



**HUMAN RIGHTS SCREENING TEMPLATE**

**THIS IS A PUBLIC DOCUMENT**

<b>Title of Policy: Supporting Performance Improvement Policy</b>	
<b>Lead Manager:</b> Audrey Proctor	<b>Title:</b> Head of Service
<b>Directorate:</b> Human Resources	<b>Department:</b> Business Partner
<p><b>Contact details:</b></p> <p><b>Address:</b> Lime Villa, 12c Gransha Park, Clooney Road, Londonderry, BT47 6WJ</p> <p><b>Tel:</b> 07557484768</p> <p><b>Email:</b> Audrey.proctor@westerntrust.hscni.net</p>	
<p><b>Short Description of Policy</b></p> <p>The aim of this Policy is that the WHSCT 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 Trust to support employees with performance concerns to achieve effective standards of work.</p>	
<b>Final Recommendations:</b> (please tick as appropriate)	
1.	<b>GREEN:</b> No equality issues/impact: no further action <input checked="" type="checkbox"/>
2.	<b>AMBER:</b> Minor equality issues/impact: actions identified <input type="checkbox"/>
3.	<b>RED:</b> Major equality issues/impact: full EQIA recommended <input type="checkbox"/>
<p>Please send draft completed form for quality assurance to <a href="mailto:equality.admin@westerntrust.hscni.net">equality.admin@westerntrust.hscni.net</a></p> <p>For further information on quality assurance see page 3, section 3.</p>	
<b>Final Approval Date:</b>	

## (1) INFORMATION ABOUT THE POLICY OR PROPOSAL

### 1.1 Title of policy or proposal

Supporting Performance Improvement Policy

### 1.2 Description of policy or proposal

This Policy ensures employees are supported to improve their performance where required, and treated in line with the HSC Values. In addition, managers are required to ensure they have systems in place to enable early identification of performance concerns in the interests of all parties involved.

It is expected that if concerns arise regarding an employee's performance, these will be addressed at the earliest opportunity using a fair, supportive and compassionate approach.

### 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 Trust Staff excluding of Medical and Dental employees
- Human Resources
- Trade Unions
- Management
- Occupational Health

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

Adult Safeguarding Policy (2015)

Regional Adult Safeguarding Procedures (2016)

Attendance at Work Policy and Procedures

### **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.

Info - Workforce Planning information (see 2.2)

#### **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.

This policy was developed regionally for use in all HSC organisations in NI and regional consultation.

## 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.

<b>Category</b>	<b>Staff as at 17 June 2024 from Workforce Planning</b>	
Gender	Female	11188
	Male	2815
Age	16-24	911
	25-34	2938
	35-44	3594
	45-54	3464
	55-64	2563
	65+	533
Religion	Protestant	3172
	Roman Catholic	8034
	Neither	2797
Political Opinion	Broadly Unionist	851
	Broadly Nationalist	1793
	Other	1415
	Not Disclosed	9944
Marital Status	Single	5007
	Married	7585
	Other	1411
Dependent Status	Yes	2967
	No	3295
	Not Disclosed	7741
Disability	Yes	315
	No	7742
	Not Disclosed	5946
Ethnicity	White	9854
	Other	269
	Not Disclosed	3880
Sexual Orientation	Opposite Sex	7061
	Same Sex	147
	Same and Opposite Sex	29
	Not Disclosed	6766

**2.3 Assessing Needs/Issues/Adverse Impacts, etc.**

What are consequences of the policy/proposal on 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.

	<b>Needs and Experiences</b>
<b>Equality Group</b>	<b>Staff</b>
Gender	No issues identified.
Age	No issues identified.
Religion	No issues identified.
Political Opinion	No issues identified.
Marital Status	No issues identified.
Dependent Status	No issues identified.
Disability	This protocol will be available in alternative formats. Sign Language interpreters will be used in line with Trust Guidelines.
Ethnicity	No issues identified.
Sexual Orientation	No issues identified.
Other Issues: e.g. Rurality	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.

None identified.

## 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?

Disability - staff	This protocol will be available in alternative formats. Sign Language interpreters will be used in line with Trust Guidelines.
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## 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	The protocol is designed to take into consideration all mitigating factors which may include factors related to one or more equality group. The approach of the protocol is HSC values based with consideration given to Fairness, Confidentiality, Equality and Natural Justice.	N/A
Political Opinion		
Ethnicity		

## (3) CONSIDERATION OF DISABILITY DUTIES

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

#### (4) CONSIDERATION OF HUMAN RIGHTS

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 <sup>st</sup> protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			√
1 <sup>st</sup> 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.**

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

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

It is anticipated that this protocol will have a positive impact, in ensuring that if concerns arise regarding an employee's performance, these will be addressed at the earliest opportunity using a fair, supportive and compassionate approach. It is expected that the majority of concerns will be dealt with and resolved informally between the manager and employee.

This protocol has been developed in line with best practice recommendations and is based upon 5 key principles of HSC values, Working Together, Excellence, Compassion and Openness and Fairness.

The Policy outlines the process, roles and responsibilities for HR, management and TUs. It will be available on the HR Hub for all Trust staff.

On launch the policy will also be distributed to all staff via the Trust communications email and it will be available on the HR Hub for all Trust staff.

➤ **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 protocol will be reviewed locally and regionally and consideration given to any unforeseen impacts. Complaints and/or comments will be reviewed and any learning identified from incidents will be taken into consideration.

Complaints will be collated and reviewed by the HR Business Partners.

**Approved Lead Officer:** Audrey Proctor

**Position:** Head of Service/Business Partner

**Policy/Proposal Screened By:** Marina McShane

**Date:** 17 June 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](mailto: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.