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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: Career Break 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 primary purpose of this policy is to specify eligibility for participation in the career break scheme and to outline the conditions which apply.** |   **3b.** Are there any associated objectives of the policy? If so, what are they?   |  | | --- | | **To ensure and promote a fair process for eligible employees to take a career break to care for a child or disabled/elderly dependant relative and assist employees to understand their obligations and the condition that apply.**  **The policy also supports the retention of employees who have caring responsibilities thus retaining valuable knowledge and skills.** | |
| Are there any Section75 groups which might be expected to benefit from the intended policy? If so, explain how **No – this policy will be applied universally to all members of staff** |
| Who initiated or wrote the policy? **This policy has been developed through the HR Working Group** |
| Who is responsible for the implementation of the policy? **Lead HR Officer** |
| 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.  Corporate Plan  Equality Scheme  Grievance Policy  Family friendly HR Policies include: Maternity Policy,  Paternity Leave Policy,  Parental Leave Policy,  Management of absence policy  Flexible Working Policy and Procedures |
| **10(a).** How does the policy contribute towards the achievement of the Council’s  strategic objectives?  **Council view its staff as its key resource in delivering its Council objectives and have committed to “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”. This policy will help support Council in their work/life balance and thus help retain existing capability and expertise.** |
| 11. How does the Council interface with other bodies” in relation to the implementation of this policy? **Council will work closely with Trade Unions and other bodies who can provide expert advice in the implementation of this policy e.g. Labour Relations Agency** |

**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:**  **The religious profile of the Council workforce is a similar reflection of that for the new Council area. As this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.** |
| **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.**  **Political opinion of staff is not collated however using the religious profile as a proxy indicator. As this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.** |
| **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 |   **Council do not monitor the racial group of staff as per the Article 55 Review however given the profile of residents within the Council area there is potential that Council may have applicants/employees from minority ethnic groups.**  **As this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.** |
| **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 |   **Council employ staff from 16 to 65+ years. As this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping** |
| **Marital status**  **Marital Status contd** | **The table below illustrates the marital status profile of 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%) |   **As this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.** |
| **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.**  **In terms of this policy, it will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.** |
| **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 workforce is similar to that of the Council area and There is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping.**  It is acknowledge that this policy may have a more positive impact on female employees as they are more likely to avail of this policy to allow them to take on caring responsibilities for dependants. However as this policy will be applied universally to all council staff regardless of Section 75 category there is no qualitative or quantitative information to suggest that this policy would have an adverse impact on this grouping. |
| **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%) |   The  **Whilst there is no definite profile of Council staff who have a disability Council do make reasonable adjustments including leave to accommodate any needs identified therefore it is not thought that** **this policy would have an adverse impact on this grouping.**  **The policy will also have a positive impact for employees with caring responsibilities for disabled relatives allowing up to 3 years career break to attend to their care** |
| **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 | One family and no other people: Married or in a registered same-sex civil partnership couple: | Cohabiting couple: | Lone parent: | Other household types: | | 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%) |   **It is deemed that this policy may have a positive impact on younger council employees who may have childcare requirements or officers who may have elderly parents or relatives to care for.** |

**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** | **None** |
| **Political opinion** | **None** |
| **Racial group** | **None – Although Council must be mindful to present all policy information in an appropriate format where there are staff members whose first language is not English.** |
| **Age** | **None** |
| **Marital status** | **None** |
| **Sexual orientation** | **None** |
| **Men and women generally** | **None** |
| **Disability** | **None – Although Council must be mindful to present all policy information in an appropriate format where there are staff members who may have a sensory impairment.** |
| **Dependants** | **None** |

**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**

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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 equally to all employees | | None |
| **Political opinion** | | Policy will be applied equally to all employees | | None |
| **Racial group** | | Policy will be applied equally to all employees | | None |
| **Age** | | Policy will be applied equally to all employees | | None |
| **Marital status** | | Policy will be applied equally to all employees | | None |
| **Sexual orientation** | | Policy will be applied equally to all employees | | None |
| **Men and women generally** | | Policy will be applied equally to all employees | | None |
| **Disability** | | Policy will be applied equally to all employees | | None |
| **Dependants** | | Policy will be applied equally to all employees | | 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** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Political opinion** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Racial group** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Age** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Marital status** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Sexual orientation** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Men and women generally** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Disability** |  | | No – this policy will be applied equally to all staff members without exception | |
| **Dependants** |  | | No – this policy will be applied equally to all staff members without exception | |

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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** |  | No – this policy will be applied equally to all staff members without exception |
| **Political opinion** |  | No – this policy will be applied equally to all staff members without exception |
| **Racial group** |  | No – this policy will be applied equally to all staff members without exception |
| **Age** |  | No – this policy will be applied equally to all staff members without exception |
| **Marital status** |  | No – this policy will be applied equally to all staff members without exception |
| **Sexual orientation** |  | No – this policy will be applied equally to all staff members without exception |
| **Men and women generally** |  | No – this policy will be applied equally to all staff members without exception |
| **Disability** |  | No – this policy will be applied equally to all staff members without exception |
| **Dependants** |  | No – this policy will be applied equally to all staff members without exception |

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| 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** |
|  | No – this policy will be applied equally to all staff members without exception – however Council will ensure that information is presented in an appropriate |
| 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** |
|  | No |

**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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| The career break provides a framework for the fair and consistent management of career breaks – this policy is deemed to be of benefit to all staff who can apply to avail of this facility 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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**Part 5 - Approval and authorisation**

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| --- | --- | --- |
| **Screened by:** | **Position/Job Title** | **Date** |
| Kay McIvor | Equality Officer | 8th April 2016 |
| **Approved by:** |  |  |
|  |  |  |

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.