



Western Health and Social Care Trust

EQUALITY AND HUMAN RIGHTS SCREENING TEMPLATE

THIS IS A PUBLIC DOCUMENT

Title of Proposal :	
Endowment & Gift Funds – Establishment of Interim Superfunds	
Lead Manager: Carmel Devlin/Mary Coyle	Title: Senior Accountant
Directorate: Finance	Department: Financial Accounting
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Short Description of Document	
<p>Under the Charities Act (Northern Ireland) 2008, all Charitable Trust Funds are legally required to be registered with the Charities Commission NI (CCNI). Due to backlogs in registration by CCNI, this process may take time and it could be 2025 before they can formally address the registration of Trusts funds. However, the Trust has been developing plans in order to address this statutory obligation and in order to be in a position of readiness for when CCNI require us to become compliant. This requires a substantial reduction in the number of Endowment and Gift funds that the Trust operates.</p> <p>The proposed approach is to open a number of Interim Superfunds and only accept donations into those funds from a date yet to be determined.</p>	
Final Recommendations: (please tick as appropriate)	
1.	GREEN: No equality issues/impact: no further action <input checked="" type="checkbox"/>
2.	AMBER: Minor equality issues/impact: actions identified <input type="checkbox"/>
3.	RED: Major equality issues/impact: full EQIA recommended <input type="checkbox"/>
<p>Please send draft completed form for quality assurance to equality.admin@westerntrust.hscni.net For further information on quality assurance see page 3, section 3.</p>	
Final Approval Date:	

(1) INFORMATION ABOUT THE POLICY OR PROPOSAL**1.1 Title of policy or proposal****Endowment & Gift Funds – Establishment of Interim Superfunds****1.2 Description of the proposal**

Under the Charities Act (Northern Ireland) 2008, all Charitable Trust Funds are legally required to be registered with the Charities Commission NI (CCNI). Due to backlogs in registration by CCNI, this process may take time and it could be 2025 before they can formally address the registration of Trusts funds. However, the Trust has been developing plans in order to address this statutory obligation and in order to be in a position of readiness for when CCNI require us to become compliant.

The Trust currently has circa 175 funds with a value of £3.5m excluding the £3m donation by Minister Swan to the Trust in March 2020, which is excluded from the exercise as it is exceptional to normal activity levels and would not qualify as a Charity according to CCNI requirements as it would not pass the public benefit test.

The Capital in Perpetuity funds are also excluded. These are funds for which the Trust can avail of the interest but cannot spend the capital amount. In addition, the legacy recently made to Woodlands Children's home is excluded as this needs to remain a specific fund in line with the donor's wishes and will be utilised over the coming months in line with its proposed spending plan.

It is imperative that there is a drastic reduction in the number of funds as each fund will be required to be considered to be registered as a Charity in its own right. As such, there will be a significant increase to the cost of administration of funds and this is because of the increased administration burden for each fund, which will include the production of individual accounts, and reports for each fund. The cost of funds' administration is approx. £50k per annum and this cost is borne by the funds themselves.

The proposed approach is to open a number of Interim Superfunds and only accept donations into those funds from a date yet to be determined. This has the benefit of :

- Testing the viability of those funds in terms of regular income
- Allowing for closure of those funds if they are not deemed viable after the interim period, in line with the process for closure of legacy funds.

Legacy funds will remain open and available for expenditure until they are full expended so there is no conflict with the original donor's request.

1.3 Main stakeholders affected (internal and external)

*For example, staff, actual or potential service users, other public sector organisations, GPs, primary care providers, voluntary and community groups, trade unions or professional organisations or private sector organisations or others. **Start to consider how you might involve them in the development of the policy/decision.** This will also help you to meet the Trust's obligations under Personal and Public Involvement (PPI).*

All current Trust fund managers
 Finance Department Staff
 Service users
 Family members/friends

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

- WHSCT Endowment and Gifts Funds Policy

(2) CONSIDERATION OF EQUALITY AND GOOD RELATIONS ISSUES AND EVIDENCE USED

2.1 Data Gathering

2.1.1 What information did you use to inform this equality screening? For example, previous consultations, statistics, research, Equality Impact Assessments (EQIAs), complaints, etc.

Workforce Planning Information
 Census 2021

Data held on existing Trust Funds which is held and maintained by the Trust Finance Department.

2.1.2 How did you involve people?

The Trust requires evidence of engagement with stakeholders to fulfil its statutory obligations under its Equality scheme, Consultation Scheme and Personal and Public Involvement strategy. Provide details of how you involved stakeholders e.g. views of colleagues, service users, carers, Trade Unions, Section 75 groups or other stakeholders.

Consultation and Engagement Statement: In your policy/proposal include a paragraph titled Consultation and Engagement and summarise this section. If there was no engagement, please explain why.

Other Northern Ireland HSC Trust Finance departments who are carrying out similar exercises
 Corporate Management Team
 Trust Board and Endowment & Gifts Committee – attendees are senior Trust managers and Non-Executive directors, who have given approval for the reduction in funds held.

2.2 Equality Profile

Who is affected by the policy or proposal? What is the makeup (%) of the affected group? Please provide a statistical profile. Could you improve how you gather Section 75 information? Are there any issues or problems? For example, a lower uptake that needs to be addressed or greater involvement of a particular group? If the policy affects both staff and service users, please provide information on both. If not, merge the 2 columns.

Category	Service Users, etc. 2021 Census Data TOTAL POPULATION 301,618			Western Trust Staff Info June 2024 TOTAL 14766	
Gender	Female	50.58%	152,563	Female	11725 – 79.40%
	Male	49.42%	149,055	Male	3041 – 20.59%
Age	0 -15	21.17%	63,854	16-24	1024 - 6.9%
	16-24	10.34%	31,181	25-34	3073 – 20.81%
	25-44	24.95%	75,214	35-44	3724 – 25.22%
	45-64	26.51%	79,970	45-54	3492 – 23.65%
	65-74	9.74%	29,392	55-64	2790 – 18/89%
	75+	7.30%	22,006	65+	663 – 4.5%
Religion	Catholic		194,050 – 66.29%	Protestant	3253 – 22.03%
	Presbyterian Church of Ireland		26,996 – 9.22%	Roman Catholic	8321 – 56.35%
	Church of Ireland		34,802 – 11.88%	Not Determined/Not Known	3192 – 21.61%
	Methodist Church of Ireland		4,540 – 1.55%		
	Other Religions		2,388 – 0.82%		
	No Religion		25,107 – 8.57%		
	Religion not stated		4,860 – 1.66%		
Political Opinion	Nationalist:		86,834 (53%)	Broadly Unionist	950 – 6.43%
	Unionist		61,995 (38.06%)	Broadly Nationalist	2159 – 14.62%
	Other:		14,025 (8.62%)	Other	1668 – 11.29%
				Do not wish to answer/not known	9989 – 67.65%
Marital Status	Single	Married	Other	Married	7817 – 52.93%
	30.74%	35.50%	12.60%	Single	5512 – 37.33%
	92,708	107,063	37,991	Other	1437 - 9.73%
Dependent Status	Households with dependent children 24.48% - 38,219			Yes	3069 – 20.78%
				No	4428 – 29.99%
				Not Known	7269 – 49.23%
Disability	Household with one or more persons with a limiting long term illness 43,479 - 44.63%			Yes	429 – 2.9%
				No	9417 – 63.8%
				Not Know	4920 – 33.3%
Ethnicity	Arab		0.05% - 158	Bangladeshi	16 – 0.1%
	Asian Other		0.11% - 326	Black African	61 – 0.4%
	Black African		0.12% - 370	Black Caribbean	2 – 0.01%
	Irish Traveller		0.17% - 527	Black Other	1 – 0.006%
	Roma		0.01% - 43	Chinese	9 – 0.06%
	Pakistani		0.05% - 156	Filipino	67 – 0.45%
	Filipino		0.14% - 415	Indian	204 – 1.3%

	Mixed Ethnic Group– 0.51% - 1560	Irish Traveller	4 – 0.03%
	Chinese 0.21% - 640	Mixed Ethnic Group	26 – 0.18%
	White 98.09% - 295,860	Not assigned	3036 – 20.56%
	Indian 0.35% - 1,041	Other	80 – 0.54%
	Other Ethnicities – 0.12% - 370	Pakistani	37 – 0.25%
	Black Other 0.06% - 185	White	11223 – 76%
Sexual Orientation	Heterosexual 91.2% - 275,076	Opposite sex	8744 – 59.22%
	LGBTQ+ 1.6% - 4,826	Same sex	181 – 1.23%
	Not stated 7.2% - 21,716	Same and Opposite sex	52 – 0.35%
		Do not wish to answer/not known	5789 – 39.20%

2.3 Assessing Needs/Issues/Adverse Impacts, etc.

What are consequences of the policy/proposal on Users/Carers and staff? What are the different needs, issues and concerns of each of the equality groups? Are there any adverse impacts? If the policy affects both staff and service users, please specify issues for both. If not, merge the 2 columns. Please state the source of your information, e.g. colleagues, consultations, research, user feedback, etc.

	Needs and Experiences	
Equality Group	Service Users, etc.	Staff
Gender	No issues identified	No issues identified
Age	No issues identified	No issues identified
Religion	No issues identified	No issues identified
Political Opinion	No issues identified	No issues identified
Marital Status	No issues identified	No issues identified
Dependent Status	No issues identified	No issues identified
Disability	The proposal will be available in alternative formats for service users with a disability e.g large font, audio, Braille etc. Sign language interpreters will be provided in line with WHSCT policy	The proposal will be available in alternative formats for service users with a disability e.g large font, audio, Braille etc. Sign language interpreters will be provided in line with WHSCT policy
Ethnicity	The proposal will be available in alternative formats for service users where ethnicity is a barrier e.g written translation etc. Sign language interpreters will be provided in line with WHSCT policy	The proposal will be available in alternative formats for service users where ethnicity is a barrier e.g written translation etc. in line with WHSCT policy
Sexual Orientation	No issues identified	No issues identified
Other Issues: e.g. Rurality	No issues identified	No issues identified

2.4 Multiple Identities: When considering this policy/proposal, are there any additional issues relating to people with multiple identities? For example: older women, disabled minority ethnic people, young Protestant men, disabled people who are gay, lesbian or bisexual.

N/A

2.5 Making Changes: Promoting Equality of Opportunity/Minimising Adverse Impacts

Based on the equality issues you identified in 2.2, 2.3 and 2.4, what do you currently do that meets those needs? What additional changes do you intend to make that will improve how you promote equality of opportunity or minimise adverse impacts?

Equality Group	Actions that promote equality of opportunity or minimise (mitigate) adverse impacts
Disability (Staff)	The proposal will be available in alternative formats for staff with a disability e.g large font, audio, Braille etc. Sign language interpreters will be provided in line with WHSCT policy
Disability (Service users)	The proposal will be available in alternative formats for service users with a disability e.g large font, audio, Braille etc. Sign language interpreters will be provided in line with WHSCT policy
Ethnicity (service users)	The proposal will be available in alternative formats for service users where ethnicity is a barrier e.g written translation etc. Sign language interpreters will be provided in line with WHSCT policy
Ethnicity (staff)	The proposal will be available in alternative languages for service users where ethnicity is a barrier e.g written translation etc.

2.6 Good Relations

Does the policy/proposal have any impact/consequences for Good Relations? What changes to the policy or proposal or what additional measures could you suggest to ensure that it promotes good relations (if any)? (Refer to Guidance Notes for guidance on impact).

Group	Impact/Consequences	Suggestions
Religion	N/A	N/A
Political Opinion	N/A	N/A
Ethnicity	N/A	N/A

(3) CONSIDERATION OF DISABILITY DUTIES

How does the policy/proposal encourage disabled people to participate in public life and promote positive attitudes towards disabled people?

N/A

**4.1 Does the policy or proposal adversely affect anyone's Human Rights?
Complete for each of the Articles.**

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

If you have answered either 'Positive Impact' or 'Neutral Impact' to all of the above, please move on to Section 5.

4.2 If you have identified any potential negative impacts to any of the articles, please complete the following table.

Article Number	What is the negative impact and who does it impact upon?	What do you intend to do to address this?	Does this raise any further legal issues?* Yes/No
	N/A		

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

4.3 Outline any further 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 proposal.

N/A

(5) SHOULD THE POLICY OR PROPOSAL 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. Base your decision on information from sections 2.2, 2.3, 2.4 and 2.5.

How would you categorise the impacts of this proposal or policy? (refer to Guidance Notes for guidance on impact)

Do you consider that this policy or decision needs to be subjected to a full Equality Impact Assessment?

Please tick:

GREEN: No impact	<input checked="" type="checkbox"/>
AMBER: Minor impact	<input type="checkbox"/>
RED: Major impact	<input type="checkbox"/>

Please tick:

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Please give reasons for your decision. (See Guidance Notes, page 28, for sample paragraph).

This proposal will affect service users and their families who choose to donate to the Trust but there is no specific group of people who are affected more than any other by this proposal.

This proposal will affect current managers who manage the current funds but there is no specific group of people who are affected more than any other by this proposal.

The proposal has been taken to the Trust's Corporate Management Team, Trust board and Endowment and Gifts Committee and has been approved for implementation.

There will be internal and external communication on the changes made in terms of funds structure and training provided to ensure all staff are aware of their roles and responsibilities. The changes will be accessible on the dedicated Sharepoint site which is accessible to all staff involved in the administration of Trust Funds.

In relation to staff, the guidance will be distributed via the Staff Intranet (Staff West) and via Trust Communication. In addition, should staff require further information, sessions can be arranged to explain the guidelines.

➤ **NOTE: Equality and Human Rights Statement:** The policy/proposal that this screening relates to MUST include the above paragraph. In addition, this paragraph should be used in the briefing note to Trust Board and will also be included in the Trust's Equality Screening Report.

(6) EQUALITY AND HUMAN RIGHTS MONITORING

What data will you collect in the future in order to monitor the effect of the policy or proposal, on any of the equality groups, for equality of opportunity and good relations, disability duties and human rights?

The Trust maintains a record of all donations made to the Trust and the Finance Department will continually monitor this to evaluate the effect on any of the equality groups.

Feedback will be provided to Endowments and Gifts Committee for review on the effect of the changes implemented.

Approved Lead Officer: Carmel Devlin/Mary Coyle

Position: Senior Financial Accountant

Policy/Proposal Screened By: Mary Coyle/Carmel Devlin

Date: 15th July 2024

Quality Assurance: Please send the final draft for quality assurance to the Equality and Human Rights Unit, Tyrone and Fermanagh Hospital, Omagh, BT79 0NS or email: equality.admin@westerntrust.hscni.net. **Quality Assurance can take up to three weeks.**

Directorate SMT Approval: The completed Equality Screening Form **MUST** be presented along with the policy/proposal to your Directorate SMT for approval.

Quarterly Equality Screening Reports: When final Trust approval is received, ensure that you send the completed screening form and associated policy/proposal, etc. to the Equality and Human Rights Unit, for inclusion in the WHSCT's quarterly equality screening reports. As a public document, the screening form will be available for downloading on both the Trust's website and intranet site.