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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: Gifts & Hospitality 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 Elected Members and Council workers always maintain the highest standards of conduct in their roles within Council.  - Toprotect against claims of compromised decision making in Council business.  - To ensure compliance with the Principles of Public Life drawn up by the Nolan Committee and the NI Assembly.  1.14 - To ensure compliance with relevant legislation.  **3b.** Are there any associated objectives of the policy? If so, what are they?  This policy is intended to provide advice and guidance to Council Members and Council workers, who in the course of their day-to-day role within Council, either receive offers of gifts and hospitality or provide gifts and hospitality to others on behalf of Council. |
| 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**  The roles and responsibilities of Elected Members and Council workers are highlighted below: Chief Executive The Chief Executive is responsible for:   * Acting as Approving Officer for all Directors and Independent Members of Council. * Ensuring full compliance of this policy by all Directors. * Approving the acceptance of gifts and / or hospitality by all Directors. * Approving in advance the provision of official hospitality by Directors. * Approving the purchase of gifts by Directors.   Directors  Directors are responsible within their respective Directorate for:   * Acting as Approving Officer for all Heads of Service and Lead Officers. * Ensuring full compliance of this policy by all Heads of Service and Lead Officers. * Approving the acceptance of all gifts and/or hospitality by Heads of Service and Lead Officers. * Approving in advance the provision of official hospitality by Heads of Service and Lead Officers. * Approving the purchase of gifts by Heads of Service and Lead Officers. * Allocating the task of inputting all declarations from their Directorate onto the Register and providing an up to date Register available for public inspection.   Line Managers  Line Managers are responsible for:   * Acting as Approving Officer for workers. * Ensuring full compliance of this Policy by all their workers. * Approving the acceptance of gifts and/or hospitality by workers. * Approving in advance the provision of official hospitality by workers. * Approving the purchase of gifts by workers.   Party Leaders  Party Leaders are responsible for:   * Acting as Approval Officer for Party Members on Council. * Ensuring compliance of this Policy by all Council party members. * Approving the acceptance of all gifts and/or hospitality by Council party members.   Elected Members and Council Workers  Elected Members and Council Workers are responsible for:   * Declaring any gifts / hospitality offered/ received/declined in accordance with this policy. * Completing the relevant approval form to accept hospitality / gifts and ensuring that it is passed to the relevant Approving Officer for authorisation. * Completing appropriate form for official hospitality and ensuring that it is approved prior to the expenditure being incurred.   Internal Audit Manager  Internal Audit Manager is responsible for:   * Providing advice & guidance on this policy. * Reviewing annually all hospitality accepted / declined by the Chief Executive. * Reporting regularly to the Audit Committee on entries on the Register; providing assurance that the policy is being implemented effectively and identifying any areas of concern. * Reviewing the Policy. |
| 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**  **Conflicts of Interest Policy** |
| **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

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| --- | --- |
| **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** | |

|  |  |  |
| --- | --- | --- |
| 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** |
|  |  |  |
| **Approved by:** |  |  |
|  | Lead Assurance Officer | 01.04.17 |

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.