

Southern Health and Social Services Council

**THIRD ANNUAL PROGRESS REPORT ON THE
IMPLEMENTATION OF THE EQUALITY AND GOOD
RELATIONS DUTIES UNDER S75 NI ACT 1998**

PERIOD: - 1 April 2002 - 31 March 2003

**Southern Health and Social Services Council
Quaker Buildings, High Street
Lurgan BT66 8BB
Telephone 028 38349900
E-mail: DVanderlenden@shssc.n-i.nhs.uk**

SCOPE OF REPORT

This is the 3rd Annual Progress Report completed by the Southern Health and Social Services Council. The report details progress made in respect of the implementation of the Council's statutory equality duties to promote equality of opportunity and good relations as defined in Section 75 of the Northern Ireland Act 1998.

In terms of scope the report charts progress in respect of the following key areas for the period of **1 April 2002 to 31 March 2003**: -

- Section 1 - Preparation of Equality Scheme
- Section 2 - Strategic Implementation of the S75 Equality Duties
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The Council, Chairman and Chief Officer are committed to ensuring the implementation of the Council's statutory duties as defined in Section 75, Schedule 9 of the Northern Ireland Act 1998 and as such will continue to strive to ensure that the commitments contained in its Equality Scheme are implemented efficiently, effectively and on time.

MRS ROISIN FOSTER
CHAIRMAN

MRS DELIA VAN DER LENDEN
CHIEF OFFICER

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1. Preparation of draft Equality Scheme (applies to organisations whose Schemes were not approved by the Commission prior to 1 April 2001)

This section is not applicable to the Council as our Equality Scheme was submitted and formally approved by the Equality Commission on 14 June 2001.

2. Strategic Implementation of the S75 Duties

As previously stated in the last annual progress report, authority for the management of equality and human rights has been designated to the Chief Officer. The Council's Complaints Officer is the organisation's link with the Southern Area Equality and Human Rights Group.

At the outset of the year, the Council reviewed its Annual Action Plan to map progress to date and to set priorities for the current year. While there were regular progress reports to members from the Chief Officer this was not done on a quarterly basis. This matter has already been addressed and quarterly reporting will take place during the coming year. In addition progress is discussed at staff meetings and reported annually via the Council's Annual Report and the Annual Progress Report to the ECNI.

S75 obligations are reflected in new job descriptions and included, for existing staff, in performance objectives.

The Council is on course for completing its five-year timetable for the implementation of its Scheme.

Good Relations Duty

Following the success of Craigavon and Banbridge Community HSS Trust's Multicultural Health Fair, in which the Council participated, the Southern Board, Council and Trusts have developed, in co-operation with regional and voluntary black and minority ethnic groups, a Multi-Cultural Handbook for Staff in order to raise awareness of the various cultures and customs followed by the many differing black and minority ethnic groups residing in NI e.g. dress, diet, care of the dying etc. This Handbook is to be officially launched by the Chief Executive, SHSSB, Chief Commissioner of the ECNI and regional and local representations of black and minority ethnic groups on the 24 June 2003. In addition, the SHSS Board, Council and Trusts will be working in collaboration with the DHSS&PS and the ECNI in furthering the recommendations contained in the 'Racial Equality In Health - Good Practice Guide' and 'Promoting Social Inclusion - Working Group Report on Travellers'.

The Southern H&SS Board has developed an information leaflet in Portuguese advising how to access health services in NI. This has been picked up by the Council, Trusts, GPs, Citizens Advice Bureaux and will be disseminated widely.

Last year the Council reported that it had developed contacts with NICEM to examine ways in which the interests of minority ethnic communities could be reflected in the Council's membership. Unfortunately this did not result in an appointment being made by the Department. The Department is responsible for appointments to the Council.

Interpreting Services

The SHSS Board and Trusts in co-operation with other local Public Authorities continue to fund an Interpreting Service within the Southern Area for the Chinese and Asian communities to meet the needs of these local communities. The Council has access to this service via the Board.

Further, the HPSS has established a Regional Interpreting Project under the direction of the EHSSB. The aim of the Project is to create a register of available accredited interpreters for the various languages identified by the needs assessment exercises. Standards of good practice on the use of interpreters will be established along with governing codes of practice. A questionnaire to identify needs has been issued and the Council will be responding to this.

Developments in Partnership Working

In terms of partnership working the Council continues to have input into the following fora: -

- (i) Regional Equality Steering Group
- (ii) Regional Information Steering Group
- (iii) Human Rights Regional Liaison Group
- (iv) Southern Area Board Forum
- (v) Equality Scheme Partnership Meetings

Please refer to the second annual progress report for further information on these forums. In addition the Council continues to participate in the Disability Discrimination Act Group – a board-wide steering group chaired by Mrs Fionnuala McAndrew, Assistant Director of Social Services, which monitors progress in implementing the requirements of the Disability Discrimination Act.

Finally, in terms of impediments, consultation and the lack of capacity on the part of voluntary/community groups still remain the main challenges in furthering the equality duties

3. Screening and EQIA Timetable

In our first Annual Progress Report we referred to the plans of the four Councils to jointly undertake an Equality Impact Assessment on our policy on liaison with the community and voluntary sector. This topic subsequently became the focus of one of the four Good Practice Reviews, and in our 2nd annual Progress Report we indicated that the EQIA had been postponed until after completion of the Good Practice Reviews. The Department is currently consulting on implementation of the recommendations from all four Reviews. The Council will embrace the recommendations of the Review.

Outside of the Regional Programme the Council did not identify any local EQIAs during this reporting period. No new policies were introduced during this reporting period.

With regards to the Regional EQIA programme the Council continues to cooperate with the wider HPSS Family, which has recently consulted on priorities for 2003 - 2005. This report will be submitted by the DHSS&PS to the ECNI and will detail the outcome of the annual consultation - a full copy of the report which has been endorsed by the HPSS family can be found on the DHSS&PS's website www.dhsspsni.gov.uk/publications.

In addition to the Regional EQIA programme, the HPSS Family undertook to conduct four Good Practice Reviews in the areas of Complaints, Staff Attitudes to Diversity, User Involvement and Access to Information. The Reviews have been completed and the Department wishes to consult on implementation of the recommendations. The consultation period runs from 1 July – 29 September 2003 and the Good Practice Review Reports can be viewed on the Department's website www.dhsspsni.gov.uk/econsultation/practice.

With regards to Human Rights, the Council is collaborating with the wider HPSS family in reviewing the implications of the following generic policy areas: -

- Confidentiality and Privacy
- Restraint and Seclusion
- Good decision making processes respecting human rights
- Clinical Judgements

The Council continues to screen all new policies for equality and human rights implications and guidance has been provided to managers to assist in the screening process. The DHSS&PS have also issued guidance premised on experience to date re. EQIAs and Effective Consultation methods. Further, the DHSS&PS are producing guidance on Screening to be circulated to the HPSS family in due course.

During the period under review the Council introduced no new policies. Human resources policies are the responsibility of the Southern Health and Social Services Board – for information on human resources policies see the Board's annual report to the Commission.

4. Training and Communication

In keeping with the commitments in its Equality Scheme the Council has put in place effective communication and training arrangements to be conducted over the five year period to which the Trust's Equality Scheme refers with the aim of achieving the following objectives:

- To raise awareness of current anti-discrimination legislation in Northern Ireland including the provisions of Section 75 of the NI Act 1998. To include an explanation of the duties and their implications for all employees

Senior staff have participated in religious diversity training facilitated by Craigavon and Banbridge Community HSS Trust.

All Council Members have received Equality Training from Lynda Gordon of the Equality Assurance Unit, Craigavon and Banbridge Community HSS Trust as part of an comprehensive training initiative. Equality Training will be provided to new members who take up their posts in September.

All members and staff have been provided with an information leaflet outlining the Council's Equality duties.

- To provide those employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively.

A template to assist managers when screening policies for equality and human rights implications has been developed and disseminated widely throughout the Trust. In addition, the DHSS will be producing further guidance in this area.

- To provide those employees involved in the equality impact assessment of policies with the necessary skills and knowledge to do this work effectively.

The Council's Chief Officer and Complaints Officer have attended training on undertaking EQIAs, which was provided by Harry McConnell.

- To provide those employees who deal with complaints in relation to the implementation of S75 equality duties with the necessary skills and knowledge to investigate and monitor complaints effectively.

All staff involved with complaints have received appropriate training.

- To provide those employees involved in the consultation processes with the necessary skills and knowledge to do this effectively.

Council staff that are called to participate in consultation have been equipped with the necessary knowledge and general skills to do this effectively. In so doing Council officers have drawn on the Commission's guiding principles governing effective consultation and more recently the OFMDFM - Guide to consultation, which compliments the Commission's, own advice. Further, the DHSSPS have produced an Effective Consultation Guide for Managers in the HPSS.

Council staff have also gained from experience of previous consultation exercises with S75 representatives and put this learning to good effect.

- To provide those employees involved in the implementation and monitoring of the effective implementation of the Trust's Equality Scheme to do this work effectively.

Relevant staff involved in the implementation and monitoring of the Council's Equality Scheme have been afforded the requisite knowledge to undertake this work effectively.

- To evaluate the extent to which all participants in the above training arrangements have acquired the necessary skills and knowledge to achieve each of the above objectives.

Training initiatives facilitated by other organisations were all subject to evaluation and Council staff completed evaluation forms at the events. Training feedback has been in the main positive. Within the organisation feedback was provided via staff meetings.

The Council will review equality training for members on an ongoing basis.

Arrangements are in place to report progress in relation to training in the annual progress report to the ECNI and the Council's own annual report.

Internal and external communication of Trust's Commitment to the statutory Equality Duties

In addition to those means stated in paragraph 4.2 of the second annual progress report, the Council continues to communicate its commitment to the Statutory Equality Duties via: -

- Regular and annual reporting mechanisms
- Ad hoc briefings to members
- Staff meetings
- Chief Officers' Meetings
- Council Executive Meetings
- Equality Steering Group
- Multi-Cultural Handbook
- Southern Area Equality & Human Rights Forum
- Regional Equality Steering Group
- Disability Discrimination Act Group
- Press Releases
- Recruitment Literature

Factors that have enhanced or impeded the process of communication and training

As a small organisation with limited resources, and without a senior member of staff dedicated exclusively to Equality, the development of regional and local partnerships has proved very helpful.

5. Data Collection and Analysis

As previously reported the HPSS has established a Regional Information Steering group with representatives drawn from the Department, Boards, Trusts and Agencies. See the DHSSPS Annual Progress Report for details of progress in this area.

The Council continues to draw on relevant research, surveys, census and other relevant data to inform policy development along with consultation.

The DHSS&PS is currently piloting the use of a monitoring slip that covers all 9 S75 categories in their smoking cessation groups to gauge level of compliance by service users, particularly with regard to sourcing the more sensitive information - political opinion, sexual orientation.

6. Information Provision and Access to Services

The Council has built on the initiatives outlined in its 2nd annual report.

Access to interpreting services for Asian and Chinese languages is via the Southern Area Interpreting Service under the SHSSB contract. The Council will respond to the questionnaire issued by the Regional Health and Social Services Interpreting Project.

The Council has participated in the development of the Multicultural Handbook for health staff in the Southern Board area. The handbook will be launched in June.

Access to sign language interpreting services is via the SHSSB contract. The Council's Clerical Officer, who is a frontline member of staff, completed Stage 1 BSL in June 2002 and commenced Stage 2 in September 2002.

Following on from the disability audit of the Council's premises internal signage has been improved and internal doorframes colour-contrasted. Negotiations with the landlord and the Department are ongoing with regard to improving access via the rear exit. The Chief Officer has initiated dialogue with the Department on the issue of resources and is awaiting a response. The Council continues to be represented on the Disability Discrimination Group – a board-wide steering group. The Group meets regularly to monitor compliance and reports on an annual basis.

The Council has reviewed its complaints outreach service and decided to discontinue the service, as uptake was disappointing. Arrangements can and will, however, be made to see complainants at venues other than the Council's offices when the need arises. Advice and assistance on the HPSS complaints procedure can also be obtained by telephone and via the Council's website.

The Council has re-launched its website and is working with the designer to improve access for those with a visual impairment.

Four Good Practice Reviews in the areas of Complaints, Staff Attitudes to Diversity, User Involvement and Access to Information. The Reviews have been completed and the Department wishes to consult on implementation of the recommendations. The consultation period runs from 1 July – 29 September

2003 and the Good Practice Review Reports can be viewed on the Department's website www.dhsspsni.gov.uk/econsultation/practice.

In the year ahead the Council intends to re-issue information posters and leaflets and increase the number of Council Meetings held off-site, to facilitate contact with local communities.

The Council chose Children and Young People as the theme of its work programme for 2002/03. In our 2nd Annual Progress report we advised that this year we would examine how young people could be more directly involved in the work of the Council and would specifically promote its complaints service to young service users. Unfortunately due to staffing restraints there has not been as much progress in this area as we would have liked. In the coming year we will try to identify additional staff resources and will review progress.

During the year further progress was made on research into children as complainants. This work was commissioned by the four Councils and carried out by staff at the Institute of Child Care Research, Queen's University Belfast. The report entitled, "Children as complainants in the Health and Social Services in Northern Ireland", will be published in the summer.

As part of its annual programme of visits, members visited a children's home in each of the Trust areas – Drumglass Children's Home, Dungannon, Cedar Grove, Newry and Edenvilla Children's Home, Banbridge. In addition staff and members visited the Neonatal and Children's Ward at Craigavon Area Hospital.

Council staff also visited the Disablement Assessment Centre at Green park Healthcare Trust. The decision to visit this facility was taken as the result of contact from the parents of young people with disabilities via the complaints service. Reflecting the designation of 2003 as the International Year for People with Disabilities the Council's programme theme for 2003/04 is "Promoting the Rights of Service Users with Disabilities".

Research activity during the year included the launch of the "NI Prosthetics Survey – Management Report" carried out by Dr Reg Race on behalf of the four Boards and Councils; and March 2003 saw commencement of work on "Daycare for School Leavers with Learning Disabilities" (working title).

7. Complaints

During the year under review the Council received no complaints under its Equality Scheme and as such no complaints were referred on to the Commission.

The Council monitors all complaints as standard procedure and assesses the extent to which complaints are handled and encourages feedback from complainants

The Council's complaints leaflet will be reviewed in the coming year to take account of the outcome of the Good Practice Review on Complaints. Regional and local groups were consulted with, with a view to making the complaints procedure more accessible. The recommendations of the Good Practice Review will inform the Council's handling of complaints and the advice and support service it offers to members of the public who wish to complain about other health organisations/professionals.

8. Timetable - Update

The Council's timetable of measures is contained in Appendix 3 of its Equality Scheme. This timetable was endorsed by the Chair of the Council and by the Council Members.

This timetable is reviewed regularly through the Council's partnership meetings and staff meetings, and reported on regularly to members and annually in the Trust's own annual report and in the ECNI annual progress report.

The Council has made good progress in fulfilling these objectives for the current reporting period:

- The HPSS Family have reviewed its priorities for the year 2003-2005 in respect of the Regional EQIA programme and have recently consulted on same. This report will be submitted to the ECNI separately by the DHSS&PS.
- Training and Communication - as mentioned in Section 4 above.
- Annual work programme was prepared in April 2002 and used as a basis to direct the strategic implementation of S75 equality duties - progress charted throughout this current annual report and the Council's own annual report.
- Ongoing screening of new and revised policies

9. Consultation

During the year under review, the Southern Area Joint Master Consultation list was reviewed locally and consultees were asked for their preferred method of consultation i.e. telephone, electronic, post etc. A regional central database has

now been established as has a central consultation website for the HPSS family - this is managed by the DHSS&PS. Main methods of consultation utilised by the Council are: - telephone, postal, electronic, focus groups, public meetings, central website, Regional Equality Liaison Panels, and existing local networks. The Council's Chief Officer has been invited to address the Craigavon and Banbridge Community Forum in the coming year.

Consultation exercises have included consulting on equality and good relations aspects. Where practical, the HPSS have utilised umbrella groups e.g. COSO, Age Sector Reference Group, NICEM, MCRC etc. These have proved useful but we have also taken account of local perspectives. Increasingly, we are trying to make use of joined up consultation with other public authorities. We recognise that further work needs to be done in this area in the coming year.

10. Impacts and Outcomes

All new or revised policies are subjected to the screening process in keeping with the Council's Equality Scheme. The Guidance for Managers for Screening from both an Equality and Human Rights perspective are used to determine any equality and human rights implications. No new policies were introduced this year.

As previously reported the Council is working in collaboration with the wider HPSS family in furthering the Regional Wide EQIA Programme for EQIA's. The Council did not identify any local EQIAs during this reporting period and no new policies were introduced during this period. For evidence of how EQIA's have effected change to policy and or service design for the affected groups please refer to the DHSS&PS Report.

In terms of the main outcomes from implementation of the statutory duties thus far this can be evidenced in a greater appreciation, on the part of staff, of the need to consider equality, good relations and human rights considerations at the policy making, service design/deliver stage. Over all there is a growing awareness of the need to consider the potential impact(s) for the various groups affected and the need to mitigate any adverse impact where possible coupled with a realisation that it goes beyond the employment sphere and impacts on all functions undertaken by the authority. The ongoing training has assisted undoubtedly in raising awareness levels.

Partnership working and participation in groups such as the Southern Area Equality and Human Rights Forum and the Disability Discrimination Act Group provides the ongoing impetus and drive to oversee and ensure compliance with

the statutory duties. The reporting requirements very much keep Equality and Good Relations duties on the Council Agenda.

The growth of networking has also facilitated the sharing of good practise initiatives and has led to tangible outcomes that have made a practical impact in terms of people's daily lives – very obvious examples of this are access to language services and the development of the Multicultural Handbook.

The increasing availability of research produced by the affected groups highlighting the gaps in current service provision and the lack of culturally sensitive services have proved to be a fruitful source of information and will be utilised to effect change to service provision such as: Racial Equality in Health - Good Practice Guide, PSI Working Group Report on Travellers, Traveller Needs Assessment to name but a few. The HPSS family will be working in collaboration to further the recommendations in these reports and will report future progress.

11. Additional Information

The earlier emphasis of the new statutory duties was very much on procedural adherence i.e. drafting/approval of schemes and the dissemination of same. We are slowly moving beyond this stage to a point where we are seeing the early beginnings of tangible benefits for the groups affected, as illustrated throughout this report. Section 75 is a long-term process requiring a cultural shift to a point where equality and good relations duties become mainstreamed within the heart of the organisation. Undoubtedly, without the existence of S75 legislation, the emphasis would still have remained on the negative i.e. a defensive stance where organisations seek to prevent discriminatory practice, whereas S75 is very much about positive obligations requiring a more proactive response. The relationships that have formed between public authorities and NGOs have been another tangible outcome of the enactment of S75 and with the emphasis on partnership working, it is hoped that the 'curse of the answered prayer' can be turned into something more rewarding for all concerned.

Queries in relation to any aspect of this report should be directed to:

Delia van der Lenden
Chief Officer
Southern Health and Social Services Council
Quaker Buildings
High Street
Lurgan
BT66 8BB

Tel: 028 38349900

Email: DVanderlenden@shssc.n-i.nhs.uk

Appendix A

EQIA Timetables

Matrices

Please enter details relating to the authority's Equality Impact Assessment timetable and progress on it.

EQIA Timetable Reporting Matrices – period to end March 2003

Existing policies – included in initial EQIA timetable

Title of existing policy EQIA's due to be completed pre-March 2003	Stage (as per Steps 1-7 of EQIA Process)	If joint-EQIA please state partner authorities	If EQIA completed is amended policy now being implemented ? Y/N	If EQIA completed is amended were adjustments to policy a result of <u>A</u> ssessment of adverse impact/ feedback from <u>C</u> onsultation, or <u>B</u> oth <i>Please enter A, C or Both</i>
1.				
2.				
3.				
4.				
5.				

N.B. EQIA by the four Councils on policy on liaison the community and voluntary sector was postponed pending the outcome of the Good Practice Review on User Involvement. All four Good Practice Reviews are currently out for consultation. The Council will work with the HPSS Family to implement the recommendations of the Review.

New policies, i.e. new or revised policies developed after initial EQIA timetable produced

Title of new policy EQIA's due to be completed pre-March 2003	Stage reached (as per Steps 1-7 of EQIA Process)	If joint-EQIA please state partner authorities	If EQIA completed is amended policy now being implemented ? Please enter Y/N	If EQIA completed is amended were adjustments to policy a result of <u>Assessment</u> of adverse impact/ feedback from <u>Consultation</u> , or <u>Both</u> <i>Please enter A, C or Both</i>
1.				
2.				
3.				
4.				
5.				

N.B. No new or revised policies were introduced after the initial timetable was produced.

EQIA time-table for 2003-4

Title of EQIA's due to be commenced during April 2003 – March 2004	Existing or New policy? Please enter E or N below.	If joint-EQIA please state partner authorities	Expected completion date of EQIA
1.			
2.			
3.			
4.			
5.			

N.B. No local EQIAs have been identified.