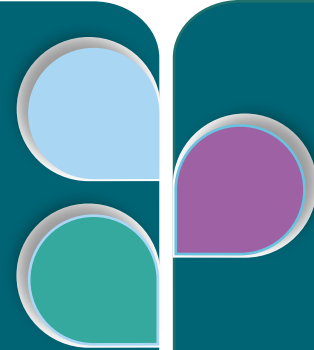


Equality Bites

Edition 6: January 2020



Hello and Happy New Year. Belfast Trust is kicking off the new decade with a bumper packed edition of Equality Bites. This newsletter, as the name would suggest, is simply to provide a flavour of some of the work that Belfast Trust undertakes to promote equality of opportunity and good relations for the population we serve and our staff who deliver health and social care. The bulletin details some of the ground-breaking initiatives that Belfast Trust is taking forward to promote equality and to reduce health inequalities. Additionally, it provides some contextual information and statistics to further highlight how we, as the largest Trust in the UK and an employer of some 22,000 staff, take seriously our responsibilities of promoting equality and good relations and tackling inequalities for our service users, patients, carers, visitors and staff.

This edition covers a range of different issues that we feel are noteworthy and of interest to our readers. One of the highlights is the Trust's annual Christmas campaign to collect for people who are experiencing domestic abuse or who are homeless. The collection is going from strength to strength each year and is testament to the generosity of our staff. The collection points multiplied across the Trust and were like real Santa's grottos when representatives from the Welcome Organisation, Belfast and Lisburn Women's Aid and Homeplus NI came along to receive the goods. Their Chief Executives/ Directors all separately acknowledged the difference that these donations make to people who find themselves in difficult domestic situations over the holiday period and described the look of joy on children's faces and the look of sheer gratitude and relief on the face of adults or parents. So a massive thanks to all our staff who participated in this worthwhile initiative.



This edition also touches on other topical subjects such as domestic abuse, dementia, the partial implementation of mental capacity legislation, the availability of Shopmobility at both the Royal and Belfast City Hospital, gender identity and recent successful discrimination cases. It



isn't possible to cover all of these significant topics in detail and so we have provided links to other websites or YouTube videos for you to be able to access more information. I hope you find this bulletin useful and informative – if you have suggestions or comments on how we could improve it, we would love to hear from you. If you would prefer to receive information in an alternative format, we are committed to facilitating this so please contact:

equality.team@belfasttrust.hscni.net

Charlene Stoops

Director of Planning, Performance and Informatics

Our Trust Christmas Appeal continues to grow and grow...

Once again this year Trust staff and Trade Union colleagues have shown the true meaning of Christmas with their generosity and thoughtfulness for those who may not be in their own homes at Christmas.

Women's Aid were selected to help women and children who are spending Christmas in a refuge and those who are receiving support from them in the community. Last year the Trust added another dimension to this Christmas collection by including the Welcome Centre – in recognition of the fact that men also find themselves homeless or victims of domestic abuse or



violence. This year, as well as Women's Aid and the Welcome Centre, we have added another worthy recipient organisation, Homeplus NI, which also supports people who are homeless, as well as refugees and asylum seekers.

The campaign has grown and developed each year with more donation points being

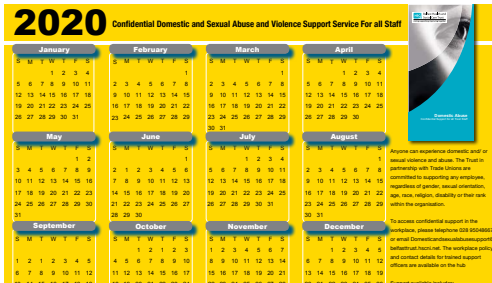


established by staff across our sites.

We were delighted to be joined by Kelly Andrews, CEO and Liz Johnston, Finance Manager from Belfast and Lisburn Women's Aid, Ryan Doherty, Homeplus NI Project Coordinator and Sandra Moore, CEO of the Welcome Organisation to formally receive the gifts on behalf of the people who avail of their services. They were genuinely delighted to be gifted with over £1200 and a huge array of clothes, gifts,

toys and toiletries. To convey their thanks in their own words, please see an email from Women's Aid *"Your generosity to us has been astounding the past couple of years. We have given out nearly all the gifts already and because of you so many families in refuge and in the community will have a 'normal' Christmas at a very turbulent time in their lives. Please convey our sincere thanks to everyone involved. Many thanks again and have a wonderful Christmas and New Year."* The Trust Equality and Planning Team coordinate this collection each year and would like to say a special thanks to everyone who made this possible and who took up the mantle – the people who these organisations help all year round really benefit because of your generosity.

Belfast Trust Focus on supporting staff experiencing Domestic and Sexual Abuse



Did you know?

The Trust produces an annual Domestic and Sexual Abuse Support Service A4 calendar each year to help promote the support available

The Trust has a Domestic and Sexual Violence in the Workplace policy and in addition, a range of support officers have been trained to provide support and signpost any staff member experiencing domestic and or sexual abuse. To access this free and confidential service, please

Email: DomesticandSexualAbuseSupport@belfasttrust.hscni.net

or Telephone: 028 9504 8667.

This service and workplace policy have been recognised as exemplar and been featured by NHS Employers England as best practice.

UK-wide report states abuse in rural areas can last longer and leave victims more isolated.

A recent UK-wide report from the National Rural Crime Network (NRCN) noted that abuse in rural areas can last longer and leave victims more isolated. Those living further from towns are less likely to report abuse or get support, according to the report. Women’s Aid in NI said reported abuse was “the tip of the iceberg.”

“All of our resources go in to the areas where the highest statistics are coming in but women in rural areas aren’t reporting as much,” said Sonya McMullan from Women’s Aid. “In Northern Ireland within our rural communities very often we have patriarchal notions of society with regard to who would own the local shop, who would be the GP, who would be the head of the police. All of those kinds of services would still be very male-led. It’s very difficult if women want to disclose, but feel they won’t be believed. There is a huge amount of shame and guilt.”

PSNI representative Paula Hilman said officers respond to an incident of domestic abuse every 17 minutes with “a significant increase in reporting at this time of the year.”

Anyone who is suffering domestic abuse can contact police on the non-emergency 101 number or 999 in an emergency. A 24-hour Domestic and Sexual Abuse Helpline is also available to anyone who has concerns about domestic or sexual abuse, now or in the past on 0808 802 1414.

Coercive control to become an offence in NI

Westminster legislation to protect domestic abuse victims from a form of bullying known as “coercive control” is to be extended to Northern Ireland. The Department of Justice said it will be included in the Domestic Abuse Bill (the government’s landmark Domestic Abuse Bill was introduced in Parliament in July 2019, signaling a major step forward in transforming the response to this crime). Coercive control includes psychological abuse and non-violent intimidation. It has been a crime in England and Wales since 2015, but Northern Ireland has lagged behind due to the NI Assembly being dissolved in 2017.

Kelly Andrews, Chief Executive of Belfast and Lisburn Women’s Aid, said, “Coercive control is a subtle and insidious form of abuse. It may be less visible than a broken nose but it can totally erode the person’s core sense of self and identity. They may present to their GP suffering from depression and anxiety, and be prescribed medication while the root cause goes unaddressed.” Ms Andrews said it could be 18 months to two years before the new law comes into force here. “There will have to be training for PSNI officers and the judiciary, but this law will change lives,” she said.

Examples of coercive control including:

- Being stopped from working or going to school/college/university
- Having money taken away or controlled
- Being isolated from friends and family
- Having access to food, drinks and day-to-day products restricted
- Having social media accounts monitored or controlled.

Domestic Violence and Abuse App Haven: Belfast

In 2017, with funding from the Belfast Policing and Community Safety Partnership and

Belfast Health and Social Care Trust, the Belfast Area Domestic and Sexual Violence Partnership developed Haven: Belfast - an app aimed at providing support for people experiencing domestic violence and abuse.

The app contains information and resources for anyone experiencing domestic



violence and abuse and for professionals/friends supporting them. It aims to enable people to understand what domestic violence and abuse is and the many forms it can take, highlighting the impact it can have. It explores the myths vs realities of domestic abuse and aims to help anyone experiencing it, providing a comprehensive list of support services available within the Belfast area.

The app also features information on legal options and has links to all the Partnership's guidance documents and resources. It's free to download and is available on either Google Play or from the App store: <https://belfastdvp.co.uk/haven-belfast-domestic-sexual-violence-app/>

Show your support, download the Haven: Belfast app and tell colleagues or friends about it.

Belfast Area Domestic and Sexual Violence Partnership

The Belfast DSVP is one of five local domestic & sexual violence partnerships across Northern Ireland aimed at bringing together organisations and agencies who have an interest in domestic and sexual violence.

The Partnership has a wide range of organisations reflective of the wider Belfast community including a significant number from within Belfast Health & Social Care Trust. The Partnership shares resources,

expertise, best practice and knowledge to deliver a range of projects to people experiencing domestic violence and abuse and those supporting/working with them.

The Partnership provides awareness raising events on a variety of issues including domestic violence, technology-facilitated domestic abuse, coercive control and the impact of prostitution. It has developed a range of guidance documents including legal remedies, adult child to parent violence and financial abuse. It aims to influence policy and practice, respond to relevant consultations and lobby for change. Find out more about the work of the Partnership and how it can help you, on www.belfastdvp.co.uk or follow on twitter @belfastdsvp

Did you know?

There is a Domestic & Sexual Violence Partnership for the Belfast Trust Area?

Did you know?

The PSNI received 400 domestic abuse complaints on Christmas Day, Boxing Day and New Year's Day last year. They received 116 calls for help on Christmas Day, 126 calls on Boxing Day and 158 calls on New Year's Day. Between July 2018 and June 2019, there were 16,575 domestic abuse crimes recorded. This represents an increase of 10% on the previous 12 months and is the highest since records began in 2004/05.

Alzheimer's Society Dementia work with Service Users in Trust Day Centres win Prestigious Award

Four Trust day centres, including The Skyway Club, Fortwilliam Day Centre and Community Day Services North, were recognised for their outstanding work with service users. This was undertaken by Tracy Smyth, along with Learning Disability and Dementia Champions who received the Championing Diversity award.



This award recognises action taken to increase connections with diverse communities making sure we are truly here for everyone affected by dementia.



Tracy is a Dementia Support Worker based in Belfast with the Alzheimer's Society and has been working over the past year with the learning disability centres in BHSCT to complete Dementia Friendly Workshops with service users. The workshops were attended by 68 adults with learning disabilities, of which 13 completed Dementia Friendly Champion training and have co-facilitated training to their peers. Service users (pictured above) have also taken part in the review of Easy Read factsheets and their pictures are featured on the publications. They now have the skills and confidence to help those affected by dementia.

Adults with learning disabilities across Belfast were keen to learn more about dementia. Together with Tracy Smyth they worked hard to set up an innovative, collaborative working partnership. The group have made their Day Centres and Community Centres Dementia Friendly by being more informed and aware of the needs of someone living with dementia.

They have put up notice boards in the Day Centre reflecting their learning on dementia and made dementia their topic of the month, sharing their learning with other service users in the Day Centres. A number of the Trust's service users with a learning disability have a parent, family member or neighbour who is living with dementia. As people with a learning disability have an increased risk of developing dementia, Tracey would like to continue to work with the groups and their families.

Upon winning the award, Tracy Smyth said, "We are so overwhelmed and excited to have won this award today. We all jumped up and down with joy when we heard our group called out! I think everyone was in shock, but I'm just so proud of each and every one of the group and so happy that their hard work has been awarded and recognised today. Many of the group have already listed brilliant ideas on how we can expand the work that we've done, to ensure we can train more people with learning difficulties to understand dementia. The cause is so close to the hearts of many in this group, some of whom has relatives or friends with dementia but had no idea what that meant. They all show so much passion to learn more and teach others about dementia."

Dementia is the 21st century's biggest killer. Someone develops the condition every three minutes – but too many face it alone. Alzheimer's Society's 2019 Dementia Friendly Awards recognise, celebrate and promote the inspirational achievements of those uniting to making a real difference to people living with dementia.

Did you know?

The Trust has a Dementia Navigator Scheme aimed at supporting people over the age of 65 living with dementia and their family/carers. The Dementia Navigator role is carried out by members of the Community Mental Health Team for Older People (CMHTOP). The Team is made up of Community Psychiatric Nurses, Social Workers, Support Workers and Clinical Psychologists. The service also supports people over 65 experiencing a mental illness. The Dementia Navigator Scheme is offered to those diagnosed with dementia who have attended the memory clinic. They will be offered information, or directed to the right people if needed. The Navigator can advise on and signpost to available services and supports both within the Trust and community. [Click here](#) for a useful resource on helping people communicate with people with dementia.

City of Sanctuary

City of Sanctuary is organising a workshop on basic Employment Rights to be held in association with the Irish Congress of Trade Unions on Wednesday 29 January 2020. This is aimed at refugees and migrants and those working with them. Anyone wishing to attend can register at the following email address: belfastcityofsanctuary@gmail.com

The overall aims and objectives of City of Sanctuary is to make Belfast a welcoming environment for refugees, asylum seekers and new communities. Wherever refugees go in our neighbourhoods, the City of Sanctuary want them to feel safe and to find people who welcome them, support them, include them in their activities, recognise and celebrate what they can contribute. They want to build that same culture of welcome in our schools, workplaces, entertainment centres, places of worship and all public spaces. This ethos accords well with the Trust's Good Relations Strategy: Healthy Relations for a Healthy Future 2.

EMPLOYMENT RIGHTS



WORKSHOP

FOR REFUGEES AND MIGRANTS AND THOSE WORKING WITH THEM

Speakers from:

- * **EQUALITY COMMISSION NI**
- * **LABOUR RELATION AGENCY**
- * **LAW CENTRE NI**
- * **IRISH CONGRESS OF TRADE UNIONS**
- * **BELFAST CITY OF SANCTUARY**

INFORMATION ABOUT:

- * **BASIC EMPLOYMENT RIGHTS**
- * **CONTRACT OF EMPLOYMENT**
- * **DISCRIMINATION LAW**
- * **RIGHTS OF AGENCY WORKERS**
- * **AVAILABLE ADVICE AND SUPPORT SERVICES**

DATE: 29TH JANUARY 2020
VENUE: ARC/CAP ARTS CENTRE - 7 DONEGAL STREET PLACE, BT1 2FN
TIME: 10.00AM - 12.30PM

CONTACT:
belfastcityofsanctuary@gmail.com

LIGHT LUNCH WILL BE PROVIDED



Mental Capacity Act

The Mental Capacity Act was partially implemented on 2nd December 2019. This means that Deprivation of Liberty Safeguards (DOLs) will be introduced for people who lack capacity. It applies to those aged 16 years and over who lack capacity to make decisions about their care and

treatment needs in community and hospital settings. This legislation is a fundamental outworking of the Bamford Review, which recommended that there should be a single, comprehensive legislative framework for the reform of mental health legislation and the introduction of mental capacity legislation in Northern Ireland. The law is based on human rights.



What is a Deprivation of Liberty?

A deprivation of liberty means that someone has been deprived or denied their liberty or freedom. Under the Mental Capacity Act (Northern Ireland) 2016, a deprivation of liberty occurs when the following three conditions are met:

1. A person is in a place where care or treatment is being provided. This could include a hospital, care home, supported living placement, day centre, or other setting.
2. A person is not free to leave (in other words, staff would take steps to prevent the person from leaving their placement. This could include locking the door, or even physical restraint etc.)
3. A person is under continuous supervision and control.

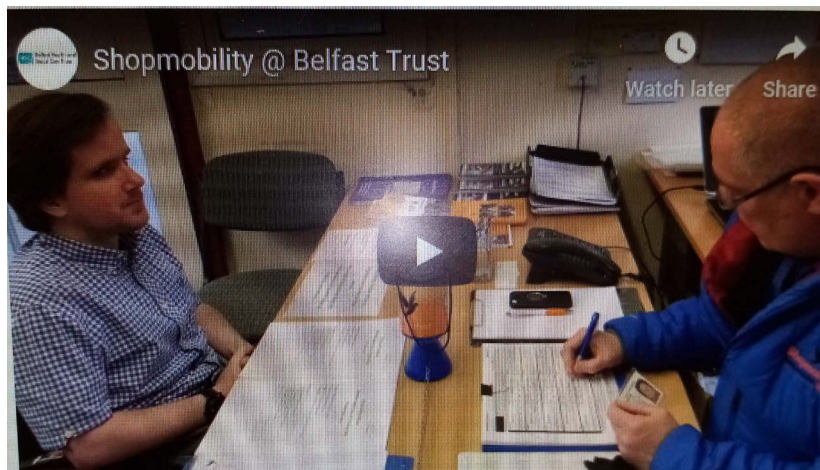
This new law states that by December 2020, the Trust must make sure that everyone who is currently deprived of their liberty has been reviewed and safeguards have been put in place by a special Trust Panel known as a Trust Authorisation Panel which can authorise a deprivation of liberty. Even if the person or their family or carers are happy with the care provided, the law says that if the above conditions are met, this is a deprivation of liberty, and the Trust must apply some safeguards to protect the person. This doesn't mean that the person is going to be moved, but rather that the Trust must put certain systems into place to ensure that they are protected and their rights are fully promoted. Training has been underway since 2019 to ensure that Trust staff are fully informed of the new legislation – this has included different levels of face to face training, e-learning and simulation training according to the person's role and responsibilities. This training will be provided on an ongoing basis to ensure that all staff can avail of it. For further information on the Mental Capacity legislation, please visit <https://www.health-ni.gov.uk/mca>

A brief film about Shopmobility at the Royal and Belfast City Hospital

A new short film providing information on Shopmobility services at the Royal Hospital and Belfast City Hospital is now available on the Trust website and YouTube. The video, which is 2 minutes long provides service users with a step by step explanation of the Trust Shopmobility services and how to access them.

Shopmobility Belfast helps patients and visitors with permanent or temporary mobility difficulties. It provides electric scooters and wheelchairs to help people get around the Royal Hospitals and Belfast City Hospital sites. Shopmobility is a free service and available from 9am to 5pm, Monday to Friday. To use the service, you must register to become a member. This is a simple process.

You are advised to book the Shopmobility service in advance. A telephone number and email address for each hospital site is provided below. Staff will meet and greet patients and visitors who are Shopmobility members who require the service. Please watch our video on the Shopmobility service at the Royal Hospitals and Belfast City Hospital sites. <http://www.belfasttrust.hscni.net/hospitals/ShopMobility.htm>



Royal Hospitals site

The Shopmobility service on the Royal Hospitals site is located near the parking spaces for blue badge holders on the ground level of the main visitors' car park. There is a route to the main hospital from the Shopmobility unit. From there, a tunnel corridor accesses the hospital. At the end of the tunnel corridor, there is a lift to the main entrance of the hospital.

- Contact: John Miskimmon
- Tel: (028) 9031 0923
- Email: info@shopmobilitybelfast.co.uk

Belfast City Hospital site

The Shopmobility service on the Belfast City Hospital site is located on the ground floor of the two-storey car park opposite the entrance to the Tower and Cancer Centre.

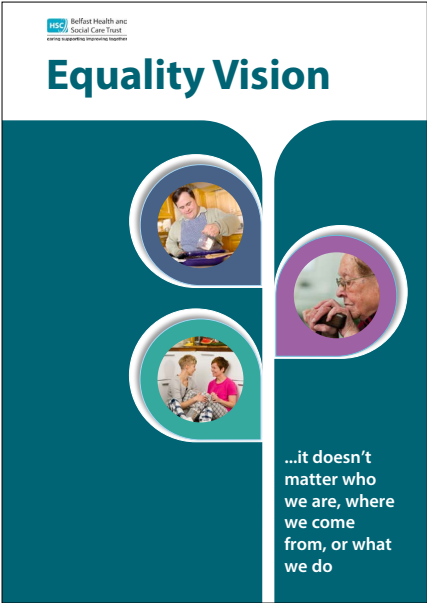
There is a zebra crossing outside the car park, which you can use to access the Tower or Cancer Centre.

- Theresa Kearney
- Tel: (028) 9023 0380
- Email: info@shopmobilitybelfast.co.uk

Trust Relaunches Equality Vision Film for Good Relations week

Before relaunching the film at Moyola Day Centre within Muckamore Abbey Hospital, Nuala McKeagney, one of the Trust Board Non-Executive Directors formally welcomed everyone to the celebrations and explained a little about Good Relations and the Trust's commitment to it.

The short film was made and co-designed by the Trust Equality team and The Junction Club, which is an independent group of adults with learning disabilities. The purpose of the film is to implement Section 75 of the NI Act 1998 by making sure that staff and people who may need to use health and social care Trust services know what equality law means for them and how it can improve access to services. Section 75 of the Northern Ireland Act 1998 requires all public authorities to ensure that staff and service users experience equality of opportunity to its services irrespective of **disability, age, gender, race, religion, political opinion, dependent status, marital status and sexual orientation**. Section 75 also requires public authorities to ensure they provide information regarding services in a range of formats to ensure that everyone has the same opportunity to understand the information about services.



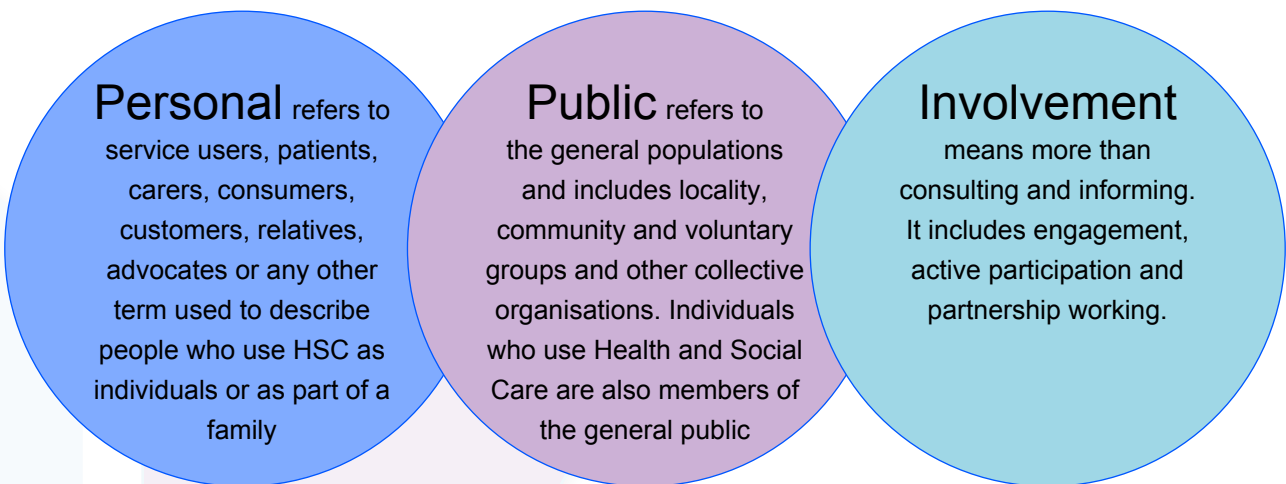
Work was done with the Junction Club to consider how best they could talk about equality and what it means and they agreed that a short film would be the best way to explain how everyone should have the same opportunities under equality law. If you are interested in the film, you can view it [here](#).

Personal and Public Involvement



Another legal duty to which the Trust is committed is that of Personal and Public Involvement. This requires the active and effective involvement of service users, carers and the public in Health and Social Care (HSC) services. People have a right to be involved in and consulted on decisions that affect their health and social care. The Health and Social Care Act (2009) places a duty on Health and Social Care organisations to involve people. High quality engagement can have a positive impact on the delivery of services. Effective involvement is central to the delivery of quality care and can lead to improvement in the experience of those people using our services. PPI is about more than consultation – it is about active involvement of people at a range of levels. For further information on Personal and Public Involvement and training please contact: Sandra McCarry, Senior Manager for PPI and Community Development, sandra.mccarry@belfasttrust.hscni.net Tel: 028 9504 6739.

Another useful resource is the following website: <http://engage.hscni.net/>



Arts and Crafts activity in Moyola Day Services Centre at Muckamore Abbey Hospital

Creativity knew no bounds when a new initiative began for patients in Moyola day services Centre!

Patients and staff worked jointly to design and produce cards for every occasion including Christmas, Birthday, Congratulations and Thank You cards. The cards have been sold for whatever the customer chooses to pay... meaning that they are not only handmade and each one unique, but are also affordable for everyone. The patients were asked how they would like the proceeds of their hard work to be used and they unanimously decided to donate the money to Riverside School in Antrim. Riverside School caters for pupils who are aged 4 –19 with severe learning difficulties and profound multiple learning difficulties.

The cards are being sold at various locations across the Trust and also were being showcased and sold at the Christmas concert in St Anne's Cathedral on 6th December. The audience were treated to a festively fantastic fanfare of music, song and entertainment. Equal Notes and the Makaton Choir were just two of the star performers and the event was a true delight for anyone who was lucky enough to attend. There was singing, laughter and dance throughout the Cathedral and it marked the true spirit of Christmas for patients, service users, carers, families and staff.

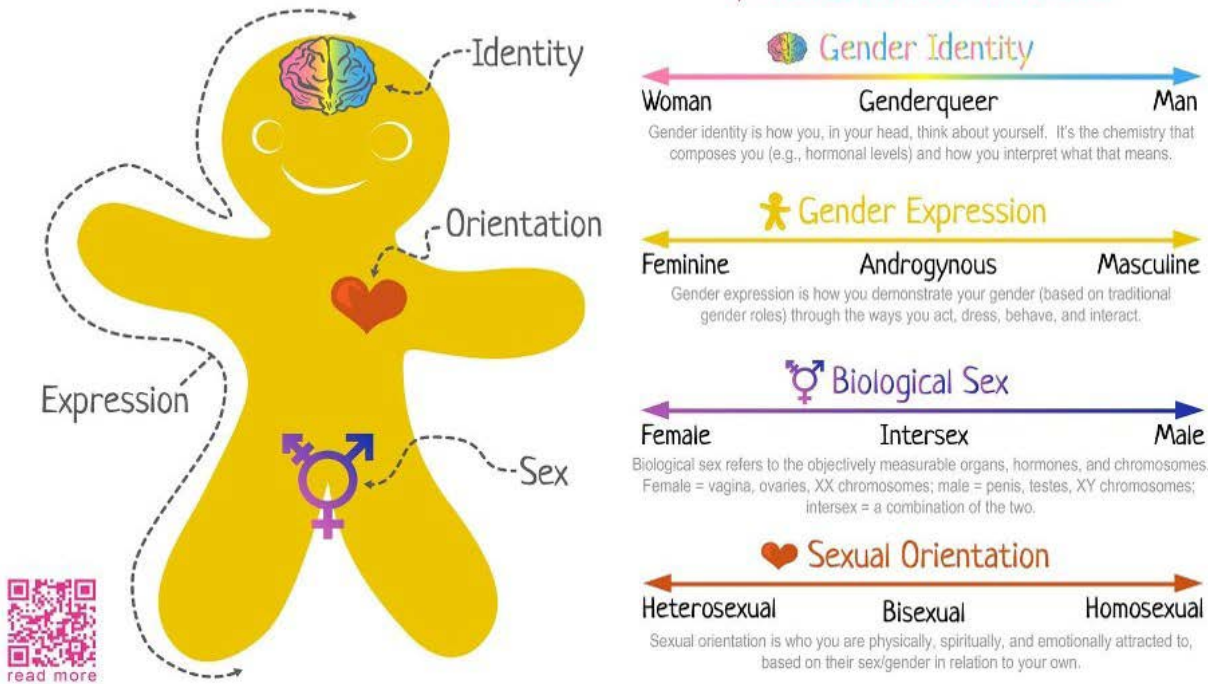


Supporting service users and staff who are transgender or non-binary

Belfast Trust welcomes that we have a diverse society and workforce and are committed to ensuring equality of opportunity for everyone. As an inclusive organisation and a leader in diversity, Belfast HSC Trust is committed to raising awareness of the key barriers to accessing support and services and to raising awareness of key health and other inequalities that people who are transgender or non-binary face. The Trust is actively working with representative organisations who will provide training and specialist information to our staff to ensure that our policies, procedures and services are inclusive to everyone. We recognise that it is important that Health and Social Care staff are aware of appropriate language and terminology and the range of gender identities and that they offer a responsive service. This useful self-explanatory diagram was used recently in training delivered by Gavin Boyd, from the Rainbow Project to Trust Domestic Abuse Support Officers and it clearly explains the spectrums of gender identity, gender expression, biological sex, and sexual orientation.

The Genderbread Person

by www.ItsPronouncedMetrosexual.com



It is recognised that individuals describe their gender identity in different ways and that identity and expression are distinct from one another. Any gender identity may express itself in a variety of ways. Good quality statistical data in relation to gender identity in the UK does not exist. In its recent report, the House of Commons Women and Equalities Committee reported that "Current estimates indicate that some 650,000 people are likely to be gender incongruent to some degree."

It is crucial that people who are accessing health and social care services are treated with dignity and respect and in accordance with their gender identity and sexual orientation. The Trust is pleased to announce that it will be facilitating training sessions and designing resources to help our staff provide a responsive, well-informed and sensitive service to people who are lesbian, gay or bisexual and who are transgender or non-binary. These sessions and resources will be designed and delivered by Transgender NI and in conjunction with the Rainbow Project. For further details on what these organisations do to support people who are LGB and T please visit <https://transgenderni.org.uk/> and <https://www.rainbow-project.org/>

The Trust believes that staff who are able to be themselves in work are more likely to enjoy going to work, feel included and can achieve their full potential. The Trust has demonstrated its commitment to equality by developing a regional HSC Gender Identity and Expression Employment Policy. This provides guidance and advice to staff and managers on the recruitment and retention of transgender and non-binary staff.




Equality, Good Relations & Human Rights e-learning for staff and managers is now available online at www.hsclearning.com

Start making a difference today!

PLEASE BE AWARE OF NEW CONTACT DETAILS FOR INTERPRETING SERVICES

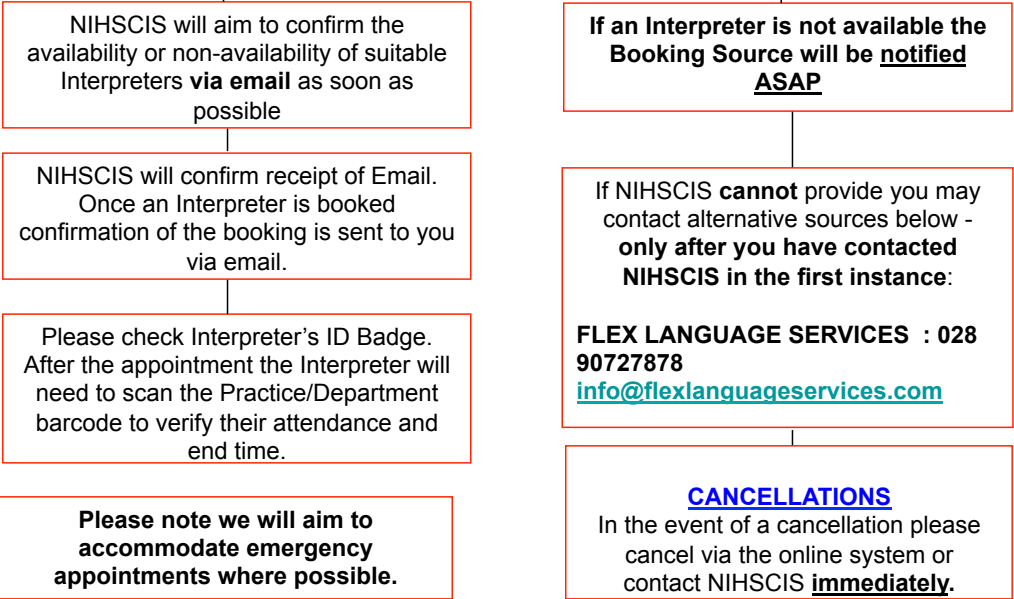
All HSC staff have a legal duty to book an ethnic minority or a Sign Language Interpreter when communicating with people whose first language is not spoken English. If you need advice, please contact the Equality and Planning Team at Belfast Trust on 028 9504 8734.

**NI Health and Social Care Interpreting Service
PROCEDURE FOR BOOKING INTERPRETERS**

<p>Big Word Telephone Interpreting Service <i>thebigword</i></p> <p>0333 344 9473</p> <ul style="list-style-type: none"> •shorter than 10 minutes •No face to face Interpreter available •Emergency <p>For Access Codes contact: lesley.jamieson@belfasttrust.hscni.net</p>	<p>NI Health and Social Care Interpreting Service</p>  <p>FACE TO FACE INTERPRETERS</p> <p>Complex/detailed appointments</p> <p>Longer than 10 minutes</p>	<table border="1"> <tr> <td data-bbox="912 707 1114 815">Written Translations</td> <td data-bbox="1114 707 1311 815">Sign Language Interpreters</td> </tr> <tr> <td colspan="2" data-bbox="912 815 1311 1012"> <p>Contact Action On Hearing Loss: 0845 685 8000 csu.Belfast@hearingloss.org</p> <ul style="list-style-type: none"> • Phone (07003418352) OOH weekend and emergency calls </td> </tr> <tr> <td colspan="2" data-bbox="912 1012 1311 1173"> <p>For guidance on contracted Written Translation Services contact lesley.jamieson@belfasttrust.hscni.net</p> </td> </tr> </table>	Written Translations	Sign Language Interpreters	<p>Contact Action On Hearing Loss: 0845 685 8000 csu.Belfast@hearingloss.org</p> <ul style="list-style-type: none"> • Phone (07003418352) OOH weekend and emergency calls 		<p>For guidance on contracted Written Translation Services contact lesley.jamieson@belfasttrust.hscni.net</p>	
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To book a face to face Interpreter log into the online Interpreter booking system via your Trust Intranet <http://interpreting.hscni.net/NIIR.WebSite/Login/Index> (see system userguides for further info)

•Out of hours Tel:028 9615 8200





Some interesting discrimination cases

A Polish man wins case of racial discrimination and harassment at work at a tribunal

The man, who worked as a commis chef at a restaurant from November 2016 to 15 July 2018 was awarded just over £15,000 by the Industrial Tribunal and £14,000 of which is for injury to feelings.

The tribunal was unanimously satisfied that the man was treated less favourably on racial grounds, in that he was subjected to harassment. The respondents were ordered to pay to the claimant the sum of £14,000.00. The tribunal was unanimously satisfied that the respondents failed to provide the claimant with a statement of his terms and conditions. The respondents are ordered to pay to the claimant the sum of £1,204.88.

ECNI says: “This case underlines yet again the importance of the good and harmonious workplace, the need for managers to actively manage staff behaviour, and having policies in place to deal with any problems. These policies need to be communicated to all staff, so that they know what’s acceptable in work, and what’s not. And managers must be thorough, equal and even-handed in their handling of complaints, investigating fairly and communicating equally with all parties.”

Woman wins £28,000 for pregnancy discrimination at Industrial Tribunal

The Equality Commission supported a woman’s case to the Industrial Tribunal, alleging unlawful discrimination because she was dismissed for a reason relating to her pregnancy and because she was treated adversely following the announcement of her pregnancy. The Industrial Tribunal found unanimously in the woman’s favour and awarded her £27,917.60. When the woman started work at the company in January 2018, she was given a blank contract to sign, specifically with no start or end dates.

The Tribunal found that the woman was unjustifiably questioned about her absence on 2 occasions when she had told her manager that the purpose of her being off was for ante-natal appointments. The employer accepted that they failed to pay the woman for her time off attending the ante natal appointments. The Tribunal found that a manager was less friendly to the claimant after she announced her pregnancy.

The Tribunal found that ‘a decision was made to terminate the claimant’s contract by choosing her to leave earlier than others because she had been on ante-natal appointments and would be going on more appointments’. The Tribunal found the decision to terminate the claimant’s contract was tainted by discrimination in that it was connected to her pregnancy and consequently her dismissal was both unfair and an act of unlawful discrimination.

Disability discrimination case supported by the Equality Commission NI

During a visit to a trampoline park in 2017, a ten year old boy with prosthetic legs was not allowed to use the trampolines because of his prosthetic legs. While they offered him other things to do, the boy said he did not want to leave his friends. The disability discrimination case was settled, taken with the assistance of the Equality Commission, for £2,500.

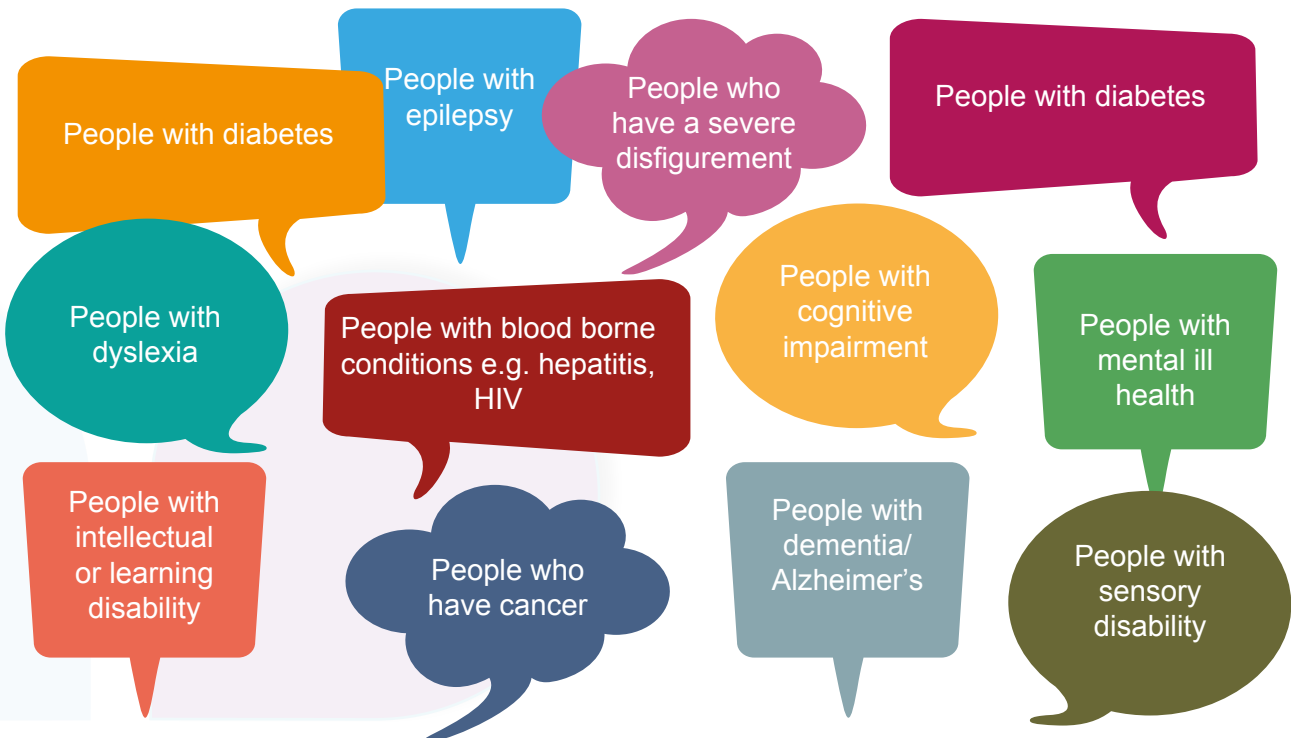
In settling the case, the company affirmed its commitment to the principle of equality of opportunity and agreed to liaise with the Equality Commission in respect of access to its services for disabled customers and to make contact with the Commission within 12 weeks of the date of the settlement. It also agreed to implement any reasonable recommendations made by the Commission.

ECNI says: The Disability Discrimination Act includes a proactive duty which requires service providers to think about what adjustments they should make to their services to ensure that people with a disability can access them.

And finally, a quick overview of disability and the need to make reasonable adjustments

The law ie. the Disability Discrimination Act 1995 (DDA) defines disability as:

“a physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out normal day to day activities”. The law covers people with a wide range of conditions:



This list is by no means exhaustive and it is important to remember people may have more than 1 disability and that disabilities will often affect people in different ways and their needs may be as individual as they are.

Prevalence

Around 1 in 5 people in Northern Ireland has a disability. The nature and extent of disability varies widely, as does a person's requirements for overcoming any difficulties they may face. The Trust's aim is to be one of the safest, most effective and compassionate HSC organisations and core to this is that each of us as Trust members of staff are aware of the range of disabilities and be in a position to offer a service that best meets a person's needs. It is important to involve the person in any discussions about their care or communication methods to ensure that the care is person-centred and not based on our assumptions about disabled people.

Reasonable adjustment duty

As a service provider and employer, the Trust must take reasonable steps to remove, avoid or reduce the physical, procedural or attitudinal barriers that disabled people face so that they can access and use goods and services in the same way as someone who is not disabled.

The duty to make a reasonable adjustment occurs if a disabled person is put at a substantial disadvantage compared to people who are not disabled, by:

- A provision, criterion or practice (eg. if a hospital department solely uses a call out system to notify patients when it is their turn to be seen by the consultant, such a system would clearly disadvantage a person with hearing difficulties)
- Physical feature (such as a premises only being accessible by steps or stairs, which would be inaccessible for a person who uses a wheelchair)
- The absence of an auxiliary aid or service (such as not providing information in a format that a person understands eg. Braille or Easy Read format).

The duty on service providers to make reasonable adjustments is an 'anticipatory' duty. This means that service providers should think in advance about adjustments which may be needed and plan ahead.

All employees who have a responsibility for staff management have a duty to make reasonable adjustments as soon as they know that someone defined as having a disability may need them. Any adjustments should be implemented in a timely fashion, and it may also be necessary for a manager to make more than one adjustment. It is advisable to agree any proposed adjustments with the disabled person in question before they are made.

Details of training for staff in regard to Disability Awareness and the need to make reasonable adjustments are available on HRPTS. For more information on making reasonable adjustments for staff members who have a disability, please contact the Improving Working Lives team on 028 9615 9615.

If you want to learn more or have any comments
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