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**Statutory Equality Duties**

**Screening Of New/Revised Council Policies**

**(Questionnaire)**

# Screening of New/Revised Policies

**Introduction and Guidance Notes**

* 1. Section 75 of the Northern Ireland 1998 (“The Act”) requires the Council in carrying out its functions, powers and duties to have due regard to the need to promote equality of opportunity:

1. between persons of different religious belief, political opinion, racial group, age, marital

status or sexual orientation;

1. between men and women generally;
2. between persons with disability and persons without;
3. between persons with dependants and persons without.

1.2 In addition, without prejudice to its obligations above, the Council shall in carrying out its functions, powers and duties have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. The Council supports the principles of good relations: equity, respecting diversity and interdependence, and the development of relationships built on trust and respect.

1.3 As stated in its Equality Scheme, the Council intends to screen all of its policies (formal

and informal), functions and roles in order to determine which would require a fuller

equality analysis in the form of an impact assessment.

* 1. This questionnaire is aimed at providing a standardised, systematic approach to the

screening exercise. A summary of this document will be made available to the Council’s

consultees and the general public, via the Council’s web-site and in other formats, (upon

request). This document may also be produced, in full, as part of consultations

regarding Equality Impact Assessments.

1.5 When the Council is considering a new/revised policy, it will determine whether the policy has the potential to have significant implications for equality of opportunity on the Section 75 categories if so will conduct a full equality impact assessment.

It will also help to determine if there are opportunities to:-

* Better promote good relations through tackling prejudice and/ or promoting understanding between the three Section 75 (2) categories, namely persons of different religious belief, political opinion and racial group.
* Promote positive attitudes towards people with a disability
* Encourage participation by disabled people in public life.

Where such opportunities are identified the new/revised policy will be referred to a designated working group for consideration.

* 1. Where due limited quantitative and/or qualitative research data, it is not possible to establish the ‘significance’ of the equality impact, policies which score positively against the equality of opportunity screening criteria should be designated for detailed impact assessment.

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| **Part 1: Policy Scoping** Name of Policy: Special Leave Policy |
| Please tick as appropriate X  **New Policy Revised Policy**  X  **Corporate Policy** **Departmental Policy**  If Departmental, please specify which department;  **\_\_** |
| 3a. Please describe the aims of the policy:. **Derry City and Strabane District Council is committed to providing paid time off from work for employees for special circumstances to assist with work life balance.**  **3b.** Are there any associated objectives of the policy? If so, what are they? |
| Are there any Section75 groups which might be expected to benefit from the intended policy? If so, explain how **The Special Leave Policy will have a positive impact on employees with caring responsibility as paid leave is available to staff who meet the eligibility criteria.** |
| Who initiated or wrote the policy? **The policy was written up by the Human Resource Policy Working Group** |
| Who is responsible for the implementation of the policy? **The Town Clerk and Chief Executive has overall responsibility for the corporate implementation of the Special Leave Policy and ensuring its objectives are met.**  **Employees are required to contribute to Special Leave Policy by:**   * **Being fully aware of the requirements of the procedures and its application;** * **Providing in a timely manner such documentation as is required under the terms of the procedures.**   ** Co-operating with the line manager to achieve full attendance; and**  ****  **Line managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with the Human Resources Section prior to any action being taken.**  **While the primary responsibility for approving Special leave lies with Line Managers, Human Resource Officers provide an important source of advice and have a central role to play in facilitating and supporting Line Managers and ensuring consistent application across the organisation.**  **HR will be offering awareness training for all Line Managers..** |
| 7. Are there any factors, which could contribute to/detract from the intended aim/outcome of the policy/decision? If yes, are they  Financial  X  X  Legislative  Other, please specify \_\_\_\_\_ \_\_\_\_\_\_\_\_\_ |
| **8.**  Who are the internal/external stakeholders (actual or potential) that the policy will impact upon?  X  **Staff**  X  **Service Users**  **Other public sector organisations**    **Voluntary/Community/Trade Unions**    **Other, Please specify – \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| 9. Is this policy associated with any other Council Policy(s)? Yes No  X  If yes, please state the related policy(s) below.  Corporate Health and Wellbeing Policy |
| **10(a).** How does the policy contribute towards the achievement of the Council’s  strategic objectives?  **Derry City and Strabane District Council’s Corporate Plan sets out the corporate objective to “ Deliver improved social, economic and environmental outcomes for everyone.” To achieve this the Council have set out as one of its key strategic outcomes as “Supporting and developing the capacity and capability of staff to deliver on the Council’s objective to recognise its staff as its key asset in developing and promoting the quality of the area and serving its citizens and businesses”** |
| 11. How does the Council interface with other bodies in relation to the implementation of this policy? **Council will interface with Local Government Staff Commission and Trade Unions to ensure effective implementation of this policy.** |

**Available evidence**

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

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| **Section 75 category** | **Details of evidence/information** |
| **Religious belief** | |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | **LGD** | **All usual residents** | **Catholic** | **Protestant and other Christian** | **Other religions** | **None** | | **Northern Ireland** | 1,810,863 | 817,385  (45.14%) | 875,717  (48.36%) | 16,592  (0.92%) | 101,169  (5.59%) | | **Derry & Strabane** | 147,720 | 106,600  (72.16%) | 37,527  (25.40%) | 940  (0.64%) | 2,653  (1.80%) |   **The breakdown detailing the religious belief profile of residents in the Derry City and Strabane District Council is as follows:**  **Religious belief is not deemed to be a relevant factor which would influence the request or approval of special leave** |
| **Political opinion** | **The political opinion of the Council’s elected members is as follows:**  **Sinn Féin 16 seats**  **SDLP 8 seats**  **Democratic Unionist 7 seats**  **Independents 7 seats**  **Ulster Unionist 2 seats**  **This breakdown is taken as an approximate representation of the political opinion of people within the Derry City and Strabane District Council area.**  **Political Opinion is not deemed to be a relevant factor which would influence the request or approval of special leave** |
| **Racial group** | **The breakdown detailing the ethnic profile of the residents of the new Council area is as follows:**   |  |  | | --- | --- | | **Total Usual Residents** | **147720** | | White | 145546 | | Chinese | 301 | | Irish Traveller | 116 | | Indian | 670 | | Pakistani | 48 | | Bangladeshi | 23 | | Other Asian | 222 | | Black Caribbean | 53 | | Black African | 86 | | Black Other | 41 | | Mixed | 462 | | Other | 163 |   **Racial group is not deemed to be a relevant factor which would influence the request or approval of special leave** |
| **Age** | **The age profile of the Derry and Strabane LGD area at Census Day 2011 is as follows:**   |  |  |  | | --- | --- | --- | | **Age Profile** | **NI** | **Derry and Strabane** | | **0-4** | 124382 | 10259 | | **5-7** | 67662 | 5653 | | **8-9** | 43625 | 3858 | | **10-14** | 119034 | 10904 | | **15** | 24620 | 2363 | | **16-17** | 51440 | 4729 | | **18-19** | 50181 | 4443 | | **20-24** | 126013 | 10399 | | **25-29** | 124099 | 10481 | | **30-44** | 373947 | 30635 | | **45-59** | 347850 | 28082 | | **60-64** | 94290 | 7475 | | **65-74** | 145600 | 10775 | | **75-84** | 86724 | 5876 | | **85-89** | 21165 | 1217 | | **90+** | 10231 | 571 |   **This policy would be only be applicable to Council staff and therefore only those of working age (Age 16 years+) would benefit from special leave provisions.** |
| **Marital status** | **The table below illustrates the marital status profile of the Derry and Strabane LGD:**   |  |  |  | | --- | --- | --- | | **Marital Status** | **Derry and Strabane LGD** | **NI** | | All usual residents: Aged 16+ years | **83663** | **1431540** | | Single (never married or never registered a same-sex civil partnership): Aged 16+ years | **46326**  (40.39%) | **517393**  (36.14%) | | Married: Aged 16+ years | **49218**  (42.92%) | **680831**  (47.56%) | | In a registered same-sex civil p’ship: Aged 16+ years | **93**  (0.08%) | **1243**  (0.09%) | | Separated (but still legally married or still legally in a same-sex civil p’ship): Aged 16+ years | **5886**  (5.13%) | **56911**  (3.98%) | | Divorced or formerly in a same-sex civil partnership which is now legally dissolved: | **6179**  (5.39%) | **78074**  (5.45%) | | Widowed or surviving partner from a same-sex civil partnership: Aged 16+ years | **6981**  (6.09%) | **97088**  (6.78%) |   **Marital Status is not deemed to be a relevant factor which would influence the request or approval of special leave.** |
| **Sexual orientation** | **Analysis of the Census 2011 indicates that between 2% and 10% of the population may be lesbian, gay or bisexual.**  **There are no official statistics in relation to the number of gay, lesbian or bisexual people in Northern Ireland. However, research conducted by the HM Treasury shows that between 5% - 7% of the UK population identify themselves as gay, lesbian, bisexual or ´trans´ (transsexual, transgendered and transvestites) (LGBT). This is a sizeable proportion of the population here in Northern Ireland.**  **Sexual Orientation is not deemed to be a relevant factor which would influence the request or approval of special leave** |
| **Men and women generally**  **Men and Women generally** | **The gender profile for the Derry and Strabane LGD is as follows:**   |  |  |  | | --- | --- | --- | | **LGD** | **Male** | **Female** | | Northern Ireland | 887323 | 923540 | | Derry and Strabane LGD | 72475 | 75245 |   **The gender profile of Council’s workforce is as follows:**  **According to records held by Council’s HR department women have made more applications for special leave however this policy is equally applicable to**  men and women.   |  |  | | --- | --- | | **1/4/16 – 31/3/17 year** | **1/4/17 – 31/3/18 year** | | **Carers Leave requests**   * Male = 5 17.2% * Female = 24 82.8%   **Health & Wellbeing requests**  •          Male = 10 43.5%  •          Female = 13 56.5%  **Special Leave requests**  •          Male = 1 5.3%  •          Female = 18 94.7% | **Carers Leave requests •** Male = 28 32.5%  •          Female = 58 67.5%  **Health & Wellbeing requests**  **•** Male = 18 69.2%  •          Female = 8 30.8%  **Special Leave requests**  **•** Male = 3 15.8%  •          Female = 16 84.2% | |
| **Disability** | * **According to the 2011 Census 22.95% of people in the Derry and Strabane LGD have a long-term health problem or disability that limits their day-to-day activities;**  |  |  |  |  |  | | --- | --- | --- | --- | --- | | **LGD** | **All usual residents** | **Day-to-day activities**  **limited a lot** | **Day-to-day activities limited a little** | **: Day-to-day activities not limited** | | **Northern Ireland** | 1810863 | 215232  (11.89%) | 159414  (8.8%) | 1436217  (79.31%) | | **Derry and Strabane** | 147720 | 20710  (14.02%) | 13193  (8.93%) | 113817  (77.05%) |   The  **Whilst there is no statistics on the number of disability-related leave requests there is accommodation within the policy for all staff to attend medical appointments.**  This |
| **Dependant** | * **According to the 2011 Census 37.65% of households in the Derry and Strabane LGD have a dependants as compared to the Northern Ireland average of 33.85% households;**  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | |  | All households | Married or in a registered same-sex civil partnership couple:  Dependent children | Cohabiting couple:  Dependent children | Lone parent: Dependent children | Other household types: With dependent children | | Northern Ireland | 703275 | 138677  (19.72%) | 16186  (2.3%) | 64228  (9.13% | 18980  (2.7%) | | Derry and Strabane | 55596 | 10370  (18.65%) | 1097  (1.97%) | 7284  (13.1%) | 2187  (3.93%) |   **The Special Leave Policy is designed to support staff with caring responsibilities. Whilst there is no statistics on the number of caring-related leave requests there is accommodation within the policy for all staff to avail of carers leave.** |

**Needs, experiences and priorities**

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

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| --- | --- |
| **Section 75 category** | **Details of needs/experiences/priorities** |
| **Religious belief** |  |
| **Political opinion** |  |
| **Racial group** | **Information contained within this policy should be presented in alternative format on request for any member of staff whose first language is not English** |
| **Age** |  |
| **Marital status** |  |
| **Sexual orientation** |  |
| **Men and women generally** |  |
| **Disability** | **Information contained within this policy should be presented in alternative format on request for any member of staff who may have a sensory impairment or a learning disability** |
| **Dependants** |  |

**Part 2: Screening questions**

**Introduction**

**Equality of Opportunity**

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1 and 2.

If the public authority’s conclusion is **none** in respect of all of the Section 75 equality of opportunity categories, then the public authority may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity, a public authority should give details of the reasons for the decision taken.

If the public authority’s conclusion is **major** in respect of one or more of the Section 75 equality of opportunity categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority’s conclusion is **minor** in respect of one or more of the Section 75 equality categories categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

* measures to mitigate the adverse impact; or
* the introduction of an alternative policy to better promote equality of opportunity.

**In favour of a ‘major’ impact**

1. The policy is significant in terms of its strategic importance;
2. Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
3. Potential equality impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
4. Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
5. The policy is likely to be challenged by way of judicial review;
6. The policy is significant in terms of expenditure.

**In favour of ‘minor’ impact**

1. The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
2. The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
3. Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
4. By amending the policy there are better opportunities to better promote equality of opportunity.

**In favour of none**

The policy has no relevance to equality of opportunity.

1. The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity for people within the equality categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity for those affected by this policy, in any way, for each of the equality categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

**Good Relations, Disability Duties, Rural Areas and Areas of Deprivation**

In relation to the policy under consideration, if the answer to the screening questions 3 to 7 set out in the screening template a designated working group will:

* Consider the potential opportunities to promote good relations (Q3)
* Consider the potential opportunities to promote positive attitudes towards people with a disability (Q4)
* Consider the potential opportunities to encourage participation by disabled people in public life. (Q5)
* Consider the potential impacts on people living in a rural area. (Q6)
* Consider the potential impacts on people living in areas of deprivation. (Q7)

The group will collate all available evidence and consult with relevant stakeholders as part of its consideration, where this consultation is proportionate, relevant and enhances decision-making.

Completion of the screening template will take the Group’s consideration into account together with relevant evidence.

**Screening questions**

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| --- | --- | --- | --- | --- |
| 1. **What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none** | | | | |
| **Section 75 category** | | **Details of policy impact** | | **Level of impact? minor/major/none** |
| **Religious belief** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Political opinion** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Racial group** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Age** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Marital status** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Sexual orientation** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Men and women generally** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Disability** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| **Dependants** | | Policy will be applied universally to all staff regardless of S75 category | | None |
| 1. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?** | | | | |
| **Section 75 category** | If **Yes**, provide details | | If **No**, provide reasons | |
| **Religious belief** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Political opinion** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Racial group** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Age** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Marital status** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Sexual orientation** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Men & women generally** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Disability** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |
| **Dependants** |  | | Special Leave Policy will be available to all staff regardless of S75 category | |

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| **3.** **Are there opportunities to better promote good relations between Section 75 equality categories through tackling prejudice and/or promoting understanding?**    x  **Yes No**  **If Yes, the policy will be considered by a Designated Working Group** | |
| **Section 75 category** | **Details of opportunities identified (including details of consultation with relevant stakeholders)** |
| **Religious belief** |  |
| **Political opinion** |  |
| **Racial group** |  |

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| **4. Is there evidence to suggest that this policy would promote positive attitudes towards people with a disability?**  X  **Yes No** |
| **If Yes, provide details of opportunities identified (including details of consultation with relevant stakeholders** |
| **Public authorities are required to introduce measures relating to the Disability Discrimination Act 1995 which will ensure full compliance with the legislation, including, measures to address discrimination in employment, positive action and monitoring – the special leave policy is an example of such a measure as it allows employees with a disability to have paid time off from work to attend medical appointments.** |
| **5. Is there evidence to suggest that this policy would encourage the participation of people with a disability in public life?**  X  **Yes No** |
| **If Yes, provide details of opportunities identified (including details of consultation with relevant stakeholders** |
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**Additional considerations**

**Multiple identity**

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

**Part 3. Screening decision**

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

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| **Policy does not have any adverse impact on staff regardless of S75 category as all staff are able to request special leave and it will be granted once eligibility criteria has been met** |

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced. Please provide details

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If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

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**Part 4: Mitigation**

When the public authority concludes that the likely impact is ‘minor’ and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity.

The public authority may also consider if the policy/decision can be amended or changed or an alternative introduced to:-

* Better promote good relations through tackling prejudice and/ or promoting understanding between the three Section 75 (2) categories, namely persons of different religious belief, political opinion and racial groups
* Promote positive attitudes towards people with a disability
* Encourage participation by disabled people in public life.

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

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**Part 5 - Approval and authorisation**

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| **Screened by:** | **Position/Job Title** | **Date** |
| Katrina Bradley  Kay McIvor | HR Officer  Policy Officer (Equality) | 1st November 2018 |
| **Approved by:** |  |  |
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Note: A copy of the Screening Template, for each policy screened should be ‘signed off’ and approved by a senior manager responsible for the policy, made easily accessible on the public authority’s website as soon as possible following completion and made available on request.