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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 and/or good relations and if so will conduct a full 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 any of the screening criteria should be designated for detailed impact assessment.

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| **Part 1: Policy Scoping** Name of Policy: Safeguarding Policy (Children and Adults At Risk Of Harm |
| 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 and procedures is to safeguard the personal safety of all children and adults at risk of harm using Council’s facilities and services through actively promoting awareness, good practice and robust procedures**  **3b.** Are there any associated objectives of the policy? If so, what are they?  **The objectives of the policy are:**   * **To promote zero-tolerance of harm to all children and adults at risk of harm from abuse, exploitation or neglect.** * **To put in place clearly defined procedures for referring, reporting and dealing with incidents relating to safeguarding.** * **To ensure effective selection, supervision and training of employees in relation to safeguarding issues.** * **To put in place appropriate and timely referral and reporting arrangements with statutory and other agencies dealing directly with safeguarding.** * **To ensure that safeguarding responsibilities are fully understood and complied with.** * **To ensure that all those working for, or representing the Council adhere to the appropriate Codes of Behaviour for Staff (Appendix 3).** * **To serve as a model of good practice to the wider community.** |
| Are there any Section75 groups which might be expected to benefit from the intended policy? If so, explain how **Whilst this policy is targeted at the protection of children and adults at risk of harm – all users of Council services will benefit from this policy** |
| Who initiated or wrote the policy? **Democratic Services and Improvement Unit** |
| Who is responsible for the implementation of the policy?**Council Staff**All Council staff should encourage members of the public and service users to provide feedback on Council services and activities. All complaints should be received respectfully and dealt with in accordance with the Council's procedure.**Service Managers**Service managers will be responsible for reporting, to a relevant Head of Service, the potentially unacceptable, unreasonable and/or vexatious behaviour of a complainant and providing the Head of Service with whatever information / reports are necessary to make an informed, consistent and fair decision on whether any restrictions should be applied in relation to a complainant’s access to offices/staff. **Strategic Director** Subject to the nature of a complaint, it may be necessary for a Head of Service to set up a meeting to agree a cross departmental approach and nominate an officer to co-ordinate the Council’s response.Strategic Directors will be responsible for making any decision to restrict a complainant’s contact with the Council. The Strategic Director will also be responsible for writing to the complainant, advising of the nature of any restrictions, the duration of these restrictions and how they can appeal such a decision.All correspondence with the complainant, in relation to the application of this policy will be the responsibility of the Strategic Director.Responsibility for record keeping in relation to the application of this policy will lie with the Strategic Director. Where a complainant wishes to have a decision to place restrictions on access reviewed, the Strategic Director will forward any relevant information to the Chief Executive.In the event that it is necessary to designate an officer to read future correspondence, an appropriate officer will be nominated by the Strategic Director.Regular six monthly reviews of any restrictions that are in place, will be undertaken by a nominated Head of Service.**Chief Executive (or nominated Strategic Director)**When requested by a complainant, the Chief Executive (or nominated Strategic Director) is responsible for collating the necessary information in order to conduct a fair and informed review of any decision to place restrictions on a complainant’s access to offices/staff.When reviews are carried out, the Chief Executive (or nominated Strategic Director) will write to advise the complainant of the outcome and, if restrictions are to continue to be applied, when these will next be reviewed. |
| 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 –Residents and Visitors to Derry City and Strabane District Council area**  √ |
| 9. Is this policy associated with any other Council Policy(s)? Yes No  √  If yes, please state the related policy(s) below.  **Recruitment and Selection Policy**  **Customer Care Policy**  **Employee Code of Conduct**  **Disciplinary Procedures**  **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 2016-2017 sets out the corporate objective of Promoting Healthy Communities. Fundamental to this is the provision of quality and effective safeguarding procedures for both children and adults at risk of harm.**  **Specifically this policy aims to facilitate the prevention of safeguarding incidents and when incidents/allegations/complaints do occur that they are effectively managed by following the correct/appropriate reporting procedures**. |
| 11. How does the Council interface with other bodies in relation to the implementation of this policy? **Council will interface with all safeguarding bodies and advice groups to ensure effective implementation of the 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:**  **There is no evidence to suggest that issues regarding the safeguarding of children and adults at risk of harm is affected by a person’s religious belief** |
| **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.**  **There is no evidence to suggest that issues regarding the safeguarding of children and adults at risk of harm is affected by a person’s political opinion.** |
| **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 |   **There is no evidence to suggest that issues regarding the safeguarding of children and adults at risk of harm is affected by a person’s racial group.** |
| **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 |   **Child Protection Register**  **In the Western Trust (as at December 2016) there were 343 children on the child protection register - 91 of those have been on the register for more than a year[[1]](#footnote-1)**   |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | |  | **Children on Child Protection Registrar by Duration** | | | | | | | **HSC Trust** | **< 3 Months** | **3 Months < 6 Months** | **6 Months < 1 Year** | **1 Year < 2 Years** | **2 + Years** | **Total** | | Western | 80 | 54 | 118 | 59 | 32 | **343** | | **Source: Children Order Return CPR5** | | | | | | | |
| **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%) |   **There is no evidence to suggest that issues regarding the safeguarding of children and adults at risk of harm is affected by a person’s marital status** |
| **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.** |
| **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 | |
| **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   |  | | --- | | **Children in Need with a disability (31 March 2016)** | | * Of the 24,6988 children in need in Northern Ireland, 17% were recorded as having a disability. Almost half of these had a learning disability. * Having a disability was more prevalent amongst the male children in need, with 22% of males being recorded as having a disability compared with 12% of the female children in need. Furthermore, each of the disability categories had more males than females. This was most evident amongst those recorded as having Autism, where 80% were males. These findings were consistent with those published in ***‘The Prevalence of Autism (including Asperger’s syndrome) in School Age Children in Northern Ireland,*** published on the DHSSPNI’s website. | | * There is no statutory requirement for a child with a disability to be registered with the Social Services; such issues may be dealt with by a GP only and Social Services may never be involved. The figures presented here therefore do not represent the prevalence of children with different disabilities in Northern Ireland but are rather a reflection of the service demand. | |
| **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%) | |

**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** | **As this policy and procedures sets our systems for dealing with bullying in the context of sectarian taunts, graffiti and gestures, it is likely to have a positive impact on people of different religious belief.** |
| **Political opinion** | **As this policy and procedures sets our systems for dealing with bullying in the context of sectarian taunts, graffiti and gestures, it is likely to have a positive impact on people of different political opinion.** |
| **Racial group** | **As this policy and procedures sets our systems for dealing with bullying in the context of sectarian taunts, graffiti and gestures, it is likely to have a positive impact on people of different racial groups.** |
| **Age** | **This policy and procedures have stringent measures in place to ensure the protection of children and adults at risk of harm. Appropriate training will be given to all relevant staff to ensure that this policy is implemented as efficiently and effectively as possible.** |
| **Marital status** |  |
| **Sexual orientation** | **As this policy and procedures sets our systems for dealing with bullying in the context of sectarian taunts, graffiti and gestures, it is likely to have a positive impact on people of different sexual orientation.** |
| **Men and women generally** | **The application of the Safeguarding Policy (Children and Adults at Risk of Hamr) is directed towards people of both genders and thus signifies a positive impact for this section 75 category.** |
| **Disability** | **As this policy and procedures sets our systems for dealing with bullying in the context of disablist taunts, graffiti and gestures, it is likely to have a positive differential impact on people with a disability and people without.** |
| **Dependants** | **Within the policy and procedures there are stringent measures in place to ensure the safeguarding of children and adults at risk of harm – this includes appropriate supervision ratios for adult to child/vulnerable adult.** |

**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** | |  | |  |
| **Political opinion** | |  | |  |
| **Racial group** | |  | |  |
| **Age** | | **This policy makes special reference to children and adults at risk of harm so therefore it is reasonable to believe that there would be a higher impact for this group.** | | **Minor (Positive)** |
| **Marital status** | |  | |  |
| **Sexual orientation** | |  | |  |
| **Men and women generally** | |  | |  |
| **Disability** | | **This policy makes special reference to adults at risk of harm – this would include older people and those people with a disability – it is therefore it is reasonable to believe that there would be a higher impact for this group.** | | **Minor (Positive)** |
| **Dependants** | | **This policy makes special reference to children and adults at risk of harm so therefore it is reasonable to believe that1 there would be a higher impact for their carers.** | | **Minor (Positive)** |
| 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** |  | |  | |
| **Political opinion** |  | |  | |
| **Racial group** | **Council must ensure all information regarding this policy is available in appropriate formats as the need is identified.** | |  | |
| **Age** | **Council must ensure all information regarding this policy is available in appropriate formats as the need is identified** | |  | |
| **Marital status** |  | |  | |
| **Sexual orientation** |  | |  | |
| **Men and women generally** |  | |  | |
| **Disability** | **Council must ensure all information regarding this policy is available in appropriate formats as the need is identified** | |  | |
| **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** | If **Yes**, provide details | If **No**, provide reasons |
| **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** |

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| **4. 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** |
| **As this policy and procedures sets our systems for dealing with bullying in the context of sectarian taunts, graffiti and gestures, it is likely to have a positive impact on people of different religious belief.** |  |
| **5. 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** |
|  | **This policy applies to anyone who is using Council facilities or services only** |

**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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| **This screening questionnaire does not identify any adverse in relation to any of the Section 75 groups, however, it serves to highlight the importance of the safeguarding the children and adults at risk of harm within the Derry City and Strabane District Council area and the positive impact that this policy and procedures will have in working towards this goal.** |

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 | Policy Officer (Equality) | 27th January 2017 |
| **Approved by:** |  |  |
| Ellen Cavanagh | Lead Democratic Services and Improvement Officer | 27th January 2017 |

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.

1. <https://www.health-ni.gov.uk/publications/quarterly-child-protection-statistics-northern-ireland-october-december-2016> [↑](#footnote-ref-1)