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ISSUE: STRATEGY AND ACTION PLAN TO PROMOTE EQUALITY, GOOD RELATIONS AND HUMAN RIGHTS IN HEALTH AND SOCIAL SERVICES

GENERAL COMMENTS

- Good relations is about moving from managing diversity and difference to promoting diversity and integration
- It will require DHSSPS to take a pro-active initiating approach to contributing to a shared society, rather than responding to the effects of a divided one, recognising and acknowledging the legacy of decades of sectarian conflict and challenging sectarianism and racism.
- It also requires reacting swiftly to incidents of sectarianism and racism; educating and training that prejudice is not acceptable.
- It means creating a DHSSPS where prejudice is not acceptable – cultural change within the organisation; the organisation needs to effect change.
- It involves DHSSPS tackling difficult issues such as the display of off-putting flags, emblems and sectional symbols and taking steps to create safe and shared health facilities that can be accessed and used by all sections of all communities.
- It must involve challenging misconceptions or preconceptions and prejudices against people perceived as outsiders or different, as well as making sure that people from all racial groups are aware of their rights and have access to, and information about, the services available to them.
- Good Relations must move from a neutral environment to an inclusive society comfortable with its differences and in which good relations are a top priority.
- Partnership is critical in order to find support and helpful advice, learn from models of good practice. The action plan states that the DHSSPS will reflect and take action from the recent research carried out which looked at the comparisons between NI, RoI and Scotland regarding inequalities. Cross border and inter isle work is a good way of sharing and learning from different experiences.

Recommendations about document content

- Define what is meant by *promoting* in title
- Define what is meant by *equality, good relations and human rights* in title (example GR definitions at Appendix A & C re: legislative context)

- Needs to put everything into context of NI situation re: our conflict and our growing multicultural society. Therefore need to:
 - Acknowledge that a conflict happened and now in peace process but need to address legacy of past and growing multi cultural society
 - Assess impact of conflict and legacy of past in respect of community health and HSS&PS as an organisation (experiences of providing services in a conflict situation; duplicate services; injury and loss of life, damage and intimidation on Health premises; threat of paramilitaries; sharing hospitals with armed forces; working in a segregated society with no go areas for some and single identity issues etc.) plus growing multi cultural society which has to deal with both sectarianism and racism.
 - Assessment needs to clearly identify internal and external models of good practice and gaps to be addressed
- Identify critical assumptions – e.g. in *Getting off the Fence* publication and attached examples (Appendix B)
- Good Relations tends to be viewed via the Human Rights lens when it should stand alone as it is about building relationships through understanding, respect and breaking down barriers of sectarianism and racism. Not anti racist or anti sectarian approach but rather conduits for challenge and change. Health is a caring organisation and should also use this as a reason for it to be leaders in the field of GR
- When GR is specifically identified within the document it is usually in the context of good race relations and tends to overlook sectarianism which is the at the core of many of our inequalities, access to services and many of our health problems.
- Strategic priorities and objectives too vague and some confusion about where GR fits.
- The actions are too general/thematic with little outcomes identified and no one/group identified for development, delivery and monitoring. Needs to be a clear indication as to who has overall responsibility for the monitoring and evaluation of the strategy; how often it will be subject to progress reports and who will lead and implement further changes/amend the strategy.
- We are pleased that the strategy will have the support of the senior management but it is important that the strategy is owned by the entire organisation – its success will require a cultural change – not just policies. Needs to be a top-down approach.
- Training is identified as a key element in the strategy. The Community Relations Council feels that training in the area of equality, good relations and human rights will play an important part of not only raising awareness but cementing the need to deliver and implement changes throughout the institution. As mentioned throughout the document a number of research projects identified obstacles and barriers to different groups in our society and it is important that all employees are aware of these barriers and the practical measures being put in place to reduce and eliminate. It is crucial that all staff who deal with client groups are involved in this training. It must become an essential part of all training exercises and not viewed as an ‘add-on’. It is possible that it only seems relevant for senior management but the Health Service is a huge employer and owes it to the strategy to train all staff that have contact with the public.

- Another benefit of this training is the interaction and partnerships that exist at employee level. Again client groups are only one part of the equation, and it is worth noting that the strategy seems to focus primarily on this group. The relationship between employees/employers is equally as important. As already mentioned, our society has emerged from a period of intense conflict and it is highly unlikely that members of the health service have remained unaffected by what they have experienced personally or what they have witnessed.
- TAP and RES should be mainstreamed throughout the document.
- Partnerships are an important part of this developing work. The strategy talks about the formulation of new partnerships to develop the current strategy. It will be important in the future to extend these links and build links with new groups – both voluntary and community. It will be necessary to seek information as to what impact the strategy has had on client users e.g. migrant workers, but also to identify any new emerging barriers. The population of Northern Ireland continues to grow - a recent survey shows that the population is at an all time high – a growing migrant population and immigrants returning home to a peaceful and prosperous society – this brings with it many opportunities e.g. employment, as well as challenges e.g. some people unprepared for the change NI has undergone.
- One small point. In the Action plan, page 48, which refers to the guidance and code of practice on meeting the spiritual needs of people belonging to non-Christian faiths. CRC realises that there are a numerous definitions used to describe different groups within our society and it is often difficult to come to a final decision, although in our experience and through advice from ‘non-Christian’ individuals it would perhaps be best to refer to this group as minority faith based groups or individuals.
- Identify chill factors – perceptions of Hospitals because of their location, employment opportunities, access to health centres/dentists etc. NB Shaftesbury’s One Stop Shop.

General recommendations

- Trade Unions should be acknowledged for the good work they have and are engaged in to address sectarianism and racism in the workplace. They should be viewed as important social partners and their support and input welcomed as essential to the process
- Launch the document as a consultation document which will help raise GR awareness, audit staff and key stakeholders on what the key issues and recommendations are.
- Good Relations impact assessments should be developed to ascertain any negative impacts policies, strategies and practice might have and also identify opportunities to promote good relations.
- Develop a set of standards that Trusts sign up to – a statement of commitment.
- Consult with teams of staff who meet around other issues and ask them to identify actions.

Questions

- Will the plan be mainstreamed as one approach throughout all HSSPS structures or is it for the Department only?
- If it is to be mainstreamed then:
 - What status will it have?
 - What role will the Equality Commission play?
 - How will you ensure all sections participate fully?
 - How will actions be monitored, evaluated and built upon?
 - What happens re: non compliance? Etc.
- Will it affect Social Workers? If so then how will they re-engage with areas worst affected by conflict re: children at risk – as called for by Joe Marley, Ardoyne Parades Forum.
- How will the public be made aware of the plan and actions?
- If TAP and RES is not mainstreamed then what is the link between them and this plan?

Appendix A - examples of Good Relations definitions

The terms 'good relations' or 'promoting good relations' are not defined in legislation. However Government policies and strategies plus voluntary organisations have produced their own working definitions:

1 The Community Relations Council *Good Relations Framework* definition:

Good Relations challenges sectarianism and racism, promotes equality, develops respect for diversity and raises awareness of the interdependence of the people and institutions within NI

2 The Equality Commission definition:

the growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.

3 The Government's Policy and Strategic Framework for Good Relations in Northern Ireland (*A Shared Future*) sets out the government's vision as:

The establishment over time, of a normal, civic society, in which all individuals are considered as equals, where differences are resolved through dialogue in the public sphere, and where all people are treated impartially. A society where there is equity, respect for diversity and a recognition of our interdependency.

4 The *Racial Equality Strategy for Northern Ireland (2005-10)* also sets out a long-term, high level vision of Northern Ireland as:

A society in which racial diversity is supported, understood, valued and respected, where racism in any of its forms is not tolerated and where we live together as a society and enjoy equality of opportunity and equal protection.

APPENDIX B

Example Critical Assumptions

- DHSSPS will continue to operate within a new structure under RPA
- DHSSPS work will be pro-active and informed by the needs of its key stakeholders
- DHSSPS will be the lead agency in the delivery of health services
- DHSSPS performance will continue to be measured against defined standards
- Current levels of funding for DHSSPS will continue
- DHSSPS will be committed to a developing and delivering the Strategy and Action Plan to Promote Equality, Good Relations and Human Rights in Health and Social Services

Specific to Good Relations

- The political situation in Northern Ireland will remain unpredictable
- Sectarianism and polarisation between the two main communities will continue to be a problem
- There will be a continuation of low-level violence with a growing focus on

- a) existing and emerging interface areas
- b) the continued actions dissident groups from the two main NI traditions
- Equality and Human Rights agendas will increase in prominence and be more closely connected to community relations work
- Racism and racially motivated crime will increase

APPENDIX C

Legislative Context

Section 75 (2) of the Northern Ireland Act 1998 places a statutory duty on public bodies to pro-actively address good relations. Section 75 (2) means a public authority must consider how the policies it makes and implements affect relationships amongst the people it serves and employs. The purpose of the duty, like the equality duty, is to mainstream good relations by placing it at the heart of public policy.

Section 75(2) of the Northern Ireland Act 1998 states that

‘a public authority shall in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group’.

Public authorities subject to Section 75 must implement both the equality and the good relations duty, and will have made a commitment to do so in their approved Equality Schemes.

The Fair Employment and Treatment (NI) Order 1998 (as amended) (FETO) makes discrimination and harassment on the grounds of religious belief or political opinion unlawful. In addition, the Fair Employment Code of Practice provides general guidance for employers with regards the promotion of a good and harmonious working environment. Section 5.2 of the Code states that:

‘To promote equality of opportunity you should.....promote a good and harmonious working environment and atmosphere in which no worker feels under threat or intimidated because of his or her religious belief or political opinion eg. prohibit the display of flags...[etc]...which are likely to give offence or cause apprehension among particular groups of employees’.

The Fair Employment Code of Practice is given particular significance by FETO, which permits it to be taken into account by the Fair Employment Tribunal in relation to the determination of any question before the Fair Employment Tribunal. FETO was recently amended so as to incorporate a new statutory definition of harassment (Articles 3A(1) and 3A(2)). The new harassment definition, which may be paraphrased as follows:

Harassment is unwanted conduct which is based on the grounds of religious belief or political opinion and which has the purpose or effect of violating the dignity of an employee or of creating an intimidating, degrading, humiliating or offensive environment for an employee.

The good relations duty must not be an 'add on' to existing policies and practices. Its mainstreaming and implementation must be demonstrated and reported upon. The promotion of good relations requires commitment and leadership.

Consider the following:

- what are the good relations aims and vision?
- how will these be achieved?
- to whom will you allocate responsibility for implementation?
- how will you demonstrate top level commitment?
- what specific measures do you intend to deliver and within what specified timescale?
- how will you monitor, report and review good relations work (with an emphasis on outcomes and achievements)?

Review of Public Administration (RPA)

It must be acknowledged that the outcomes of the Review of Public Administration (RPA) may have a significant impact DHSSPS and this, in turn, may have an impact on the delivery of the *Strategy and Action Plan to Promote Equality, Good Relations and Human Rights in Health and Social Services*.

However, since the Strategy is broad and non-specific regarding types or sizes of organisations, then it should be relevant no matter how the public sector in Northern Ireland is reorganised. It must also be noted that although there may be changes as regards the structure and functions of public authorities under the RPA, all newly established designated public authorities will be subject to the good relations duty under S75(2).

The RPA, *A Shared Future* and other government strategies such as the *Race Equality Strategy*, provide opportunities for government and the public sector to show leadership in developing and delivering this *Strategy and Action Plan to Promote Equality, Good Relations and Human Rights in Health and Social Services* which should commit to innovative, challenging and ambitious action plans that target resources where they are most needed, and ensure that equality, good relations and human rights are at the heart DHSSPS policy and service delivery, so that they have the most positive impact on staff and client group.