

# Equality and Human Rights Screening Template

The BSO is required to address the 4 questions below in relation to all its policies.

What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? Minor

Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?

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

Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

As part of the audit trail documentation needs to be made available for all policies and decisions examined for equality and human rights implications. The screening template is a pro forma to document consideration of each screening question.

**For information (evidence, data, research etc.) on the Section 75 equality groups see the Equality Portal - [Screening Resources & Evidence](#).**

# SCREENING TEMPLATE

See [Guidance Notes](#) for further information on the 'why' 'what' 'when', and 'who' in relation to screening, for background information on the relevant legislation and for help in answering the questions on this template.

## (1) INFORMATION ABOUT THE POLICY OR DECISION

### 1.1 Title of policy or decision

Voluntary Scheme for the Extra-Ordinary Payment of Unused Contractual Leave Entitlement.

### 1.2 Description of policy or decision

This proposal is in response to the very unique situation currently faced by HSC organisations in response to the pandemic. The Business Services Organisation is committed to ensuring health, safety and well-being and that it is well maintained. We understand that annual leave and rest away from the pressures of work is necessary for everyone. Whilst the majority of staff have been able to use their 2020/2021 annual leave entitlement, others however have not been able to do so due to the unprecedented challenges faced from COVID-19.

As we are in the last quarter of the annual leave year the ability of some staff to take their full leave entitlement will prove difficult as we are still responding to the pandemic and work demands continue. In light of this, in partnership, and following engagement with regional Trade union colleagues, HSC Organisation are offering a *Voluntary Scheme for the Extra-Ordinary Payment of Unused Contractual Leave Entitlement* which is available as a one off response given the pressures of the pandemic.

#### Key Principles:

- voluntary and open to all employees
- where possible staff should continue to use their remaining leave in line with normal annual leave provisions
- voluntary opportunity for payment of outstanding annual leave is a one-off to assist in managing workforce during ongoing pandemic pressures
- three options to include; carryover of outstanding leave into the next two years; one-off payment of outstanding leave or; part carryover and part payment
- payment of leave applies only to contractual leave accrued during the 2020/2021 financial year only
- no staff member will have a contractual right to receive any future payment in respect of contractual leave
- payment will only be considered for leave in excess of the statutory 210 hours required under Working Time Regulations i.e. 4 weeks of your leave plus 8 statutory days on a pro-rata basis

#### Process:

- staff members should speak to their line manager in the first instance about their

outstanding leave and how they may be facilitated to take their leave

- a clear record of accrued leave entitlement, used leave and outstanding leave must be maintained and recorded on HRPTS, where a request for payment is being made, it must be agreed with the line manager and completed on the attached form in Appendix 2 to the scheme document
- each Departmental manager should send the request forms to HR so they can collate the payment of leave for their staff members on the quick upload spreadsheet
- Where leave is paid – the manager must deduct the hours paid from the staff member's 2020/21 leave entitlement to ensure this is not credited to the staff member twice

**Potential Constraints:**

- This exceptional payment in lieu of taking contractual leave is non-pensionable

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

**For example staff, actual or potential service users, other public sector organisations, voluntary and community groups, trade unions or professional organisations or private sector organisations or others**

Business Services Organisation Staff  
Regional and Local Trade Union Side and BMA  
DoH  
DoF  
DoC

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

- Agenda for Change – Terms and Conditions of Service Handbook
- Medical & Dental Terms and Conditions of Service

## (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, service users, staff side or other stakeholders.**

HSC Body Regional HR Groups have developed a paper which was approved by DoH and DoF in response to updated legislation 'The Working Time (Coronavirus) (Amendment) Regulations 2020' and through agreement with Regional Staff Side Leads agreed with Trade Union Side and HSC Organisations.

Workforce Data (HRPTS)

### 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. Also give consideration to multiple identities.**

Category	<i>What is the makeup of the affected group? ( %) Are there any issues or problems? For example, a lower uptake that needs to be addressed or greater involvement of a particular group?</i>	
Gender		
	Male	43.89%
	Female	56.11%
Age		
	0-15	
	16-24	3.60%
	25-29	8.34%
	30-34	12.75%
	35-39	13.36%
	40-44	15.47%
	45-49	12.75%
	50-54	14.59%
	55-59	12.69%
	60-64	5.09%
	>=65	1.36%

Religion	Perceived Protestant	2.17%
	Protestant	30.87%
	Perceived Roman Catholic	2.65%
	Roman Catholic	42.88%
	Neither	5.70%
	Perceived Neither	0.00%
	Not assigned	15.74%
Political Opinion	Broadly Nationalist	4.43%
	Other	5.36%
	Broadly Unionist	4.82%
	Not assigned	78.56%
	Do not wish to answer	6.92%
Marital Status	Divorced	2.51%
	Mar/CP	44.10%
	Other	0.81%
	Separat	0.68%
	Single	16.76%
	Unknown	34.06%
	Widw/R	0.88%
	Not assigned	0.20%
Dependent Status	Yes	12.82%
	Not assigned	78.43%
	No	8.75%
Disability	No	51.70%
	Not assigned	46.27%
	Yes	2.04%
Ethnicity	Not assigned	69.67%
	White	29.99%
	Other	0.27%
	Black African	0.00%

	Indian	0.07%	
	Chinese	0.00%	
Sexual Orientation			
	Do not wish to answer	1.83%	
	Not assigned	79.51%	
	Opposite sex	17.50%	
	same sex	1.09%	
	Both sexes	0.07%	

## 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. Also give consideration to multiple identities (such as single parents for example).**

<b>Category</b>	<b>Needs and Experiences</b>
Gender	N/A
Age	N/A
Religion	N/A
Political Opinion	N/A
Marital Status	N/A
Dependent Status	N/A
Disability	N/A
Ethnicity	N/A
Sexual Orientation	N/A

## 2.4 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 the policy or decision in order to promote equality of opportunity?

<i>In developing the policy or decision what did you do or change to address the equality issues you identified?</i>	<i>What do you intend to do in future to address the equality issues you identified?</i>
N/A	

## 2.5 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? (refer to guidance notes for guidance on impact)

<b>Group</b>	<b>Impact</b>	<b>Suggestions</b>
Religion	N/A	
Political Opinion	N/A	
Ethnicity	N/A	

**(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 categorise the impacts of this decision or policy?  
(refer to guidance notes for guidance on impact)**

**Please tick:**

Major impact	
Minor impact	
No further impact	x

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

**Please tick:**

Yes	
No	x

This is a time limited unique proposal intended to meet the legislative Directive 'The Working Time (Coronavirus) (Amendment) Regulations 2020'.



#### **(4) CONSIDERATION OF DISABILITY DUTIES**

##### **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><i>How does the policy or decision currently encourage disabled people to participate in public life?</i></b>	<b><i>What else could you do to encourage disabled people to participate in public life?</i></b>
N/A	

##### **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><i>How does the policy or decision currently promote positive attitudes towards disabled people?</i></b>	<b><i>What else could you do to promote positive attitudes towards disabled people?</i></b>
This scheme is voluntary and open to all employees of the Business Services Organisation.	

## **(5) CONSIDERATION OF HUMAN RIGHTS**

### **5.1 Does the policy or decision affect anyone's Human Rights? Complete for each of the articles**

<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 & forced or compulsory labour	No
Article 5 – Right to liberty & security of person	No
Article 6 – Right to a fair & public trial within a reasonable time	No
Article 7 – Right to freedom from retrospective criminal law & no punishment without law	No
Article 8 – Right to respect for private & family life, home and correspondence.	No
Article 9 – Right to freedom of thought, conscience & religion	No
Article 10 – Right to freedom of expression	No
Article 11 – Right to freedom of assembly & association	No
Article 12 – Right to marry & 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 & 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*

**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?**

List the Article Number	Interfered with? Yes/No	What is the interference and who does it impact upon?	Does this raise legal issues? Yes/No*

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

**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.**

## (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 and good relations, disability duties and human rights)?**

Equality & Good Relations	Disability Duties	Human Rights
N/A – this is a one-off Scheme to manage the impact of Covid-19.	N/A – this is a one-off Scheme to manage the impact of Covid-19.	N/A – this is a one-off Scheme to manage the impact of Covid-19.

Approved Lead Officer: Alison Andrews / Vikki Thompson

Position: Assistant Director / HR Business Support Officer

Date: 16/02/2021

Policy/Decision Screened by: \_\_\_\_\_

**Please note that having completed the screening you are required by statute to publish the completed screening template, as per your organisation's equality scheme. If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, you will need to review the screening decision.**

**Please forward completed template to:**

**[Equality.Unit@hscni.net](mailto:Equality.Unit@hscni.net)**

Any request for the document in another format or language will be considered.  
Please contact the Equality Unit:

Equality Unit/ BSO /James House/ 2-4 Cromac Avenue/ Belfast/ BT7 2JA  
Tel: 028 9536 3961

