

Equality and Human Rights Screening Template

NIMDTA 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/major/none)

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/major/none)

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

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

Regional Disciplinary Policy and Procedure

1.2 Description of policy or decision

- **what is it trying to achieve? (aims and objectives)**

This document sets out the regional Disciplinary Policy and Procedure in relation to employee conduct and ensures that just, fair and effective arrangements exist for dealing with disciplinary issues. The Policy should be regarded as a valuable tool to promote positive employee relations, effective partnership working and to improve standards of behaviour through accountability and learning.

The HSC is committed to our values of openness and honesty, compassion, excellence and working together. These provide the framework for achievement of a Just Culture approach through supportive, constructive and fair evaluation of the actions of employee involved in an incident, error, concern or complaint.

- **how will this be achieved? (key elements)**

We expect all employees to meet high standards of conduct and behaviour and, where this does not occur, we will encourage improvement and learning through application of our HSC Values to achieve and maintain these standards. We will seek to understand 'what' was responsible rather than 'who' was responsible and identify support for all involved. We will place equal emphasis on accountability and learning and only where appropriate proceed to formal disciplinary investigation.

- **what are the key constraints? (for example financial, legislative or other)**

This policy and procedure applies to all NIMDTA staff (excluding Medical & Dental Staff who are the subject of separate agreed procedures) and would have to consider any legislative changes in relation to Discipline as well as changes in culture to the organisation.

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

This procedure applies to all NIMDTA staff (excluding Medical & Dental Staff who are the subject of separate agreed procedures) and Trade Unions.

Trade Unions have been a key partner in the development of this new policy designed to promote best employee relations practice.

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

- **what are they? (This list is not exhaustive)**

- Grievance Policy
- Disciplinary Procedure
- Equality, Diversity and Inclusion Policy
- Equality Scheme
- Code of Conduct for Staff
- Legislative changes
- Work life Balance
- Pension Guidelines
- Pension Factsheets
- Medical and Dental Terms and Conditions of Service
- Agenda for Change Terms and Conditions of Service
- Guidance from the Regional Attendance Group
- Statutory Provisions e.g. DDA

- **who owns them?**

- NIMDTA Health and Social Care Northern Ireland, Department of Health, Northern Ireland Assembly

(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.

Census 2021

Equality Commission NI, 2006

<http://www.carersuk.org/northernireland/news-ni/facts-and-figures>

Northern Ireland Statistics and Research Agency

<https://www.ark.ac.uk/nilt/2018/Background/RMARST.html>

<https://www.nisra.gov.uk/statistics/births-deaths-and-marriages/registrar-general-annual-report>

<https://www.ark.ac.uk/nilt/2018/Political Attitudes/UNINATID.html>

<https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/MYE18-Bulletin.pdf>

McBride, Ruari Santiago (2011): Healthcare Issues for Transgender People Living in Northern Ireland. Institute for Conflict Research.

<http://www.gires.org.uk/prevalence.php>

<https://www.nisra.gov.uk/statistics/population/mid-year-population-estimates>

<https://www.ark.ac.uk/nilt/2018/Background/ANYHCOND.html>

<https://www.cso.ie/en/releasesandpublications/ep/p-cp8iter/p8iter/p8iti/>

<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2019>

NIMDTA 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	Staff Profile

Male	61.16%
Female	38.84%

Population Profile

The population of Northern Ireland based on NISRA Census Data as at 2021 was 1,903,175

Total NI Residents 1903178		Percentage
Female	967,043	50.81%
Male	936,132	49.19%

(Census 2021)

Transgender

Research suggests for the Northern Ireland population as a whole:

- 140-160 individuals are affiliated with transgender groups
- 120 individuals have presented with Gender Identity Dysphoria
- There are more trans women than trans men living in Northern Ireland.

The Gender Identity Research and Education Society (GIRES) estimate the number of gender nonconforming employees and service users, based on the information that GIRES assembled for the Home Office (2011) and subsequently updated (2014):

- gender variant to some degree 1%
- have sought some medical care 0.025%
- having already undergone transition 0.015%

A report published by the Rainbow Project (O’Hara, 2013), based on research conducted with more than 500 individuals that identified as “LGB&T,” found that the respondents reported common experiences of invisibility, homophobia/transphobia, and a range of violence from threats to physical violence, whether direct or indirect. As a result of their actual or perceived sexual orientation and/or gender identity:

- 65.8% had been verbally assaulted at least once;
- 43.3% had been threatened with physical violence at least once;
- 33% had been threatened to be ‘outed’ at least once;
- 34.7% had experienced discrimination in accessing goods, facilities or services at least once.

Age

Staff Profile

16-24	5.73%
25-29	28.28%
30-34	39.52%

35-39	15.46%
40-44	5.11%
45-49	2.82%
50-54	1.45%
55-59	0.97%
60-64	0.44%
>=65	0.22%

Population profile: published by NISRA in 2022 ([Census 2021 main statistics demography tables – age and sex | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#) show that:

- 15-24 yrs (inclusive) = 224,589 (11.80% of all NI population)
- 25-29 yrs = 116,409 (6.12%)
- 30-34 yrs = 126 050 (6.62%)
- 35-39 yrs = 127,313 (6.69%)
- 40-44 yrs = 122,163 (6.42%)
- 45-49 yrs = 121,670 (6.39%)
- 50-54 yrs = 130,967 (6.88%)
- 55-59 yrs = 129,276 (6.79%)
- 60-64 yrs = 113,049 (5.94%)
- 65-74 yrs = 176,931 (9.30%)

Community Background

Staff Profile

Perceived Protestant	0.09%
Protestant	28.41%
Perceived Roman Catholic	0.09%
Roman Catholic	32.42%
Neither	0.09%
Perceived Neither	23.66%
Not assigned	15.24%

Population Profile

Total Ni Residents 1903178		Percentage
Catholic	805,151	42
Presbyterian Church in Ireland	316,103	17
Church of Ireland	219,788	12

	Methodist Church in Ireland	44,728	2
	Other Christian (including Christian related)	130,377	7
	Other religions	25,519	1
	No religion	330,983	17
	Religion not stated	30,529	2

(Census 2021)

Political Opinion	Staff Profile		
	Broadly Nationalist	19.25%	
	Other	17.71%	
	Broadly Unionist	12.69%	
	Not assigned	19.60%	
	Do not wish to answer	30.75%	
	Population Profile		
	Total Ni Residents 1903178		Percentage
	British only	606,263	31.86%
	Irish only	554,415	29.13%
Northern Irish only	376,444	19.78%	
British and Irish only	11,768	0.62%	
British and Northern Irish only	151,327	7.95%	
Irish and Northern Irish only	33,581	1.76%	
British, Irish and Northern Irish only	28,050	1.47%	
Other	141,327	7.43%	

(Census 2021)

Marital Status	Staff Profile	
	Divorced	0.31%
	Mar/CP	37.18%
	Other	1.98%
	Seprat	0.04%
Single	53.04%	

Unknwn	7.31%
Widw/R	0.09%
Not assigned	0.04%

Population Profile

Total NI Residents (over the age of 16) 1,514,743		Percentage
Single (never married or never registered a civil partnership)	576,708	38.07%
Married	690,509	45.59%
In a civil partnership	2,742	0.18%
Separated (but still legally married or still legally in a civil partnership)	57,272	3.78%
Divorced or formerly in a civil partnership which is now legally dissolved	91,128	6.02%
Widowed or surviving partner from a civil partnership	96,384	6.36%

(Census 2021)

Dependent Status

Staff Profile

Yes	17.62%
Not assigned	18.41%
No	63.96%

Population Profile

Total Households with dependent children 768,809		Percentage
No children in household	423,956	55.14
No dependent children in household/All children in household non-dependent	120,314	15.65
One dependent child aged 0-4	27,233	3.54
One dependent child aged 5-11	21,123	2.75
One dependent child aged 12-18	39,203	5.10
Two dependent children, youngest aged 0-4	32,598	4.24
Two dependent children, youngest aged 5-11	36,534	4.75
Two dependent children, youngest aged 12-18	18,532	2.41
Three or more dependent children, youngest aged 0-4	24,120	3.14

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	Pakistani	1,596	0.08
	Arab	1,817	0.10
	Other Asian	5,244	0.28
	Black African	8,069	0.42
	Black Other	2,963	0.16
	Mixed	14,382	0.76
	Other ethnicities	3,568	0.19
	(Census 2021)		
Sexual Orientation	Staff Profile		
	Full data not available for NIMDTA's workforce, but NI population estimate is 10% having a sexual orientation towards same sex.		
	Do not wish to answer	6.26%	
	Not assigned	19.43%	
	Opposite sex	69.56%	
	Both Sexes	1.01%	
	Same Sex	3.74%	
	Population Profile		
	Total Ni Residents (16 and over) 1514743		Percentage
	Straight or heterosexual	1,363,859	90.04
Gay or lesbian	17,713	1.17	
Bisexual	11,306	0.75	
Other sexual orientation	2,597	0.17	
Prefer not to say	69,307	4.58	
Not stated	49,961	3.30	
(Census 2021)			

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).

Category	Needs and Experiences
Gender	There is a higher proportion of female than male employees within the sector however no specific gender needs identified.
Age	There is no data to suggest that there are specific needs or experiences arising within this category.
Religion	There is no data to suggest that there are specific needs or experiences arising within this category.
Political Opinion	There is no data to suggest that there are specific needs or experiences arising within this category.
Marital Status	There is no data to suggest that there are specific needs or experiences arising within this category
Dependent Status	There is no data to suggest that there are specific needs or experiences arising within this category
Disability	Individuals with sensory problems will have specific requirements with regards to communication of the policy. Also, those with learning difficulties may require additional support in order to get an understanding of how the policy works and the processes involved.
Ethnicity	There is no data to suggest that there are specific needs or experiences arising within this category.
Sexual Orientation	There is no data to suggest that there are specific needs or experiences arising within this category.

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>
Gender: Promotion of this policy in the more male orientated departments may be required.	NIMDTA is committed to providing equality of opportunity, and strives to promote a good and harmonious working environment where every employee is treated with

<p>Disability: In line with NIMDTA’s Accessible Formats Policy, NIMDTA will provide alternative formats on request to meet the needs of people with a disability who may need information in an accessible format. Where an employee is unable to adhere to a dress code due their disability, mitigation will be applied, NIMDTA will ensure staff are supported through Health and Wellbeing initiatives such as Occupational Health. Also, the policy makes specific reference to the personal circumstances and or health / disability of the employee asking if this could be a relevant factor in circumstances where the policy is invoked.</p>	<p>respect and dignity and in which no one is disadvantaged based on their age, disability, marital or civil partnership status, political opinion, race, religious belief, sex (including gender reassignment), sexual orientation, with dependants or without dependants</p>
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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)

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

Please tick:

Major impact	
Minor impact	X
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	x

Please give reasons for your decisions.

This policy applies to all NIMDTA staff (excluding Medical & Dental Staff who are the subject of separate agreed procedures), and the vast majority of employees will not be subject to this policy. Due to the nature of the policy there is limited scope for inequalities to arise in the implementation of the policy, in most of the equality categories.

It is not felt that by subjecting this policy to a full EQIA would highlight any further opportunities to promote equality of opportunity.

(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?

<i>How does the policy or decision currently encourage disabled people to participate in public life?</i>	<i>What else could you do to encourage disabled people to participate in public life?</i>
	NIMDTA plan to liaise and explore policy development with the Tapestry, Disability Staff Network to help encourage disabled people to participate in public life

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?

<i>How does the policy or decision currently promote positive attitudes towards disabled people?</i>	<i>What else could you do to promote positive attitudes towards disabled people?</i>
<p>NIMDTA is committed to ensuring equality of opportunity for all service users and staff in terms of disability and complies with the Disability Discrimination Act 1995, the United Nations Convention on the Rights of people with disabilities, the Human Rights Act 1998 and Section 75 of the Northern Ireland act 1998.</p> <p>NIMDTA promote positive attitudes towards disabled people.</p> <p>This policy provides employees with disability to fully participate in all work activities with consideration given to reasonable adjustments.</p>	<p>Further engagement via the Tapestry Network in order to identify specific needs and shape policy and procedure to encourage disabled people to engage.</p>

(5) CONSIDERATION OF HUMAN RIGHTS

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

ARTICLE	Yes/No
Article 2 – Right to life	N
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment	N
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour	N
Article 5 – Right to liberty & security of person	N
Article 6 – Right to a fair & public trial within a reasonable time	Y
Article 7 – Right to freedom from retrospective criminal law & no punishment without law	N
Article 8 – Right to respect for private & family life, home and correspondence.	N
Article 9 – Right to freedom of thought, conscience & religion	N
Article 10 – Right to freedom of expression	N
Article 11 – Right to freedom of assembly & association	N
Article 12 – Right to marry & found a family	N
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights	N
1 st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property	N
1 st protocol Article 2 – Right of access to education	N

*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
Article 6	Yes	All NIMDTA Staff – Positive Impact	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.

N/A

(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
This will be monitored via government guidance, advice and consideration given to those employees from any of the Section 75 groups		

Approved Lead Officer: Roisin Campbell
Position: Senior Professional Support Manager
Date: 08/11/2024
Policy/Decision Screened by: Julie Courtney

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**

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