# Equality, Good Relations and Human Rights Screening Template

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

See Guidance Notes for further background information on the relevant legislation and for help in answering the questions on this template.

## (1) Information about the Policy/Proposal

(1.1) Name of the policy/proposal

Conflict, Bullying and Harassment in the Workplace

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

This is a new policy to replace both the existing HSCNI policy on Working Well Together and Trust local Management of Harassment policies.

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

- To provide all staff, particularly managers, with clear guidance on how to handle conflict, bullying and harassment in accordance with best practice and relevant employment legislation;
- To outline to all staff their rights and their collective responsibility to create and maintain a safe, harmonious, positive and enabling working environment for all;
- To provide a mechanism to facilitate prompt resolution of issues that may arise;
- To prevent bullying of all staff members, including agency workers;
- To prevent harassment of all staff members, including agency workers.

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

This policy applies to and will be of benefit to all staff across all the equality categories.

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

This is a regional HSCNI policy to be implemented across all Trusts.

(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 outcome of the Policy**

- Effective communication of the policy
- Comprehensive Training Programme

(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 Stakeholders:**

Management and staff, future employees

Trade Unions

Professional Bodies

## External Bodies:

Statutory Enforcement bodies such as the Equality Commission for NI, Commission for Racial Equality, Fair Employment and Industrial Tribunal

NB: The above list is not exhaustive

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

Replaces existing policies in this areas as outlined in 1.2.

**Other Policy with a bearing on this policy:**

Equality, Diversity and Inclusion Policy (Equal Opportunity Policy)

Equality Scheme - S75 NI Act refers

Joint Declaration of Protection/Good Relations Strategy

Disciplinary Policy

NB: The above list is not 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? Specify details for relevant Section 75 categories.

| ***Details of evidence/information*** |
|---|
| **Qualitative:**<br><br>The Policy has been developed having conducted a wide spread review of existing policy and practice across HSC organisations which included focus group discussions, workshops with HR practitioners and Trade Union to inform the new policy. The views of a wide range of stakeholders have been taken on board in shaping this new Policy.<br><br>A kick off workshop was held in February 2017 with a range of stakeholders, including trade unions and management. In April/May 2017 a series of focus groups with staff took place across a number of Trusts.<br><br>Extensive consultation with a range of stakeholders on the draft Policy happened from September 2017 right through to Dec 2018.<br><br>**Quantitative:**<br><br>Review of complaints received and lead time to resolve. |

## (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.

| ***Category*** | **Needs, experiences and priorities** | |
|---|---|---|
| | ***Service users*** | ***Staff*** |
| Gender | | Applies to all staff . The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Age | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Religion | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Political Opinion | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Marital Status | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Dependent Status | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |
| Disability | | Applies to all staff equally. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage.<br>There may be a need for support and any reasonable |

| | | |
|---|---|---|
| | | adjustments to practice to ensure a fair hearing. |
| Ethnicity | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. Ensure the communication needs of those who do not speak English as a first language are considered and catered for to ensure equality of arms |
| Sexual Orientation | | Applies to all staff. The policy will be applied fairly so that none of the s75 equality groupings are placed at a disadvantage. |

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

This policy has been subject to extensive consultation through a working group, focus groups and trade union consultation.

## (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*** |
| | ***Services Users*** | ***Staff*** | |
| Gender | | Male – 14.4%<br>Female – 85.6% | The Policy will be applied fairly to all staff. The policy aims to have |

| | | | |
|---|---|---|---|
| | | | a positive Impact in that it provides a mechanism for the prompt resolution of issues that may arise and to prevent future recurrence through on-going monitoring arrangements. |
| Age | | 16-24 – 5.1%<br>25-34 – 25.8%<br>35-44 – 24.6%<br>45-54 – 23.3%<br>55-64 – 18.3%<br>65+ - 2.9% | As above. The Policy will be applied fairly to all staff. |
| Religion | | P – 37.0%<br>RC – 57.1%<br>N – 5.9% | As above. The Policy will be applied fairly to all staff. |
| Political Opinion | | Nationalist – 9.5%<br>Unionist – 9.6%<br>Other – 7.6%<br>NK – 73.4% | As above. The Policy will be applied fairly to all staff. |
| Marital Status | | Married – 62.3%<br>Single – 29.3%<br>Not Known – 8.4% | As above. The Policy will be applied fairly to all staff. |
| Dependent Status | | Yes – 22.2%<br>No – 27.8%<br>Not Known – 50.0% | As above. The Policy will be applied fairly to all staff. |
| Disability | | Yes – 2.3%<br>No – 78.3%<br>Not Known – 19.4% | As above. The Policy will be applied fairly to all staff. See considerations at 3.1 |
| Ethnicity | | White – 80.4%<br>Other – 1.4%<br>Not Known – 18.2% | As above. The Policy will be applied fairly to all staff. See considerations at 3.1 |
| Sexual Orientation | | Opposite – 52.9%<br>Same – 0.9%<br>Both – 0.1%<br>Not Known – 46.1% | As above. The Policy will be applied fairly to all staff. |

| ***(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 | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Age | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Religion | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Political Opinion | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Marital Status | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Dependent Status | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |
| Disability | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. See considerations at 3.1. |
| Ethnicity | The promotion of this policy and associated awareness raising within Trusts offers an |

| | |
|---|---|
| | opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. See consideration at 3.1. |
| Sexual Orientation | The promotion of this policy and associated awareness raising within Trusts offers an opportunity to promote equality of opportunity and to promote a good and harmonious working environment for all staff. |

| **(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 | | Applies to all staff equally. Positive impact in that it provides a mechanism for the prompt resolution of issues that may arise and to prevent future recurrence through on-going monitoring arrangements. |
| Political opinion | | Applies to all staff equally. Positive impact in that it provides a mechanism for the prompt resolution of issues that may arise and to prevent future recurrence through on-going monitoring arrangements. |
| Racial group | | Applies to all staff equally. Positive impact in that it provides a mechanism for the prompt resolution of issues that may arise and to prevent future recurrence through on-going monitoring arrangements. |

| ***(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 | Applies to all staff equally. Effective communication of the Policy underpinned by training and staff awareness. |
| Political opinion | Applies to all staff equally. Effective communication of the Policy underpinned by training and staff awareness. |
| Racial group | Applies to all staff equally. Effective communication of the Policy underpinned by training and staff awareness. Provision of language assistance for those staff who may need 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?*** |
|---|
| Disability is a key equality category covered by this policy. Reasonable Adjustment will be considered for staff with disability to ensure their needs are met in the out workings and practical application of the policy in line with related Trust Policy. |

## (6) Consideration of Human Rights

(6.1) Does the policy/proposal affect anyone's Human Rights?
Complete for each of the articles

| Article | Positive impact | Negative impact = human right interfered with or restricted | Neutral impact |
|---|---|---|---|
| Article 2 – Right to life | | | √ |
| Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment | √ | | |
| Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour | | | √ |
| Article 5 – Right to liberty & security of person | | | √ |
| Article 6 – Right to a fair & public trial within a reasonable time | √ | | |
| Article 7 – Right to freedom from retrospective criminal law & no punishment without law | | | √ |
| Article 8 – Right to respect for private & family life, home and correspondence. | √ | | |
| Article 9 – Right to freedom of thought, conscience & religion | √ | | |
| Article 10 – Right to freedom of expression | √ | | |
| Article 11 – Right to freedom of assembly & association | | | √ |
| Article 12 – Right to marry & found a family | | | √ |
| Article 14 – Prohibition of discrimination in the enjoyment of the convention rights | √ | | |
| 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. 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.<br><br>Ensure all staff complete their Making a Difference eLearning modules and read their staff Training Manual – Equality, Good Relations and Human Rights. Attendance at appropriate training events. Ensure their behaviour accords with the principles laid down in the Equality, Diversity and Inclusion Policy and other related policies. |

## (7) Screening Decision

### (7.1) Given the answers in Section 4, how would you categorise the impacts of this policy/proposal?

| | |
|---|---|
| Major impact | |
| Minor impact | |
| No impact | √ |

### (7.2) Do you consider the policy/proposal needs to be subjected to ongoing screening

| | |
|---|---|
| Yes | |
| No | √ |

### (7.3) Do you think the policy/proposal should be subject to and Equality Impact Assessment (EQIA)?

| | |
|---|---|
| Yes | |
| No | √ |

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

This policy will be applied fairly to all staff. The Trust will monitor its implementation. The needs of persons with a disability and those who do not speak English as a first language will be taken into account in any subsequent investigation to ensure a fair hearing and that no one is placed at a procedural disadvantage on any of the 9 equality grounds.

## (8) Monitoring

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

Formal cases will be monitored.

| | |
|---|---|
| Approved Lead Officer: | Vivienne Toal |
| Position: | Director of Human Resources and Organisational Development |
| Date: | 25 February 2019 |
| Policy/proposal screened by: | Lynda Gordon and Jane Brady on behalf of the Regional Employment Equality Network |