



# **Equality Outcomes and Mainstreaming Report**

**What Orkney Health and Care has done in the period April 2016 to March 2018 to progress equality within the organisation and to make the Public Sector Equality Duty an integral part of the way Orkney Health and Care functions.**

This document is also available in large print and other formats and languages upon request. Please contact [OHACfeedback@orkney.gov.uk](mailto:OHACfeedback@orkney.gov.uk).

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## 1. Why produce this report?

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on 27 May 2012. One of the requirements of the Regulations is that public bodies, such as Integration Joint Boards (IJB's), must produce and publish an Equality Outcomes and Mainstreaming Report, every two years, detailing the work done to make the public sector equality duty an integral part of the way that the organisation functions, as well as report on the progress made against each of the published Equality Outcomes.

The Public Sector Equality Duty is defined in the Equality Act 2010, Part 11, Chapter 1, Section 149, which states:

“(1). A public authority must, in the exercise of its functions, have due regard to the need to:

“(a). Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;

(b). Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c). Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

The 9 “protected characteristics”, as defined by the Equality Act 2010, are:

- Race.
- Disability.
- Age.
- Sex (male or female).
- Sexual orientation.
- Gender reassignment.
- Pregnancy and maternity.
- Marriage and civil partnership.
- Religion or belief.

## 2. Health and Social Care Integration

The Public Bodies (Joint-Working) (Scotland) Act 2014 places a duty on Councils and Health Boards to delegate health and social care functions to an Integration Joint Board, where the partnership has agreed to deploy a body corporate model. Orkney Islands Council and NHS Orkney formed Orkney Health and Care, overseen by the IJB.

However, unlike many other public bodies in Scotland, the IJB has limited responsibility in terms of the specific duties, as the Board is not an employer, nor does it deliver services. Orkney Islands Council and NHS Orkney continue to employ the staff and deliver the services, on behalf of the partnership.

The IJB is responsible for the strategic planning of the functions delegated to it and for ensuring that the delivery of its functions, through the locally agreed operational arrangements, set out in the Integration Scheme. The IJB has the lead responsibility to allocate resources within the shared health and social care budget and to make decisions on the redesign and commissioning of services, to achieve better outcomes for people.

The Board directs services to work in an integrated way to deliver the 9 national Health and Wellbeing Outcomes. These are closely aligned to the Orkney Health and Care Strategic Commissioning Plan, along with local outcomes and priorities.

### **3. Benefits of Mainstreaming Equality and Diversity**

- The Equality and Human Rights Mainstreaming Guidance identifies that mainstreaming the equality duty has a number of benefits including:
- Equality becomes part of everything we do, within our structures, behaviours and culture.
- We are more transparent and can demonstrate how, in carrying out our functions, we are promoting and embedding equality.
- Mainstreaming equality contributes to continuous improvement and better performance.

The IJB is directly accountable for developing a set of measurable equality outcomes related to the 9 protected characteristics, noted in Section 1. These outcomes evidence that Orkney Health and Care will work to:

- Eliminate unlawful discrimination harassment and victimisation.
- Advance equality of opportunity between different groups.
- Foster good relationships between different groups.

### **4. Staff Training Outcome**

**Staff who work within Orkney Health and Care will understand and meet the health and social care needs of our local equality and diversity communities**

#### **NHS Orkney**

In the last 2 years, NHS Orkney has provided Equality and Diversity training for staff which includes sections on each of the 9 “protected characteristics”. Attendance is recorded at each Seminar and feeds directly into staff personal development plans. This recording also allows the organisation to extract statistical data.

NHS Orkney provides two levels of equality and diversity training:

- KSF Level Four is for senior staff such as, consultants, managers and senior charge nurses. It also meets the Equality and Diversity Training Requirement of the various Royal Colleges.
- KSF Level Two, is for supervisory and basic grade staff.

Experience has shown that offering these two levels of training meets the needs of all NHS Orkney staff.

At present, there are a large number of legislative changes in the equality and diversity field and, as such, NHS Orkney will continue to update both courses on a regular basis.

Participants are encouraged to provide feedback (anonymously if they wish) by hard copy questionnaire at the end of the training or they can complete an on-line Feedback Form.

## **Orkney Islands Council**

The Council provides a number of different courses and approaches to learning and development related to equality and diversity. Equality and diversity is one of the core courses for new employees: as well as an iLearn course, training workshops for groups of staff are held. Training workshops have been developed on equality impact assessments and sessions are regularly held.

Orkney Islands Council has taken a pro-active approach to developing the skills of staff to ensure success in challenging times and working in partnership with City of Edinburgh Council and Dundee City Council, have combined academic and practical skills to develop an MSc Public Services Leadership. The unique programme, which has been co-designed by public sector academics and staff from the three councils, combines the latest research into leadership with a working knowledge of the practical challenges of public service delivery.

This programme supports senior manager leadership development and one of its key philosophies is the concept of coaching as a fundamental component of leadership and getting the best out of a diverse workforce. The programme also aims to support leaders in developing the social and economic sustainability of the communities they serve; understanding and meeting the needs of diverse communities and improving on the delivery of outcomes.

## **5. Impact Assessment Outcome**

**We will ensure that no Orkney Health and Care policy, strategy or re-organisational proposal discriminates against any equality or diversity group.**

### **NHS Orkney**

NHS Orkney currently has 12 staff trained as Level One Impact Assessors. Impact Assessor Training Seminars and Level Two Impact Assessor support is provided by NHS Grampian as part of a Service Level Agreement.

No NHS Orkney policy, strategy or re-organisational proposal is approved unless it has been Equality and Diversity Impact Assessed.

In compliance with the regulations, a list of recent Impact Assessments is posted on the NHS Orkney website. Details are shown of who to contact should anyone wish to receive a copy of an Impact Assessment. All requests are met promptly.

## Orkney Islands Council

The Council has carried out equality impact assessments since 2008. These are carried out when they are developing any new policy, plan or function, routine reviewing of existing policies, or making changes to an existing policy, plan or function. This includes the reduction or termination of a service, as well as during development of the Council's annual budget proposals. They identify any impacts on people or groups of people who possess any of the nine protected characteristics, and on people who have caring responsibilities. The equality impact assessment process regularly makes provision for considering wider equality issues relevant to Orkney such as 'peripherality'. Peripherality, or being on the edge, is an equality issue in Orkney because access to goods and services can depend very much on where you live.

Equality impact assessments help ensure services are fair. They provide an opportunity to stop or revise a policy or function which is potentially unfair or unlawful. They identify mitigating actions, wherever possible, to minimise any adverse impacts. They also identify opportunities for positive impacts such as advancing equality of opportunity and fostering good relations. Orkney Islands Council use internal and external data to provide evidence for the assessments and consult directly with equalities groups, as required. Impact assessments are organic documents and are developed and added to as a project or plan progresses.

Where an equality impact assessment has been carried out it is attached to any subsequent committee report. This ensures elected members can consider equality issues when reviewing a report or making decisions. They are also made aware of any cumulative effects, on the protected characteristics, of recommendations contained within a number of committee reports. The Orkney Islands Council Equalities' Officer provides guidance and advice to officers who need assistance during the process.

Officers within Legal Services review every committee report that goes before members. As part of this they consider whether an equality impact assessment is required to accompany the report. They also consider the details contained within assessments. This helps ensure that Orkney Islands Council is fully compliant with legislative requirements.

Equality impact assessment is included in the equalities workshop as part of the induction programme for elected members. They are also provided with briefing notes published by the Improvement Service and the Equality and Human Rights Commission regarding using the equality duties to support fair financial decisions.

Completed assessments are published on the Orkney Islands Council website unless the document contains confidential information which could identify individuals. A redacted version may be provided upon request in those circumstances.

Development of the Equality Impact Assessment process is planned for 2017/2018 to incorporate Human Rights legislation. This will further improve the assessment of mainstreaming equality issues within the Council's policies and processes.

## **6. Racial Equality Outcomes**

**The communication and health and social care needs of our local ethnic communities will be met.**

### **NHS Orkney and Orkney Islands Council**

The ability of all members of our local ethnic communities to communicate clearly and effectively their healthcare needs is essential if equality in health and social care is to be achieved. For most, the biggest barrier is language.

There are two main types of interpretation services provided, these are:

- “Face-to-face”.
- Telephone.

#### **“Face-to-face” interpretation**

NHS Orkney and Orkney Islands Council provides “face-to-face” interpreters for non-English speaking people when they access health or social care, whenever possible. Orkney Health and Care work with partner agencies to ensure that a sufficient number of “face-to-face” interpreters are trained and available to meet our needs

#### **Telephone interpretation**

The “Language Line” telephone interpretation service gives staff access to expert interpreters, on the telephone, in 60-90 seconds, for 170 different languages.

“Language Line” services are available in Orkney Health and Care to provide short-notice ready access to telephone interpretation 24 hours a day.

#### **Translation services**

A great deal of essential health and social care information is already available in translation. This is regularly reviewed to ensure:

All material available in translation is up to date.

Orkney Islands Council and NHS Orkney produces any of its published material, upon request, in any other language, in compliance with the Equality Act 2010. This offer appears at the front of all major Orkney Health and Care documents.

#### **Orkney Equality Forum**

Orkney Health and Care covers a relatively small population when compared to mainland health and social care partnerships. If every public body in Orkney carried out their own separate involvement and consultation arrangements, this would quickly lead to “involvement fatigue”. Accordingly, public bodies in Orkney work together to involve people with different protected characteristics in their work through the Orkney Equality Forum. For most of the last 2 years, the Orkney Equality Forum has been the main vehicle for this involvement work.

## **Supporting demographic information**

The 2011 Census figures stated the population of Orkney as 20,160. The latest official Government Estimate as at 2017 was 22,000. This suggests that the size of the population of Orkney is relatively stable.

There are few local ethnic communities in Orkney who comprise approximately 3% of the total population.

## **7. Disability and Age Outcomes**

**We will meet the health and social care needs of people with disabilities and older people living in the community.**

### **NHS Orkney and Orkney Islands Council**

#### **Communication Needs**

It is vitally important to give people with disabilities and older people equality of access to health and social care information so they will have equality of access to health and social care services and be able to make informed choices. The work done in this sphere is shown below.

- All leaflets, booklets and other published material will be made available in any language or format, on request.
- All new information leaflets, booklets and published material will comply with the requirements of the Royal National Institute for the Blind (RNIB) “Good Practice Guidelines”, as contained in the RNIB publication: “See it right, making information accessible for people with sight problems”.
- Portable Induction Loops (PILs) or fixed induction loops are available to help people who use a hearing aid. All frontline services have access to this equipment.
- There is just one BSL interpreter in Orkney; however, NHS Orkney and Orkney Islands Council make use of this person, wherever possible, when deaf people wish to access our health or social care services.

#### **Improving and promoting good health for people with disabilities and older people**

A number of actions and initiatives have been undertaken by Orkney Islands Council and NHS Orkney staff to deliver improving good health for older people and people with disabilities:

- Health promotion material has been targeted to encourage people to keep active as they get older, promoting sports and other activities, providing self-care advice and opportunities for social interaction.
- A wide range of health and social care services to support people in their own homes or in domestic type settings.

- Support continues for both national and local mental health initiatives, such as the “Butterfly Scheme” for people with dementia and the “See me” campaign to help overcome the stigma often associated with mental ill health.

### **Help for carers of people with disabilities**

Caring for a person with a disability or multiple disabilities can be a 24/7 commitment. It is important that the welfare of carers is given a high priority when social care is provided. It is widely accepted by the Scottish Government and society in general, that many carers feel undervalued and are socially isolated.

To this end, work continues to further develop carer support arrangements, respite care facilities and seek to identify carers at risk, supporting the work of the Carers’ Support Forum and through the appointment of a Carers’ Representative on both the IJB and the Strategic Planning Group (SPG).

### **Supporting statistical information**

The 2011 Census figures showed that approximately 18.9% of the population of Orkney had a long-term activity limiting health problem or disability. The figures are:

2001 Census.	2011 Census.
17.4%.	18.9%.

As we have seen, above, the latest population estimate from Scottish Government estimates the population of Orkney to be 22,000. Using the 2011 Census percentage, this would give a total of 4,158 people with a long-term activity limiting health problem or disability.

## **8. Sex Equality Outcomes**

**Orkney Health and Care will meet the health and social care needs of people who are victims of gender based violence such as rape, sexual abuse, or who have been trafficked.**

### **NHS Orkney and Orkney Islands Council**

#### **Gender based violence**

Orkney Health and Care, in close co-operation with NHS Orkney, Orkney Islands Council, Police Scotland, other local public bodies, the Scottish Government and partner agencies recognise that gender based violence is a serious issue. It affects both the physical and mental health of those involved. Most gender based violence takes place in the domestic setting.

The Orkney Domestic Abuse Forum (incorporating the Violence Against Women partnership), known as DAF, is a partnership organisation working to reduce and prevent incidents of domestic abuse in Orkney.

Through effective communication between public, third and private sectors organisations the forum strives to ensure the provision of high-quality, appropriate services to those experiencing, affected by or at risk of domestic abuse.

In seeking to reduce and prevent incidents of domestic abuse Domestic Abuse Forum has identified 4 strategic objectives. These are:

- Increase awareness and understanding of what constitutes domestic abuse and violence against women and girls and promote appropriate responses and preventative approaches to eradicating these.
- Maintain involvement in and monitor effectiveness of Multi Agency Risk Assessment Conferencing (MARAC) in Orkney.
- Ensure learning and development opportunities (including funding) are promoted and linked to national and local priorities.
- Contribute to collation of national statistics and feeding into national work.

Each of these objectives supported by a comprehensive Action Plan, published on the Orkney Islands Council website.

A number of policies and strategies to address this issue have been developed. The work undertaken includes:

- The introduction of the routine inquiry of gender based violence in priority areas such as Maternity Services, Primary Care and Adult Protection.
- Providing training for front line managers and staff to recognise the signs of gender based violence and to have the knowledge and skills to respond.
- Producing information on the sources of help and support and making these readily available.

### **Supporting statistical information**

Gender based violence statistics from Police Scotland show:

- There were 58,104 incidents of domestic violence nationally recorded.
- 79% of incidents involved a female victim and a male perpetrator. There is a gradual downward trend in the number of incidents involving a female victim and a male perpetrator. In 2006/07 this figure was 87%.
- 18% of incidents involved a male victim and a female perpetrator. There is a gradual upward trend in the number of incidents involving a male victim and a female perpetrator. In 2006/07, this figure was 11%.
- 3% of incidents involves the victim and the perpetrator being of the same sex.
- 51% of incidents resulted in at least one crime or offence being committed.
- People in the 26-30 age group were at highest risk.
- Across Scotland, there were on average 108 incidents per 10,000 of population.
- Orkney has one of the lowest rates of domestic abuse in Scotland with a rate of 64 incidents per 10,000 of population, but this still means that there were 134 incidents of domestic abuse on Orkney in 2015/16.

However, it is generally accepted by all agencies concerned that these figures are understated. Many incidents of gender based violence go unreported. This violence can take many forms, such as physical assault, rape, sexual assault, mental cruelty, forced marriages and so-called “honour crimes”.

### **Community based sentences and non-conviction diversions from prosecution**

In Orkney, 95% of recipients of community based sentences and non-conviction diversions from prosecution are male.

The Criminal Justice Social Work Services are responsible for the supervision of people who receive these community based sentences and non-conviction diversions from prosecution.

## **9. Sexual Orientation Outcome**

**Orkney Health and Care will meet the specific health and social care needs of our local LGBT+ communities.**

### **NHS Orkney and Orkney Islands Council**

The 3 main priority areas of work to mainstream the public sector equality duty in terms of sexual orientation over the last 2 years have been:

- Meeting the healthcare needs of our local LGBT+ communities.
- Staff training to help our staff be sensitive to the sexual orientation needs of patients.
- Increasing the availability of information.

### **Meeting the health and care needs of our local LGBT+ communities.**

This work has been ongoing over the last 2 years.

#### **Staff Training**

Sexual orientation is covered in detail in the staff Equality and Diversity Seminars. The training is designed to help staff be sensitive to the sexual orientation of patients.

#### **Increasing the availability of information**

The range of healthcare information of particular interest to the LGBT+ communities has expanded. Work has also continued to identify any new information needs.

In addition, The Nordhaven Clinic offers a range of free and confidential sexual health advice and treatment, including free condoms and Condoms by Post, confidential advice, STI testing and treatment.

#### **Supporting statistical information and consultation**

Information on sexual orientation is something which many people feel uncomfortable divulging. The General Register Office for Scotland considered

including an LGBT+ question in the 2011 Scottish census. A pilot was carried out in 2005 involving 4,400 households. They found:

“Overall only 2.2% of respondents declared non-heterosexual orientation”.

Most respondents felt that sexual orientation was too sensitive and too intrusive a question to include in a Census. Accordingly, no sexual orientation question was included.

The official UK Government estimate is that 6% of the population are gay, lesbian or bisexual. Using this estimate and assuming an Orkney population of 22,000 would give an LGBT+ figure for Orkney of 1,320.

The sexual orientation health needs assessment is based upon:

- The present uptake of LGBT+ related services.
- Involvement and consultation with LGBT+ interest communities and their representative organisations.
- Information from front line staff who provide services.

The Orkney Equality Forum has also been a vehicle for consultation on sexual orientation healthcare matters.

## **10. Gender Reassignment Outcome**

**Meet the specific health and social care needs of members of our transsexual and transgender communities. Promote a positive image of the transsexual and transgender communities to the wider community in Orkney.**

### **NHS Orkney and Orkney Islands Council**

Work to mainstream the public sector equality duty in terms of gender reassignment seeks to:

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **The provision of a comprehensive gender dysphoria service**

Gender dysphoria is a condition where a person feels that they are in a body of the wrong sex. NHS Orkney contracts with NHS Grampian for the provision of a gender reassignment service. NHS Grampian provides the full range of 22 elements recommended by the Department of Health as comprising a gender dysphoria service.

### **Staff Training**

Gender reassignment is an integral part of all NHS Orkney and Orkney Islands Council Training Seminars.

## **Supporting statistical information**

There is no reliable information on the numbers of people in Orkney who have transitioned from one sex to another, nor, indeed, in Scotland; however, various studies have shown that 70% of people who transition from one sex to another, transition from male to female.

The average age at which people realise they have gender dysphoria is 14, the average age to transition is 42. This often means that when people come to transition, they are married with children. This adds emotional trauma to the trauma of facing a massive life changing transition and major surgery.

The Orkney Equality Forum has been a vehicle for consultation on gender reassignment-related matters.

## **11. Pregnancy and Maternity**

**Meeting the specific health and social care needs of pregnant and nursing Mothers, advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.**

### **NHS Orkney and Orkney Islands Council**

#### **Facilities for pregnant patients and nursing Mothers**

Over the last two years, a great deal of time and effort has gone into the design and planning of the services which will be provided in the new Orkney Hospital and associated facilities. Improved services for pregnant women, babies and nursing Mothers has been an integral part of the design brief.

There are also enhanced facilities for nursing Mothers who may be visitors to the new Hospital or GP Practice.

#### **Sex education for teenagers**

Teenage pregnancy rates in Scotland have been falling for several years. Over the last two years, the successful sex education campaign for teenagers in Orkney has continued, with the result that Orkney now has the lowest rate of teenage pregnancy in Scotland.

## **Supporting statistical information**

Demographic information on pregnancy and maternity in Orkney is taken from the General Register Office for Scotland and the Information Service Division of NHS Scotland.

The absolute number of births per year depends upon both the current fertility rate and the number of women of child-bearing age. Changes in either factor can result in fluctuations in the number of births. Nonetheless, there were 178 births registered in 2016, changing little over the last 4-5 years.

## **12. Marriage and Civil Partnership Outcomes**

**Staff will respect the rights of marriage partners, civil partners and common law partners in the health and social care setting, advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.**

### **NHS Orkney and Orkney Islands Council**

#### **Respecting the rights of marriage partners, civil partners and civil partners**

Staff are already aware of the need to respect the legal rights of marriage partners, especially when important health care or social care decisions are being made which may involve seriously ill patients or end of life issues.

However, owing to the relatively small number of people in civil partnerships or in a same sex marriage living in Orkney, it may not immediately occur to staff that a same sex marriage or civil partnership may exist when people receive health or social care. As a result, all Equality and Diversity training includes information on the need for staff to be aware of the possible existence of an undisclosed same sex marriage or civil partnership.

#### **Supporting statistical information**

The latest available statistics, from 2015, show that there were 114 marriages, with just 1 civil partnership.

From December 2014, same sex marriage has been legal in Scotland. The figures for 2015 show that there were 1671 same sex marriages in Scotland. This consists of 935 conversions from a civil partnership to a same sex marriage, and 736 new same sex marriages.

Most same sex couples have opted to either convert their civil partnership to a same sex marriage or enter into a same sex marriage. Hence the decline in the number of civil partnerships.

## **13. Religion or Belief Outcomes**

**Staff will be aware of the specific religious and spiritual needs of people in a health or social care setting, advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.**

### **NHS Orkney**

#### **Educational resources**

NHS Orkney in co-operation with NHS Shetland, created the new post of Head of Spiritual Care. Over the last 2 years, the post holder has done a great deal of work to enhance, expand and develop the chaplaincy services in Orkney and build strong relationships with religious and belief groups.

The Head of Spiritual Care has worked with staff to enhance their knowledge of religion and spiritual care. The “Religions and Cultures” booklet has also been made widely available to provide a ready reference for staff.

## **Orkney Islands Council**

The Home Care service uses software known as ‘StaffPlan’. This gathers the date of birth and gender for each service user and home carer, whilst the ethnic origin and religion or belief are recorded for service users. The main reason that this information is collected is to inform the creation of support plans.

Support plans are developed in collaboration with the service user and are tailored to meet that individual’s needs, so knowing some of a person’s history can help the service to ask the right questions in the right way, when creating the plans.

Knowing the service user’s ethnic origin can inform the service, for example, about communication needs and how best to engage with a service user, ensuring that customs sensitivities are respected.

Similarly, a knowledge of a religion or belief system can inform about dietary taboos, for example. Such knowledge can also help inform and guide carers about beliefs and customs so that the potential for offence is avoided in conversation. This also helps to inform end of life care, for example.

## **Supporting statistical information**

The religious beliefs of People in Orkney are similar to those found across Scotland, with 50.8% identifying as Christian; 39.2% as No Religion; 0.9% as Other; 0.1% as Muslim, and 9% Declining to Comment.