

# Equality and Human Rights Screening

## Complaints Policy

The NIGALA is required to address the 4 questions below in relation to all its policies. This template sets out a proforma to document consideration of each question.

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?  
(minor/major/none)
2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
3. To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group?  
(minor/major/none)
4. Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

## **1. INFORMATION ABOUT THE POLICY OR DECISION**

### **1.1 Title of policy or decision**

NIGALA Complaints Policy

### **1.2 Description of policy or decision:**

- **What is it trying to achieve (aims and objectives)?**
- **How will this be achieved (key elements)?**
- **What the key constraints (for example financial, legislation or other)?**

NIGALA is committed to providing a quality service and complaints are viewed as an important source of feedback and provide valuable information about areas for improvement. They help the NIGALA to take remedial action and to improve standards which include the development of a learning culture that supports continuous professional development and overall service improvement.

The complaints policy seeks to achieve an accessible and effective means of making complaints. It aims to promote an organisational culture that foster openness and transparency for the benefit of all. The procedure aims to provide ease of access, simplicity, and a supportive and open process which results in a prompt, and where possible, local resolution.

### **1.3 Main stakeholders affected (internal and external)**

- NIGALA employees and self-employed guardians ad litem
- Children and young people, parents
- General public
- Solicitors
- Judiciary
- Health & Social Care Trusts

**1.4 Other policies or decisions with a bearing on this policy or decision.**

- **What are they?**

- **Who owns them?**

- Complaints in Health and Social Care: Standards and Guidelines for Resolution & Learning
- The Guardians Ad Litem (Panel) Regulation (Northern Ireland) 1996
- The Children (NI) Order 1995
- The Adoption (NI) Order 1987
- The Family Proceedings Rules 1996

## 2. CONSIDERATION OF EQUALITY AND GOOD RELATIONS ISSUES AND EVIDENCE USED

### 2.1 Data Gathering

**What information did you use to inform this equality screening? For example previous consultations, statistics, research, Equality Impact Assessments (EQIAs), complaints. Provide details of how you involved stakeholders, views of colleagues, services users, staff side or other stakeholders.**

- NIGALA staff data (December 2019)
- NI Census 2011

### 2.2 Quantitative Data

**Who is affected by the policy or decision? Please provide a statistical profile. Note if policy affects both staff and service users, please provide profile for both.**

<b>Category</b>	<b>What is the makeup of the affected group (%)? Are there any issues or problems? For example, a lower update that needs to be addressed or greater involvement of a particular group?</b>
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<b>Gender</b>	At December 2019 NIGALA staff data indicates that 15.63% of its workforce are male and 84.37% is female.
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Male	15.63%
Female	84.37%

Census 2011 figures for NI report just over 50% of the 16-64 age group is female whilst 49.52% is male.

<b>Age</b>	NIGALA staff data at December 2019 indicates:	
	Age	%
	16-24	0%
	25-29	1.56%
	30-34	4.69%
	35-39	7.81%
	40-44	9.38%
	45-49	17.19%
	50-54	23.44%
	55-59	26.56%
	60-64	9.38%
	>=65	0%
<b>Religion</b>	Census 2011 figures are Northern Ireland are as follows:	
	0-15	20.95%
	16-19	5.61%
	20-24	6.96%
	25-29	9.85%
	30-44	20.65%
	45-59	19.21%
	60-64	5.21%
	65-74	8.04%
	75-84	4.79%
	85-89	1.17%
	90 and over	0.56%
<b>Religion</b>	NIGALA staff data at December 2019 indicates the following:	
	Perceived Protestant	4.69%
	Protestant	26.56%
	Perceived Roman Catholic	6.25%
	Roman Catholic	59.38%
	Neither	1.56%
	Perceived Neither	0.00%
	Not assigned	1.56%

	<p><b>Population - Census 2011 figures on religion:</b></p> <table border="1"> <tr> <td>Catholic</td> <td>738,033</td> <td>40.76%</td> </tr> <tr> <td>Presbyterian Church in Ireland</td> <td>345,101</td> <td>19.06%</td> </tr> <tr> <td>Church of Ireland</td> <td>248,821</td> <td>13.74%</td> </tr> <tr> <td>Methodist Church in Ireland</td> <td>54,253</td> <td>3%</td> </tr> <tr> <td>Other Christian (including Christian related)</td> <td>104,380</td> <td>5.76%</td> </tr> <tr> <td>Other Religions</td> <td>183,164</td> <td>10.11%</td> </tr> <tr> <td>Religion not stated</td> <td>122,252</td> <td>6.75%</td> </tr> </table>	Catholic	738,033	40.76%	Presbyterian Church in Ireland	345,101	19.06%	Church of Ireland	248,821	13.74%	Methodist Church in Ireland	54,253	3%	Other Christian (including Christian related)	104,380	5.76%	Other Religions	183,164	10.11%	Religion not stated	122,252	6.75%													
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<p><b>Marital Status</b></p>	<p>NIGALA staff data at December 2019 indicates:</p> <table border="1"> <tr> <td>Divorced</td> <td>0%</td> </tr> <tr> <td>Married/Civil Partnership</td> <td>57.81%</td> </tr> <tr> <td>Other</td> <td>3.13%</td> </tr> <tr> <td>Separated</td> <td>0%</td> </tr> <tr> <td>Single</td> <td>28.13%</td> </tr> <tr> <td>Unknown</td> <td>10.94%</td> </tr> </table>	Divorced	0%	Married/Civil Partnership	57.81%	Other	3.13%	Separated	0%	Single	28.13%	Unknown	10.94%																						
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Widow/er	0%
Not Assigned	0%

**NI Population Statistics \* (2011)**

- 47.56% (680,840) of those aged 16 or over were married
- 36.14% (517,359) were single
- 0.09% (1288) were registered in same-sex civil partnerships
- 9.43% (134,994) were either divorced, separated or formerly in a same-sex partnership
- 6.78% (97,058) were either widowed or a surviving partner

**Dependent Status**

NIGALA staff data at December 2019 indicates:

Yes	6.25%
Not assigned	90.63%
No	3.13%

**NI Census Statistics**

- 11.81% (213,863) of the usually resident population provide unpaid care to family members, friends, neighbours or others because of long-term physical or mental ill-health/disabilities or problems related to old age.
- 3.11% (56,318) provided 50 hours care or more.
- 33.86% (238,129) of households contained dependent children.
- 40.29% (283,350) contained a least one person with a long – term health problem or a disability

**Carers NI Statistics:**

- 1 in every 8 adults is a carer
- There are approximately 207,000 carers in Northern Ireland

- Any one of us has a 6.6% chance of becoming a carer in any year
- One quarter of all carers provide over 50 hours of care per week
- People providing high levels of care are twice as likely to be permanently sick or disabled than the average person
- 64% of carers are women; 36% are men.

**Disability**

NIGALA staff data at December 2019 indicates:

Yes	1.56%
Not assigned	15.63%
No	82.81%

**NI Population Statistics\***

More than one person in five (300,000) people in Northern Ireland has a disability.

Census 2011 data for the population as a whole highlights a wide range of disabilities and long-term conditions, taking on board, however, that some of these will be less prevalent amongst younger age brackets. The data is not yet available broken down by age group.

<b>Long-term health problem or disability</b>			
	All usual residents		Number
Northern Ireland	1,810,863	Day-to-day activities limited a lot	215,232
		Day-to-day activities limited a little	159,414
		Day-to-day activities not limited	1,436,217



	Type of long-term condition	% of population
	Deafness or partial hearing loss	5.14
	Blindness or partial sight loss	1.7
	Communication Difficulty	1.65
	Mobility of Dexterity Difficulty	11.44
	A learning, intellectual, social or behavioural difficulty.	2.22
	An emotional, psychological or mental health condition	5.83
	Long-term pain or discomfort	10.10
	Shortness of breath or difficulty breathing	8.72
	Frequent confusion or memory loss	1.97
	A chronic illness (such as cancer, HIV, diabetes, heart disease or epilepsy).	6.55
	Other condition	5.22
	No Condition	68.57
<b>Ethnicity</b>	NIGALA staff data at December 2019 indicates:	
	Not assigned	89.06%
	White	10.94%
	Other	0%
	Black African	0%
	Indian	0%
	Chinese	0%
	2011 Census figures report:	
	White	98.21%
	Chinese	0.35%
	Irish Traveller	0.07%
	Indian	0.34%
	Pakistani	0.06%
	Bangladeshi	0.03%
	Other Asian	0.28%
	Black Caribbean	0.02%
	Black African	0.05%

	Mixed	0.33%
	Other	0.13%
<b>Sexual Orientation</b>	NIGALA staff data at December 2019 indicates the following:	
	Do not wish to answer	1.56%
	Not assigned	89.06%
	Opposite sex	9.38%
	Both Sexes	
	Same sex	
	<p>There is disputed data relating to the estimated size of the LGBT population in Northern Ireland. For the purposes of costing the Civil Partnership Act the UK Government estimate between 5-7% LGBT people in the population. The Office of National Statistics estimates 1.5-2% of the adult population are LGBT, however this document is disputed by numerous LGBT organisations.</p>	

### 2.3 Qualitative Data

**What are the different needs, experiences and priorities of each of the categories in relation to this policy or decision and what equality issues emerge from this? Note if policy affects both staff and service users, please discuss issues for both.**

Category	Needs and Experiences
<b>Gender</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of gender.
<b>Age</b>	Children and young people may need age-appropriate information including the use of Plain English and support to making a complaint.

<b>Religion</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of religion.
<b>Political Opinion</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of political opinion.
<b>Marital Status</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of marital status.
<b>Dependent Status</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of dependent status.
<b>Disability</b>	People with a disability may require accessible formats to be made available and support to make a complaint. Those with a learning disability may need communication tailored to their needs, including Plain English. They may also need support to make a complaint.
<b>Ethnicity</b>	For those individuals with whom NIGALA is involved e.g. children, young people, parents, where English is not their first language there is a need to ensure arrangements are in place for interpreting and translation services should this be required.
<b>Sexual Orientation</b>	There is no data to suggest that the needs and experiences of services users differ on the basis of sexual orientation.

#### **2.4 Multiple Identities**

**Are there any potential impacts of the policy or decision on people with multiple identities? For example: disability minority ethnic people; young Protestant men; and young lesbians, gay and bisexual people.**

None.

## 2.5 Making Changes

**Based on the equality issues you identified in 2.2 and 2.3, what changes did you make or do you intend to make in relation to policy or decision in order to promote equality of opportunity?**

**In developing the policy or decision what did you do or change to address the equality issues you identified?**

**What do you intend to do in future to address the quality issues you identified?**

NIGALA will consider the need to provide some support to those wishing to make a complaint, and/or signpost them to an advocacy service such as the Patient Client Council, who could assist them through the complaints process.

As part of the HSCNI, NIGALA can access the regional contract for translation and interpreting.

NIGALA's Accessible Formats Policy includes practical advice regarding how those developing information should consider alternative formats, and how information and publications can be requested in alternative formats. Receipts for requests will be recorded and requests monitored.

NIGALA will continue to monitor the level and type of complaints to inform the view of its complaints policy and support required/provided to those making a complaint.

NIGALA will continue to monitor requests for alternative formats and/or language to inform future production of electronic and written communication.

## 2.6 Good Relations

**What changes to the policy or decision – if any – or what additional measures would you suggest to ensure that it promotes good relations?**

<b>Group</b>	<b>Impact</b>	<b>Suggestions</b>
Religion	None	None
Political Opinion	None	None
Ethnicity	None	None

### 3. SHOULD THE POLICY OR DECISION BE SUBJECT TO A FULL EQUALITY IMPACT ASSESSMENT?

A full equality impact assessment (EQIA) is usually confined to those policies or decisions considered to have major implications for equality of opportunity.

**How would you categories the impacts of this decision or policy? (Refer to guidance notes for guidance on impact.)**

Please tick:

Major impact	
Minor impact	✓
No further impact	

**Do you consider that this policy or decision needs to be subjected to a full equality impact assessment?**

Please tick:

Yes	
No	✓

**Please given reasons for your decisions:**

NIGALA recognises the need to consider any impact on Section 75 groups and that the needs, experiences and priorities of those may vary.

Mitigation is in place in relation to any impacts identified during the screening process for the Section 75 groups. It is not thought that subjecting the policy to an EQIA will present further opportunities to promote equality of opportunity.

#### 4. CONSIDERATION OF DISABILITY DUTIES

<b>4.1 In what ways does the policy or decision encourage disabled people to participate in public life and what else could you do to do so?</b>	
<b>How does the policy or decision currently encourage disabled people to participate in public life?</b>	<b>What else could you do to encourage disabled people to participate in public life?</b>
N/A	N/A

<b>4.2 In what ways does the policy or decision promote positive attitudes towards disabled people and what else could you do to do so?</b>	
<b>How does the policy or decision currently promote positive attitudes towards disabled people?</b>	<b>What else could you do to promote attitudes towards disabled people?</b>
N/A	N/A

## 5. CONSIDERATION OF HUMAN RIGHTS

<b>5.1 Does the policy or decision affect anyone's Human Rights? Complete for each of the articles.</b>	
<b>Article</b>	<b>Yes/No</b>
Article 2: Right to Life	No
Article 3: Right to freedom from torture, inhuman or degrading treatment or punishment.	No
Article 4: Right to freedom from slavery, servitude and forced or compulsory labour.	No
Article 5: Right to liberty and security of person.	No
Article 6: Right to a fair and public trial within a reasonable time.	No
Article 7: Right to freedom from retrospective criminal law and no punishment without law.	No
Article 8: Right to respect for private and family life, home and correspondence.	No
Article 9: Right to freedom of thought, conscience and religion.	No
Article 10: Right to freedom of expression.	No
Article 11: Right to freedom of assembly and association.	No
Article 12: Right to marry and found a family.	No
Article 14: Prohibition of discrimination in the enjoyment of the convention rights.	No
1 <sup>st</sup> protocol Article 1: Right to a peaceful enjoyment of possessions and protection of property.	No
1 <sup>st</sup> protocol Article 2: Right of access to education.	No



If you have answered no to all of the above please move on to Question 6 on Monitoring.

<b>5.2 If you have answered yes to any of the Articles in 5.1, does the policy or decision interfere with any of these rights? If so, what is the interference and who does it impact upon?</b>			
<b>List the Article Number</b>	<b>Interfered with? Yes/No</b>	<b>What is the interference and who does it impact upon?</b>	<b>Does this raise legal issues?*</b> <b>Yes/No</b>
N/A			

\*It is important to speak to your line management on this and if necessary seek legal opinion to clarify this.

<p><b>5.3 Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy or decision.</b></p> <p>N/A</p>
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## 6. MONITORING

**6.1 What data will you collect in the future in order to monitor the effect of the policy or decision on any of the categories (for equality of opportunity or good relations, disability duties and human rights)?**

Equality & Good Relations	Disability Duties	Human Rights
NIGALA will continue to monitor the level and type of complaints, in particular those relating to Section 75, to inform the review of its complaints policy and any amendments required.		

Approved Lead Officer: Sean Brown

Position: Head of Corporate Services

Date: 4 January 2021

Policy/Decisions Screened by: Sinéad Casey, Facilities & Complaints Officer

Business Unit and Contact Details: NIGALA, Centre House Belfast  
0300 555 0102

If you require this document in an alternative format (such as large print, Braille, disk, audio file, audio cassette, Easy Read or in minority languages to meet the needs of those not fluent in English) please contact:

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[sean.brown@nigala.hscni.net](mailto:sean.brown@nigala.hscni.net)