the employee to move in to.

- Whilst "first come, first served" will always be the preferred way to manage requests the employee must accept that this may at times not always be possible. This is likely to be because of urgent or critical service needs e.g. in scenarios where the receiving line manager needs a key post filled urgently and where at that particular time the transferring employee cannot be quickly released from their current role.

- As a result of the above, it must be accepted that arranging some transfers might take more than 6 months and in some cases possibly up to 12/18 months.

(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.)

SMT, Trust Managers, Employees - within the OPPC Directorate who meet the eligibility criteria and Trade Union Colleagues. It is envisaged this Scheme could also reduce the time for filling vacant posts and this will be to the benefit of service users.

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

- Health and Wellbeing 2026: Delivering Together
- HSC Workforce Strategy 2026: Delivering For Our People
- Trust's HR Operational Plan
- Trust's Equal Opportunity Policy
- Trust's Work Life Balance Policy
- Trust's Disability Equality Policy and associated Tool Kit for Managers and Employees
- Trust's Grievance Procedure

The above list is 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

(please contact the Equality Unit on 028 375 64152 with details of staff affected in order to complete table below)

Section 75 Group	*Make up of Staff Affected - OPPC Directorate*	*Percentage*
Gender	Female Male	**91.1** **8.9**
Religion	Protestant Roman Catholic Not Known/Other	**39.5** **56.4** **4.1**
Political Opinion	Broadly Unionist Broadly Nationalist Other Do Not Wish To Answer/Not Known	**9.8** **9.9** **6.4** **73.9**
Age	16-24 25-34 35-44 45-54 55-64 65+	**4.2** **20.2** **24.3** **25.8** **20.6** **4.9**
Marital Status	Single Married/Civil Partnership Other/Not Known	**25.0** **65.5** **9.5**
Caring Responsibility	Caring for a Child/Children/Dependant Older Person/Person(s) With a Disability None Not Known	**22.5** **24.0** **53.5**
Disability	Yes No Not Known	**2.1** **79.6** **18.3**
Ethnicity	Bangladeshi Black African Black Caribbean Black Other Chinese Filipino Indian Irish Traveller Mixed Ethnic Pakistani White Not Known	**0** **0.06** **0.03** **0.03** **0.13** **0.22** **0.35** **0.06** **0** **0** **84.58** **14.54**
Sexual Orientation ***towards:***	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	**52.7** **0.6** **0.1** **46.6**

2.2 Composition of Southern Trust Workforce

(please contact the Equality Unit on 028 375 64152 to ensure the figures below are the most recent)

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	**N/A**
Religion	Protestant Roman Catholic Other	**N/A**
Political Opinion	Broadly Unionist Broadly Nationalist Other Do Not Wish To Answer/Not Known	**N/A**
Age	0-15 16-24 25-44 45-64 65-84 85+	**N/A**
Marital Status	Single Married/Civil Partnership Other/Not Known	**N/A**
Caring Responsibility	Caring for a Child/Children/Dependant Older Person/Person(s) With a Disability None Not Known	**N/A**
Disability	Yes No Not Known	**N/A**
Ethnicity	Bangladeshi Black African Black Caribbean Black Other Chinese Filipino Indian Irish Traveller Mixed Ethnic Pakistani White Not Known	**N/A**
Sexual Orientation *towards:*	Opposite Sex Same Sex Same and Opposite Sex Do Not Wish To Answer/Not Known	**N/A**

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 on 028 375 64152).

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	The Transfer Scheme may be utilised to enable staff to achieve a better work life balance – see also the Trust's Work Life Balance Policy. Note the Scheme is limited to staff in the OPPC Directorate, and who meet the eligibility criteria, as part of the initial 6 month pilot phase. Following evaluation, appropriate recommendations will be made.	N/A
Age	Nil of note	N/A
Religion	Nil of note	N/A
Political Opinion	Nil of note	N/A
Marital Status	Nil of Note	N/A
Dependent Status	See correlation with Gender above.	N/A
Disability	All applications will be considered on their individual merits bearing in mind all of the circumstances as well as all other relevant legislation provisions such as e.g. the Disability Discrimination Act 1995 and the considerations afforded to employees who have a disability in particular the	N/A

Section 75 Category	Details of Needs, Experiences and Priorities	
	Staff	Service Users
	duty to make reasonable adjustments. Further, staff who have communication difficulties – their individual needs will be taken into account to ensure no member of staff is placed at a disadvantage in the practical application of the scheme. The proposed scheme explicitly states that reasonable adjustments as recommended by Occupational Health for employees with a disability will take precedence where appropriate over another employee's request for a transfer.	
Ethnicity	The communication needs of staff who do not speak English as a first language will be taken into account in terms of alternative languages to ensure no member of staff is disadvantaged in the practical application of the scheme.	N/A
Sexual Orientation	Nil of note	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.

Trade Union Colleagues have been engaged in the development of the Scheme

CHROD Colleagues have signed off on this initial Equality Screening and draft Scheme.

Information from the pilot i.e. view of managers and employees together with the view of SMT, Senior Managers and Trade Union Colleagues will be taken into account as part of the evaluation and will further inform this Equality Screening as such it will be updated as necessary.

(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	See considerations at 3.1	N/A	None – the Transfer Scheme is intended to have a positive impact on staff. The Scheme may be utilised to enable staff to achieve a better work life balance. Further, the Scheme and guiding principles must be set in the context of other relevant Trust procedures such as those relating to redeployments as a result of organisational change, disability or ill health. In these circumstances, priority will be given to the employee who requires redeployment as a result of service change or to facilitate a reasonable adjustment recommended by the Trust's Occupational Health Department and in fulfilment of the requirements of the Disability Discrimination Act 1995. All applications will be considered on their individual merits bearing in mind all of the circumstances as well as all other relevant legislation provisions such as e.g. the Disability Discrimination Act 1995 and the consideration afforded to employees who have a disability – in particular the duty to make reasonable adjustment(s).
Age		N/A	None - See note above
Religion		N/A	None - See note above
Political Opinion		N/A	None - See note above
Marital		N/A	None - See note above

Status			
Dependent Status	See considerations at 3.1	N/A	None - See note above
Disability	See considerations at 3.1	N/A	The proposed scheme explicitly states that reasonable adjustments as recommended by Occupational Health for employees with a disability will take precedence where appropriate over another employee's request for a transfer.
Ethnicity		N/A	None - See note above
Sexual Orientation		N/A	None - See note 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	
Age	See considerations at 3.1
Religion	
Political Opinion	
Marital Status	
Dependent Status	See considerations at 3.1
Disability	See considerations at 3.1
Ethnicity	See considerations at 3.1
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		Positive Impact for reasons detailed at 7.2
Political opinion		Positive Impact for reasons detailed at 7.2
Racial group		Positive Impact for reasons detailed at 7.2

(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	
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?

All applications will be considered on their individual merits bearing in mind all of the circumstances as well as all other relevant legislation provisions such as e.g. the Disability Discrimination Act 1995 and the consideration afforded to employees who have a disability in particular the duty to provide reasonable adjustment(s). Further, the Scheme and guiding principles must be set in the context of other relevant Trust procedures such as those relating to redeployments as a result of organisational change, disability or ill health. In these circumstances, priority will be given to the employee who requires redeployment as a result of service change or to facilitate a reasonable adjustment recommended by the Trust's Occupational Health Department and in fulfilment of the requirements of the Disability Discrimination Act 1995.

(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			√
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			√
1st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			√
1st 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 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.

Equality and Human Rights considerations have been taken into account as an integral part of the development of this Scheme and also when conducting the Equality Screening – see 6.1 above.

The Scheme will be evaluated after the initial pilot phase. Feedback received will further inform the Equality Screening as well as human rights considerations as necessary.

On-going staff training e.g. completion of 'Making a Difference' – Equality, Good Relations and Human Rights Training.

(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)***	
		Yes	**No**

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

No impact	√	**Screened Out**

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

The Transfer Scheme is intended to have a positive impact on staff.

The Scheme may be utilised to enable staff to achieve a better work life balance.

Further, the Scheme and guiding principles must be set in the context of other relevant Trust procedures such as those relating to redeployments as a result of organisational change, disability or ill health. In these circumstances, priority will be given to the employee who requires redeployment as a result of service change or to facilitate a reasonable adjustment recommended by the Trust's Occupational Health Department and in fulfilment of the requirements of the Disability Discrimination Act 1995.

All applications will be considered on their individual merits bearing in mind all of the circumstances as well as all other relevant legislation provisions such as e.g. the Disability Discrimination Act 1995 and the consideration afforded to employees who have a disability - in particular the duty to make reasonable adjustment(s).

Staff who have communication difficulties – their individual needs will be taken into account to ensure no member of staff is placed at a disadvantage in the practical application of the Scheme.

The communication needs of staff who do not speak English as a first language will be taken into account in terms of alternative languages to ensure no member of staff is disadvantaged in the practical application of the Scheme.

The Scheme should also reduce the time taken to fill some vacant posts and this will be of benefit to service users.

(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	√ see monitoring
No	

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(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?

The out workings of the Scheme will be formally evaluated with relevant stakeholders against pre-determined criteria (to be discussed and agreed). Following that evaluation, appropriate recommendations will be made.

Feedback received during the pilot phase will further inform the Equality Screening and as such it will be updated as necessary.

Approved Lead Officer: **Vivienne Toal**

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Date: **17 July 2019**

Policy/proposal screened by: **Maura Mallon and Lynda Gordon**

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.