Equality, Good Relations and Human Rights
SCREENING TEMPLATE

Social Care Trust
caring supporting improving together
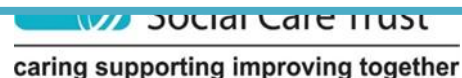
Completed and Signed Screening Templates are public documents posted on the Trust's website

- All policies / proposals require an equality screening
- Policy / Proposal authors / decision makers are responsible for Equality Screenings

Section 1: Information about the Policy / Proposal							
(1.1)	**Name of the policy/proposal**	**Policy for Processing Requests for Access to Patient/Client and Personal Records** (V4.2)					
(1.2)	**Status of policy/proposal** *(please underline)*	New		Existing			<u>Revised</u>
(1.3)	**Department/Service Group:** *(please underline)*	Corporate Services Group *(Please specify)* **Performance, Planning and Informatics**	Nursing and User Experience	Un-scheduled and Acute Care	Surgery & Specialist Services	Specialist Hospitals & Women's Health	Children's Community Services	Adult Social & Primary Care
(1.4)	**Description of the policy/ proposal?** State the aims and objectives/key elements of the policy/proposal. Detail the changes the policy/proposal will introduce. How will the policy/proposal be communicated to staff /service users? Describe how the policy/proposal will be	The following policy is to provide employees of the Belfast H&SC Trust with guidance in respect of processing requests for access to patient/client and personal records. Under the UK General Data Protection Regulation an individual has a legal right of access to personal data held about them. This policy has been developed to ensure there is a consistent approach in responding to these requests.						

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		The update to the Policy provides the following changes:
	rolled out/put into practice e.g. will there be changes in working patterns / changes to how services will be delivered etc.	- Recognises the introduction of UK-GDPR - Stipulates staff's responsibility to attend and update their Mandatory Data protection Training every three years – this details the relevant information and responsibilities for processing subject access requests (SARS). - Updated the criteria in relation to complex cases as defined by ICO guidance. - Regionally developed application forms are now in use and included in the policy for access to living and deceased records. - Guidance in relation to Parental Responsibility is provided. The policy will continue to form part of the mandatory training for staff. This legislation places the responsibility on the Trust and therefore staff to provide access to records within a defined timeframe.
(1.5)	**Who owns the policy/proposal?** Where does it originate? For example: DoH / HSCB	Alastair Campbell, Director Performance, Planning and Informatics
(1.6)	**Who are the main stakeholders affected (Internal and External)?** For example: actual or potential service users, carers, staff, other public sector organisations, trade unions, professional bodies, independent, voluntary or community sector or others.	This policy will apply to all staff. It is vital that this and the supporting policy and procedures are implemented and adhered to by all existing and new staff, including students, trainees, individuals on placement and volunteers.
(1.7)	**Provide details of how you involved stakeholders, views of colleagues, service users, staff side or other stakeholders when screening this policy/proposal.**	IGRM - Information Governance and Records Management Group.

(1.8)	**Other policies/strategies with a bearing on this policy/proposal** For example: internal or regional policies	**Legisation** UK General Data Protection Regulation 2018 UK Data Protection Act 2023 Access to Health Records (NI) Order 1993 **Trust Policies** BHSCT Records Retention & Disposal Schedule Records Management Policy Transportation of Records Policy BHSCT Records Retention & Disposal Policy **Guidance** **ICO** Guide to the General Data Protection Regulations (GDPR) Freedom of Information Act 2000 Right of access	ICO
(1.9)	**Are there any factors that could contribute to/detract from the intended aim/outcome of the policy/proposal?** For example: Financial, legislative	Information and training in support of this policy are incorporated into the mandatory training packages, which are available to all staff as on-line training, e-learning, bespoke training sessions, posters and leaflets. More specification information is available through monthly Redaction courses run by Information Governance staff.

Section 2: Classification of the Policy / Proposal

- The purpose of this Section is to consider the policy/proposal in terms of its **relevance** and likely **impact (actual/potential)** on **equality of opportunity, disability duties, good relations and human rights.**

- To **determine** the **impact (actual and potential)** of a policy/procedure on **equality of opportunity, disability duties, good relations and human rights** please **complete the screening questions at 2.1 – 2.6.**

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Screening Questions	Yes	No
(2.1) Is there an **impact** on **Equality of Opportunity** for those affected by this policy, for each of the S75* equality categories? I.e. is there a differential impact for one S75 group rather than the others?		X
(2.2) Are there better **opportunities** to promote equality of opportunity for people within the S75 categories?		X
(2.3) Does the policy **impact** upon **Good Relations** between people of a different religious belief, political opinion or racial group?		X
(2.4) Are there **opportunities** to better promote good relations between people of a different religious belief, political opinion or racial group?		X
(2.5) Are there **opportunities** to encourage **disabled people** to **participate** in public life and promote **positive attitudes** toward disabled people? (Disability Duties)		X
(2.6) Does the policy/proposal **impact** on **human rights**?		X

*S75 equality categories include: Age, Dependent Status, Disability, Men and Women generally, Marital Status Ethnicity, Religion, Political Opinion and Sexual Orientation.

Screening Statement

- If you have answered **Yes** to **any** of the above questions complete **Sections 3 - 9. OR**

- If you have answered **No** to **all** of the above questions the policy may be **screened out** - go to **Screening Statement** at **2.7**.

N.B: All Staff must complete their **mandatory equality, good relations and human rights training** once every five years. This can be booked via HRPTS or completed online at www.hsclearning.com. The online programme is called 'Making a Difference'. Belfast Trust Staff can also access a suite of equality and diversity training including: disability awareness, human rights and embracing diversity in HSC – please contact

Lesley.Jamieson@belfasttrust.hscni.net for more information.

(2.7) Screening Statement:

This policy / proposal is **'screened out'** on the basis that: (please tick)

It is a purely clinical or technical nature and has <u>**no relevance**</u> or **impact (actual / potential)** in terms of **equality of opportunity, disability duties, good relations and human rights.**	
It aims to standardise practice and / or achieve best practice based on current evidence.	
Reasonable adjustments will be made for patients/service users as required including any information e.g. leaflets/letters in accessible/alternative formats NB: Accessible/ Alternative formats can include, for example, information in easy to read formats or audio formats when the patient/service user has a learning disability or is visually impaired. For advice on making information accessible and inclusive for disabled patients/service users, use the Making Communication Accessible guidance. In addition, if a patient/service user does not speak English as his/her first language, an interpreter / sign language interpreter should be provided and written information should be translated as appropriate. Please note that copies of records provided under this policy will not be translated.	X
Any other reasons: Please detail. This policy supersedes V4, this version does reference consideration for statutory obligations relating to capacity and consent for service users, but with no significant changes to context, background or implementation.	X

Approved Lead Officer: Position: Date:	*Gillian Acheson*	*Countersigned by*:* Equality Manager: Date:	*C. Thomas* 04/04/24

08.3.2024		

Please sign / date and forward to the Equality and Planning Team for consideration -

*Equality screenings are completed with information provided by the policy / proposal author subject to advice and assistance provided by the Trust's Equality Managers.

Section 3: Consideration of Equality and Good Relations Issues and Evidence Used

This section records the quantitative and qualitative data you have used to consider equality and good relations issues including:

- The assessment of <u>impact</u> on staff and service users

- The identification of <u>mitigation</u> factors to reduce/remove any adverse impact

- <u>Opportunities</u> to better promote equality of opportunity

Evidence to help inform the screening process may be quantitative and qualitative. For example: previous consultations and equality impact assessments (eqias), statistics, research, complaints, feedback, referrals, grievances, inspection reports, focus groups, user groups etc.

(3.1) Quantitative and Qualitative Data: Service Users

SERVICE USERS

Equality Category	Service Users	Quantitative Data *(2011 Census Data unless otherwise stated)*	Qualitative Data (Needs, Experiences, Priorities)

		Belfast / Castlereagh population	Service users affected %	
1. Age	0-15 16-24 25-34 35-44 45-54 55-64 65+	22% 11% 12% 14% 14% 12% 15%		
2. Dependent Status	Caring for a child dependant older person/ person with a disability	12% of usually resident population provide unpaid care - 36% of whom are male and 64% are female		
3. Disability	Yes No	21% 79%		
4. Men and Women generally	Female Male	49% 51%		
5. Marital Status	Married/Civil P'ship Single Other/Not known	34.21% 46.6% 19.19%		

6. Race Ethnicity	White Black/Minority Ethnic	98% 2%		
7. Religion	Roman Catholic	41%		
	Presbyterian Church of Ireland Methodist Other Christian	42%		
	Buddhist Hindu Jewish Muslim Sikh Other None	17%		

8. Political Opinion Based on total elected candidates in the local government elections, 2019		Belfast	Lisburn & Castlereagh	
	DUP	15	15	
	SF	18	2	
	SDLP	6	2	
	UUP	2	11	
	APNI	10	9	
	Green	4	1	
	PBP	3	0	
	IND	0	0	
	PUP	2	0	

| 9. Sexual Orientation | Opposite sex
Same sex
Same and Opposite sex
Do not wish to answer /Not known | Estimated 6-10% of persons identify as lesbian, gay, bisexual

Source: 2012 report by Disability Action & Rainbow Project | | |

(3.3) Quantitative and Qualitative Data: Staff

This information will be provided together with analysis and advice by the Employment Equality Team in the Human Resources department.

Quantitative Data: For staff data please contact Martin McGrath on 028 95 048353 / martin.mcgrath@belfasttrust.hscni.net

Qualitative Data: Consideration will be given to the different needs, experiences and priorities of each of the categories in relation to the policy / proposal.

Should any equality / modernisation related issues arise they will be managed through the Organisational Change Framework. Click here for Framework

When organisational / policy change is necessary, regardless of whether it is a permanent or temporary change, the Trust is committed to treating staff fairly and equitably. Staff can be assured that the change process will be managed. This includes consultation with staff and the opportunity for staff to discuss in one to one meetings, any adverse equality impacts resulting in changes to their employment.

This framework also works alongside other Human Resources policies including for example the Disability and Reasonable Adjustment Framework, the Work Life Balance Policy and Procedure, the Recruitment and Selection Policy and Procedure and Agenda for Change Terms and Conditions Handbook.

Equality Category	Groups	Quantitative Data		Qualitative Data
		Belfast Trust workforce (@January	Staff affected by the Policy/Proposal	

		2022)	%	
1. Age	16-24 25-34 35-44 45-54 55-64 65+	6% 23% 25% 23% 19% 3%		
2. Dependant Status	Dependants No Dependants Not known	18% 24% 58%		
3. Disability	Yes No Not known	2% 65% 33%		
4. Men and Women generally	Female Male	76% 24%		
5. Marital Status	Married/ Civil P'ship Single Other/ Not known	45% 28% 27%		

6. Race a) Ethnicity	BME White Not Known	4% 68% 29%		
b) Nationality	GB Irish Northern Irish Other Not known	20% 15% 2% 1% 62%		
7. Religion a) Community Background	Protestant Roman Catholic Neither	35% 45% 20%		
b) Religious Belief	Christian Other No religious belief Not known	30% 1% 10% 59%		

8. Political Opinion *2011 Assembly election*	Broadly Nationalist Broadly Unionist Other Do not wish to answer/ Unknown Not known	7% 6% 8% 78%		
9. Sexual Orientation	Opposite sex Same sex or both sexes Do not wish to answer	43% 1% 56%		

Section 4: Consideration of Impacts, Mitigation, Alternative Policies / Proposals

Given the **evidence** gathered in Section 3 please identify for each of the **nine equality categories** the level **of impact, mitigation measures** and **alternative** policies / proposals that better **promote equality of opportunity**.

(4.1) SERVICE USERS

Equality Category	Level of Impact			Mitigation Measures and Alternative Policies or Actions that might lessen the severity of the equality impact (where Major or Minor Impact identified)
	Major	**Minor**	**None**	
Age				
Dependant Status				
Disability				
Men and Women				

	Major	Minor	None	
generally				
Marital Status				
Race (Ethnicity)				
Religion				
Political Opinion				
Sexual Orientation				
Multiple Identity e.*g. disabled minority ethnic people or young Protestant men.*				

(4.2) STAFF

Equality Category	Level of Impact			Mitigation Measures and consideration of alternative policies or actions that might lessen the severity of the equality impact (where Major or Minor Impact identified)
	Major	**Minor**	**None**	
Age				
Dependant Status				
Disability				
Men and Women generally				
Marital Status				

		Major	Minor	None	
Race	Ethnicity				
	Nationality				
Religion	Community Background				
	Religious Belief				
Political Opinion					
Sexual Orientation					
Multiple Identity e.g. female staff with caring responsibilities					

Section 5: Good Relations

Based on the **evidence** collected in Section 3 & 4:

- To what extent is the policy/proposal likely to **impact Good Relations** i.e. between people of different religious belief, political opinion or racial group?

- Are there any **additional measures** that could be suggested to ensure the policy or proposal **promotes Good Relations?**

Good Relations category	Level of impact			Mitigation Measures and Alternative Policies or Actions that might lessen the severity of the equality impact
	Major	**Minor**	**None**	(where Major or Minor Impact identified)

Religious belief				
Political opinion				
Racial group				

Section 6: Disability Duties	
How does the policy / proposal: • **encourage disabled people to participate in public life** *and* • **promote positive attitudes towards disabled people?** Consider what **other measures** you could take to meet these **duties.** *For example, have staff received disability equality training.*	

Section 7: Human Rights

Belfast Health and Social Care Trust is committed to providing the **highest attainable standard of physical and mental health** within our resources.

Does the policy/proposal **negatively impact** on any of the following human rights?
The rights particularly relevant in the delivery of health and social care are emboldened below. Examples for these rights and further information can be found in the Equality Screening Toolkit.

Article	Yes	No
A2: Right to life		x
A3: Right to freedom from torture, inhuman or degrading treatment or punishment		x
A4: Right to freedom from slavery, servitude & forced or compulsory labour		x
A5: Right to liberty & security of person		x
A6: Right to a fair & public trial within a reasonable time		x
A7: Right to freedom from retrospective criminal law & no punishment without law		x
A8: Right to respect for private & family life, home and correspondence.		x
A9: Right to freedom of thought, conscience & religion		x
A10: Right to freedom of expression		x
A11: Right to freedom of assembly & association		x
A12: Right to marry & found a family		x
A14: 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

(7.1) 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:

Section 8: Screening Decision **(8.1) How would you categorise the impacts of this policy / proposal?** (Please underline one category)	**Major** (Screened In for an Equality Impact Assessment)	**Minor** (Screened Out with mitigation)	**None** (Screened Out) X
(8.2) If you have identified any impact, what **mitigation** have you considered to address this?			

(8.3) Do you think the policy/proposal should be subject to an **Equality Impact Assessment (EQIA)?** NB: A full Equality Impact Assessment (EQIA) is usually confined to those policies or proposals considered to have <u>major</u> implications for equality of opportunity/good relations/human rights.	**Yes**	**No** X	**Reasons**
Section 9: Monitoring **(9.1)** Please detail how you will **monitor** the effect of the policy/proposal for impact in terms of **equality of opportunity**, **good relations, disability duties** and **human rights?**			

Please sign /date and forward to the Equality and Planning Team for consideration - Lesley.Jamieson@belfasttrust.hscni.net.

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Please note that Completed and Signed Screening Templates are public documents and are posted on the Trust's website.

Approved Lead Officer		**Countersigned by:**	
Position		**Equality Manager**	
Date		**Employment Equality Manager**	