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**Statutory Equality Duties**

**Screening Of New Council Policies**

**(Questionnaire)**

# Screening of New 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 policy, it will determine whether the policy has the

potential to have significant implications for equality of opportunity and/or good relations and if so will conduct a full impact assessment.

* 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 any of the screening criteria should be designated for detailed impact assessment.

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| --- |
| **Part 1: Policy Scoping** Name of Policy: Conflict of Interest Policy |
| Please tick as appropriate √  **New Policy Revised Policy**  √  **Corporate Policy** **Departmental Policy**  If Departmental, please specify which department;  **\_\_** |
| 3a. Please describe the aims of the policy:. **The purpose of this policy is to ensure that the name, reputation, and integrity of Derry City and Strabane District are not compromised and that procurements and projects are not compromised**  **Council is committed to addressing the issue of conflicts of interest and therefore this policy seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council’s ability to deliver public services properly.**  **The fundamental principle guiding the implementation of this policy is that no employee should have, or appear to have, any personal interests, relationships, or affiliations that conflict with the best interests of the Council**  **3b.** Are there any associated objectives of the policy? If so, what are they?  **The policy is to promote high standards in public life and especially to follow the key characteristics of propriety as defined in the ‘Seven Principles of Public Life’ known as the Nolan Principles. These seven principles underpinning public life are: Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty and Leadership.** |
| Are there any Section75 groups which might be expected to benefit from the intended policy? If so, explain how **This is a universal policy and is not targeted at any particular Section 75 category.** |
| Who initiated or wrote the policy? **The Lead Assurance Officer** |
| Who is responsible for the implementation of the policy? **Roles & Responsibilities**   1. Declaration of Interest Forms   All Council employees are required to complete an annual declaration of interests form – see Appendix 2. This will allow the organisation to identify when a conflict may arise and plan how to manage it. Regularly completing this annual declaration will remind employees that they must guard against conflicts that may arise as a consequence of their employment. The annual declaration of interests form will be issued to all staff on the 1st April each year by the Lead Assurance Officer.  2. Register of Interest  Declaration of interest forms should be compiled into a ‘Register of Interests’ (refer to Appendix 3) and retained within each directorate by a designated officer. The register enhances transparency within the organisation and is a useful tool to help individuals and managers identify conflicts at an early stage and take the necessary steps to manage them. The register should be kept up to date through an annual declaration of interest’s process. In addition, all staff must ensure that any new actual, potential or perceived conflicts of interest are declared immediately and any changes to their declarations are recorded as and when they arise.  The Register of Interests should record the following information for each conflict of interest:   * Name of the employee; * The Circumstances involved; * As assessment of the situation; * How the matter was resolved or how the risk was reduced/eliminated; and * Any action taken by the organisation.   The Chief Executive and the Directors will review their relevant registers at least annually. Evidence of this review should be documented and retained. In addition to this the registers will be inspected by Audit on a regular basis.  Officers should be aware that the registers may be released under the Freedom of Information Act.   1. Disclosing a conflict of interest   Council officers must be open and transparent about any overlap between their official role and private interests and must fully disclose any such conflict of interest to the organisation. This allows others with suitable expertise to determine whether an actual, potential or perceived conflict of interest exists, to assess its seriousness and to decide on any action needed to manage it.  In addition to the annual declaration of interests and notification of changes as they arise, conflicts of interest should also be declared where they arise in specific settings. For example tender evaluations, recruitment processes, committee meetings etc.  A declaration of interests form should be completed as part of the appointment process for all council employees. A declaration of interests section should be included in job application packs, enabling the interview panel to review this information. This allows the conflict to be explored to determine how it might affect the individual’s ability to contribute effectively and impartially to the role and how the conflict may be handled following appointment. If the interview panel regards the conflict as so serious that impartiality and integrity could not be assured, the individual’s application may be deemed ineligible.   1. Managing conflicts of interest   When an actual, potential or perceived conflict of interest has been identified, organisations must carefully consider what action, if any, needs to be taken to adequately avoid or mitigate the associated risks. The seriousness of the conflict, as well as the range of options available to manage or monitor it, must be assessed.  As and when conflicts of interest are declared they will be reviewed by the relevant Lead Officer / Head of Service / Director or the Chief Executive to establish what action, if any, needs to be taken. When an individual reports an interest, management must consider how it should be dealt with. Questions to be answered include:   * Could the council employee’s family of friends gain from his/her connection to the Council? * How is the declared interest likely to be perceived externally? * Council the declared personal interest damage the reputation, impartiality or integrity of the Council? * Is there a possibility that the declared interest might influence decision making by the employee or others?   There are different options for managing conflicts of interest including the following:   * Register * Restrict * Recruit * Remove * Relinquish * Resign   Appendix 4 in the policy details the most and least suitable times to use the above management strategies.   1. Breaching the Conflicts of Interest Policy   All employees are required to comply with this policy and failure to do so may result in a range of consequences for both the individual concerned and the organisation including the following:  Individual   * Embarrassment * Disciplinary action * Being subject to an internal or external enquiry * Loss of employment * Criminal prosecution   Organisation   * Reputational damage * Loss of public trust * Being subject to an external inquiry * Legal action |
| 7. Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? If yes, are they  Financial  **√**  **√**  Legislative  Other, please specify \_\_\_\_\_ \_\_\_\_\_\_\_\_\_ |
| **8.**  Who are the internal/external stakeholders (actual or potential) that the policy will impact upon?  **√**  **Staff**  **√**  **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  √  If yes, please state the related policy(s) below.  **Whistleblowing Policy**  **Counter Fraud Policy**  **Risk Management Strategy**  **Codes of Conduct for Local Government Officers and Elected Members**  **Employee Disciplinary Procedures** |
| **10(a).** How does the policy contribute towards the achievement of the Council’s  strategic objectives?  **This policy supports the Council’s mission of to “Deliver improved social, economic and environmental outcomes for everyone” by establishing and maintaining the highest levels of probity, good governance systems and practices and exemplar legal services to support informed, transparent decision making, accountability, efficient service delivery and the effective management of risk.** |
| 11. How does the Council interface with other bodies in relation to the implementation of this policy? **Council will work with Local Government Auditor to ensure that this policy is implemented effectively** |

**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%) |   **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **Political opinion** | **The political opinion of the Council’s elected members is as follows:**  **Sinn Féin 16 seats**  **SDLP 10 seats**  **Democratic Unionist 8 seats**  **Independents 4 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.**  **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **Racial group** | |  |  | | --- | --- | | **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 |   **The breakdown detailing the ethnic profile of the residents of the new Council area is as follows:**  **As with all policies employees whose first language is not English may need to have information provided in an alternative format to ensure they understand their responsibilities.**  **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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 |   **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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%) |   **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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.**  **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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 |   **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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** | **Long-term health problem or disability: Day-to-day activities**  **limited a lot** | **Long-term health problem or disability: Day-to-day activities limited a little** | **Long-term health problem or disability: 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%) |   **As with all policies employees with sensory or learning disabilities may need to have information provided in an alternative format to ensure they understand their responsibilities.**  **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |
| **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%) |   **No qualitative or quantitative data is available to suggest that this policy will have an adverse impact on this Section 75 category.** |

**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

|  |  |
| --- | --- |
| **Section 75 category** | **Details of needs/experiences/priorities** |
| **Religious belief** |  |
| **Political opinion** |  |
| **Racial group** | **Possible language difficulties for existing staff and potential staff members whose first language is not English** |
| **Age** |  |
| **Marital status** |  |
| **Sexual orientation** |  |
| **Men and women generally** |  |
| **Disability** | **Possible language difficulties for existing staff and potential staff members who may have possible learning difficulties and problems with understanding** |
| **Dependants** |  |

**Part 2: Screening questions**

**Introduction**

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 1-4.

If the public authority’s conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations 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 or good relations, 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 and/or good relations 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 and/or good relations 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 and/or good relations.

**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 and/or good relations 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 and/or good relations.

**In favour of none**

The policy has no relevance to equality of opportunity or good relations.

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

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

**Screening questions**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 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** | |  | | None |
| **Political opinion** | |  | | None |
| **Racial group** | |  | | None |
| **Age** | |  | | None |
| **Marital status** | |  | | None |
| **Sexual orientation** | |  | | None |
| **Men and women generally** | |  | | None |
| **Disability** | |  | | None |
| **Dependants** | |  | | 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** |  | | **This policy is applicable to all staff regardless of their religious belief** | |
| **Political opinion** |  | | **This policy is applicable to all staff regardless of their political opinion** | |
| **Racial group** | **Derry City & Strabane District Council commit to putting information into an alternative format where necessary to ensure staff members fully understand their responsibilities under this policy** | |  | |
| **Age** |  | | **This policy is applicable to all staff regardless of age** | |
| **Marital status** |  | | **This policy is applicable to all staff regardless of their marital status** | |
| **Sexual orientation** |  | | **This policy is applicable to all staff regardless of their sexual orientation** | |
| **Men and women generally** |  | | **This policy is applicable to all staff regardless of their gender** | |
| **Disability** | **Derry City & Strabane District Council commit to putting information into an alternative format where necessary to ensure staff members fully understand their responsibilities under this policy** | |  | |
| **Dependants** |  | | **This policy is applicable to all staff regardless of whether or not they have dependants** | |

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| --- | --- | --- |
| 1. **Are there opportunities to better promote good relations between Section 75 equality categories through tackling prejudice and/or promoting understanding?** | | |
| **Section 75 category** | **Details of policy impact** | **Level of impact minor/major/none** |
| **Religious belief** |  | **None** |
| **Political opinion** |  | **None** |
| **Racial group** |  | **None** |
| **Age** |  | **None** |
| **Marital status** |  | **None** |
| **Sexual orientation** |  | **None** |
| **Men & women generally** |  | **None** |
| **Disability** |  | **None** |
| **Dependants** |  | **None** |

|  |  |
| --- | --- |
| 1. **Is there evidence to suggest that this policy would promote positive attitudes towards people with a disability?** | |
| **If Yes, provide details** | **If No, provide reasons** |
|  | N/A |
| 1. **Is there evidence to suggest that this policy would encourage the participation of people with a disability in public life?** | |
| **If Yes, provide details** | **If No, provide reasons** |
|  | N/A |

**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).*

N/A

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

N/A

**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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| **This is a corporate policy which will be applied universally across all members of staff without exception.** |

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 or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

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

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| **Where necessary Derry City & Strabane District Council will ensure that all information relating to this policy is presented in an appropriate format, in line with Council’s code of practice on producing information, to ensure staff are fully aware of their responsibilities in the effective implementation of this policy.** |

**Part 5 - Approval and authorisation**

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| --- | --- | --- |
| **Screened by:** | **Position/Job Title** | **Date** |
| Kay McIvor | Equality Officer | 25.04.16 |
| **Approved by:** |  |  |
|  | Lead Assurance Officer | 26.04.16 |

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.