

Equality and Human Rights Screening Template

The 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?

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.

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

<div>1.1 Title of policy or decision</div> <div>Supporting Performance Improvement Policy</div>
<div>1.2 Description of policy or decision</div> <div><ul style="list-style-type: none">what is it trying to achieve? (aims and objectives)<p>It is the aim of this Policy that the NIMDTA is a place where all employees are enabled to work and perform to the best of their ability to deliver an excellent service. The purpose of this Policy is to provide a framework for the NIMDTA to support employees with performance concerns to achieve effective standards of work.</p>how will this be achieved? (key elements)<p>It is important that all stages of the Supporting Performance Improvement Policy are undertaken in a way that is consistent with the HSC Values of Compassion, Openness and Honesty, Excellence and Working Together. The HSC Values provide the framework for a Just and Learning Culture which works to create an environment where employees are supported and empowered by their manager to learn and develop when needed. This approach is embedded throughout the Supporting Performance Improvement Policy to support and empower employees at each stage.</p>what are the key constraints? (for example financial, legislative or other)<p>Agenda for Change terms and conditions Northern Ireland Civil Service Terms And conditions HSC Code of Conduct Regional and local policies and procedures</p></div>

Employment Rights (NI) Order
Disability Discrimination Act & other discrimination legislation relevant in NI

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

Those primarily affected by the policy are:

- Current NIMDTA employees
- Line Managers due to their critical role in this policy
- Human Resources

External

- Trade union representatives.
- NIMDTA Agency Staff
- Labour Relations Agency
- 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

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

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

Conflict, Bullying and Harassment Procedure
Disciplinary Policy
Grievance Policy
Capability Procedure (New procedure supersedes this)
Equality, Diversity and Inclusion Policy
Equality Scheme
Code of Conduct for Staff
Department circulars
Legislative changes
Fair Employment and Treatment (NI) Order 1998 as amended
Employment Equality (Age) Regulations Northern Ireland 2006 as amended
Disability Discrimination Act 1995 as amended
Race Relations (NI) Order 2007 as amended

- **who owns them?**

NIMDTA, Health and Social Care NI, Department of Health and NI Assembly

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(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.

Statistics:

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/registrars-general-annual-report>

[https://www.ark.ac.uk/nilt/2018/Political Attitudes/UNINATID.html](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) **March 2024**

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	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?
Gender	Staff Profile
Population Profile	
The population of Northern Ireland based on NISRA Census Data as at 2021 was 1,903,175	

	<p>whether direct or indirect. As a result of their actual or perceived sexual orientation and/or gender identity:</p> <ul style="list-style-type: none">- 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	<div><div>Staff Profile</div><table><tr><td>16-24</td><td>1.00%</td></tr><tr><td>25-29</td><td>4.48%</td></tr><tr><td>30-34</td><td>6.97%</td></tr><tr><td>35-39</td><td>19.40%</td></tr><tr><td>40-44</td><td>18.91%</td></tr><tr><td>45-49</td><td>19.90%</td></tr><tr><td>50-54</td><td>12.94%</td></tr><tr><td>55-59</td><td>8.96%</td></tr><tr><td>60-64</td><td>4.98%</td></tr><tr><td>>=65</td><td>2.49%</td></tr></table></div> <div><div>Population Profile</div><p>The population demographic by age within Northern Ireland (NISRA Census Data, 2021)</p><p>NI Census 2021 NI Total Population: 1,903,174</p><table><tr><th>Age</th><th>NI Pop No.</th><th>Percentage %</th><th></th><th>Age</th><th>NI Pop No.</th><th>Percentage %</th></tr><tr><td>0-4 years</td><td>113,820</td><td>6</td><td></td><td>50-54 years</td><td>130,967</td><td>7</td></tr><tr><td>5-9 years</td><td>124,475</td><td>7</td><td></td><td>55-59 years</td><td>129,276</td><td>7</td></tr><tr><td>10-14 years</td><td>126,918</td><td>7</td><td></td><td>60-64 years</td><td>113,049</td><td>6</td></tr><tr><td>15-19 years</td><td>113,203</td><td>6</td><td></td><td>65-69 years</td><td>93,464</td><td>5</td></tr><tr><td>20-24 years</td><td>111,386</td><td>6</td><td></td><td>70-74 years</td><td>83,467</td><td>4</td></tr><tr><td>25-29 years</td><td>116,409</td><td>6</td><td></td><td>75-79 years</td><td>66,377</td><td>3</td></tr><tr><td>30-34 years</td><td>126,050</td><td>7</td><td></td><td>80-84 years</td><td>43,776</td><td>2</td></tr></table></div>	16-24	1.00%	25-29	4.48%	30-34	6.97%	35-39	19.40%	40-44	18.91%	45-49	19.90%	50-54	12.94%	55-59	8.96%	60-64	4.98%	>=65	2.49%	Age	NI Pop No.	Percentage %		Age	NI Pop No.	Percentage %	0-4 years	113,820	6		50-54 years	130,967	7	5-9 years	124,475	7		55-59 years	129,276	7	10-14 years	126,918	7		60-64 years	113,049	6	15-19 years	113,203	6		65-69 years	93,464	5	20-24 years	111,386	6		70-74 years	83,467	4	25-29 years	116,409	6		75-79 years	66,377	3	30-34 years	126,050	7		80-84 years	43,776	2
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	35-39 years	127,313	7		85-89 years	25,879	1
	40-44 years	122,163	6		90+ years	13,512	1
	45-49 years	121,670	6				
Religion	Staff Profile						
	Perceived Protestant			0.00%			
	Protestant			26.37%			
	Perceived Roman Catholic			0.50%			
	Roman Catholic			17.91%			
	Neither			0.00%			
	Perceived Neither			4.48%			
	Not assigned			50.75%			
	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																													
	<table><tr><td>Broadly Nationalist</td><td>3.48%</td></tr><tr><td>Other</td><td>4.98%</td></tr><tr><td>Broadly Unionist</td><td>2.99%</td></tr><tr><td>Not assigned</td><td>81.09%</td></tr><tr><td>Do not wish to answer</td><td>7.46%</td></tr></table>			Broadly Nationalist	3.48%	Other	4.98%	Broadly Unionist	2.99%	Not assigned	81.09%	Do not wish to answer	7.46%																	
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	<table><tr><td>Divorced</td><td>1.99%</td></tr><tr><td>Mar/CP</td><td>37.81%</td></tr><tr><td>Other</td><td>0.50%</td></tr><tr><td>Seprat</td><td>0.00%</td></tr><tr><td>Single</td><td>8.96%</td></tr><tr><td>Unknwn</td><td>50.25%</td></tr><tr><td>Widw/R</td><td>0.50%</td></tr></table>			Divorced	1.99%	Mar/CP	37.81%	Other	0.50%	Seprat	0.00%	Single	8.96%	Unknwn	50.25%	Widw/R	0.50%													
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	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	15.92%	
	Not assigned	74.63%	
	No	9.45%	
	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
	Three or more dependent children, youngest aged 5-11	21,677	2.82
	Three or more dependent children, youngest aged 12-18	3,519	0.46

	(Census 2021)																																										
Disability	Staff Profile																																										
	<table><tr><td>No</td><td>43.78%</td></tr><tr><td>Not assigned</td><td>55.22%</td></tr><tr><td>Yes</td><td>1.00%</td></tr></table>	No	43.78%	Not assigned	55.22%	Yes	1.00%																																				
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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	1.00%
Not assigned	76.12%
Opposite sex	20.90%
Both Sexes	0.50%
Same Sex	1.49%

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	Evidence shows that females are most likely to take longer breaks from the work place due to caring responsibilities which may create knowledge gaps in their performance.
Age	Younger members of staff may lack experience in in the work place whilst older workers may find change and technological change difficult.
Religion	There is no data to suggest that there are specific needs or experiences arising within this category, as this procedure provides clear guidance on the management of underperformance in the work place.

Political Opinion	There is no data to suggest that there are specific needs or experiences arising within this category, as this procedure provides clear guidance on the management of underperformance in the work place.
Marital Status	Evidence shows that females are most likely to take longer breaks from the work place due to caring responsibilities which may create knowledge gaps in their performance. This includes employees from single parent status.
Dependent Status	Evidence shows that females are most likely to take longer breaks from the work place due to caring responsibilities which may create knowledge gaps in their performance, and includes single parent status. Employees with dependents may feel fatigued due to lack of sleep
Disability	<p>Individuals with sensory problems will have specific requirements with regards to communication relating to the policy and its implementation, to include use of policy, steps to being subjected to the policy and associated correspondence/documents. Also, those with learning difficulties may require additional support in order to get an understanding of how the policy works and the processes involved. For example, staff with Mental Health disorders or Learning Disabilities may require adjustments to the procedure – e.g. deadline extension, additional time and support to review documentation. Those with physical disabilities may need reasonable adjustments to access fully all elements of the procedure.</p> <p>These should be facilitated via reasonable adjustments under Disability Discrimination Act 1995. Staff who are disabled, may reasonably need to be accompanied by someone who can support them because of their disability, e.g. someone from a disability organisation</p>
Ethnicity	Individuals from different ethnic minority backgrounds where English is not their first language may encounter difficulties in the understanding of the policy.
Sexual Orientation	There is no data to suggest that there are specific needs or experiences arising within this category, as this procedure provides clear guidance on the management of underperformance in the work place.

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; Age;	The NIMDTA is committed to providing equality of opportunity, and strives to

<p>Marital Status &</p> <p>Dependent status: Ensure that this policy is shared and promoted throughout the organisation to ensure every section 75 group are aware of the policy and the measures taken to support staff to perform in their roles. This can be achieved via the numerous learning programmes, internal and external to the organisation, that staff can avail of to improve learning and ultimately performance.</p> <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.</p> <p>The policy states: At each stage of the procedure where appropriate we will consider whether the unsatisfactory performance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to assist the employee.</p> <p>Should disability be considered as potentially being a contributory factor to the performance concern, the application of this Policy will be paused for consideration and consultation with HR for next appropriate stages.</p> <p>NIMDTA will also consider discrete measures to promote equality for the identified equality groups in addition to the general equal opportunities statement given in this section of the screening document.</p> <p>Ethnicity – NIMDTA recognise that employees whose language is not their first language may have difficulty in a full understanding of the policy and may consider interpreting services if required.</p>	<p>promote a good and harmonious working environment where every employee is treated with 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. NIMDTA will consider mitigating circumstances and arrangements will be put into place to assist accommodating an employee where their performance may be below the required standard.</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	NIMDTA is committed to providing equality of opportunity, and strives to promote a good and harmonious working environment where every employee is treated with respect and dignity and consistent with the HSC Values of Compassion, Openness and Honesty, Excellence and Working Together.	Ensure that this policy is shared and promoted throughout the organisation to ensure every section 75 group are aware of the policy and the measures taken to support staff to perform in their roles.
Political Opinion	As above	As above
Ethnicity	As above	As above

(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.

Issues for any of the Section 75 groups highlighted in this screening have been mitigated against Implementation of this policy will support the organisation in maintaining business continuity and supporting employees to work to the requirements of the job description and substantive grade/band.

It is not felt that subjecting the policy to a full EQIA will highlight any further equality issues.

(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>
Supports employees via reasonable adjustments to work to the required level.	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>
Disability is a key equality category covered by this policy. Reasonable adjustments will be considered for staff with disability to their needs are met in the outworking's and practical application of the policy in line with related NIMDTA policy.	Further engagement via the Tapestry Network in order to identify specific needs and shape policy and procedure to encourage disabled people to engage. Engagement with external charities

(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	N
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

** 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
This will be monitored via workplace trends and NIMDTA will also monitor the equality profile of those staff who avail of this policy going forward. NIMDTA will collect and collate equality data on staff who avail of the policy through the formal and 'fast track' informal requirements of the policy.	Regular staff surveys.	Regular staff surveys.

Approved Lead Officer: Roisin Campbell

Position: Senior Professional Support Manager

Date: 01/11/2024

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