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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: Management of Attendance 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 objective of this policy is to adopt a balanced approach towards protecting and enhancing the interests and wellbeing of Council employees by;**   * **Creating a culture within which all employees work together to maximise productive attendance for the benefit of Council employees and its ratepayers.** * **Promoting good attendance and ensuring that, as far as possible, staff absence is minimised.** * **Adopting a consistent, fair, flexible and sensitive approach to the management of attendance** |
| Are there any Section75 groups which might be expected to benefit from the intended policy? If so, explain how |
| Who initiated or wrote the policy? **Democratic Services and Improvement Unit** |
| Who is responsible for the implementation of the policy?**Managers Roles and Responsibilities:**Monitor and manage employee attendance and ensure that employees understand what is expected in terms of an accepted level of attendance and that their contribution to the service is valued.Ensure that all employees are aware of and follow all notification and procedural requirements as outlined in the Attendance Policy.Undertake return to work interviews and ensure that all sickness absence notification forms and return to work forms are passed to Human Resources in a timely manner.Ensure that a record of attendance support meetings are forwarded to Human Resources for the personal file.Effectively utilise reports produced by Human Resources to manage attendance and take the appropriate action with employees as outlined in the policy.Maintain regular contact with an employee who is absent from work; whether short term/long term. In circumstances where there is an issue of a sensitive or personal nature, contact may be made by an**Officer in the Human Resources Section**.Act fairly and consistently and in a manner sensitive to each individual case.Seek specialist help and advice from Human Resources when required.**Human Resources Roles and Responsibilities**Ensure new employees, as part of the induction process, are made aware of, and understand the requirements of the policy.Advise new employees of the Council’s “BeWell” initiative which focuses on the physical, mental and social wellbeing of employees. This includes an employee assistance programme which offers a range of individual counselling and support services as well as a health cash plan scheme which assists employees access and pay for health treatment.Ensure that all managers receive training to equip them with the necessary knowledge and skills to manage attendance effectively.Provide regular awareness sessions for employees on the Attendance policy.Provide managers with professional advice in relation to attendance management including attending review meetings.Make referrals to the Council’s Occupational Health service and/or employees’ GPs to establish the actual medical position of an individual employee as part of the process of managing attendance.Ensure accurate and up-to-date monitoring reports are produced and that meetings take place with relevant managers on a regular basis to monitor and review attendance.Produce regular reports for Senior Leadership Team, Council Committee and JCNC.Review policy and procedures annually, in agreement with Trade Unions, to evaluate effectiveness.**Employee Roles and Responsibilities**Be fully aware of the requirements of the policy including notification and procedural requirements.Report absence as laid out in the policy, and participate in return to work interviews.Provide relevant documentation including Statement of Fitness for Work certificates in a timely manner.Not undertake any activity, which might be detrimental to his/her speedy return to work.Comply with any reasonable treatment as recommended by Occupational Health or medical professionals to facilitate a return to work.Co-operate with the manager to achieve an acceptable level of attendance.Not undertake any other employment of full-time or part-time nature while claiming sick pay unless recommended by the Council’s Occupational Health Service. |
| 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.  **Maternity Leave Policy**  **Paternity Leave Policy**  **Parental Leave Policy**  **Special Leave Policy**  **Carer’s Leave Policy**  **Flexible Working Policy**  **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**  **to “ Deliver improved social, economic and environmental outcomes for everyone.” To achieve this the Council have set out as one of its key strategic outcomes as “Supporting and developing the capacity and capability of staff to deliver on the Council’s objective to recognise its staff as its key**  **asset in developing and promoting the quality of the area and serving its citizens and businesses** |
| 11. How does the Council interface with other bodies in relation to the implementation of this policy? **Council will interface with all relevant medical personnel and support 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:**  **Religious Belief is not directly a relevant factor in relation to sickness absence – however where there are incidences of bullying based on a person’s particular religious belief then levels of sickness absence may increase.** |
| **Political opinion** | **The political opinion of the Council’s elected members is as follows:**  **Sinn Féin 16 seats**  **SDLP 8 seats**  **Democratic Unionist 7 seats**  **Independents 7 seats**  **Ulster Unionist 2 seats**  **This breakdown is taken as an approximate representation of the political opinion of people within the Derry City and Strabane District Council area.**  **Political Opinion is not directly a relevant factor in relation to sickness absence however where there is incidences of bullying based on a person’s particular political opinion then levels of sickness absence may increase** |
| **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 |   **Race is not directly a relevant factor in relation to sickness absence – however where there is incidences of bullying based on a person’s particular racial background then levels of sickness absence may increase.** |
| **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 |   **According to the Office of National Statistics in 2016, the groups who experienced the highest rates of sickness absence were women, older workers, those with long-term health conditions, smokers, public health sector workers and those working in the largest organisations (those with 500 or more employees).**  **[[1]](#footnote-1)** |
| **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 |   **According to the Office of National Statistics in 2016, the groups who experienced the highest rates of sickness absence were women, older workers, those with long-term health conditions, smokers, public health sector workers and those working in the largest organisations (those with 500 or more employees).**  **The main reasons for sickness absence given by men and women in 2016 were:**  **Men**   * **Minor illnesses (32.8%)** * **Musculoskeletal problems (23.7%)** * **Other (12.5%)**   **Women**   * **Minor illnesses (33.4%)** * **Musculoskeletal problems (14.5%)** * **Other (13.0%)** * **For women, genito-urinary problems (including urine infections and pregnancy related problems) were the reason for 4.7% of sickness absences.[[2]](#footnote-2)**   **This research is supported in the case of Derry City and Strabane District Council as relatively speaking there is a higher proportion of female employees who take sickness absence as compared to male employees right across all age groups.** |
| **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 |
| **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

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| --- | --- |
| **Section 75 category** | **Details of needs/experiences/priorities** |
| **Religious belief** |  |
| **Political opinion** |  |
| **Racial group** |  |
| **Age** |  |
| **Marital status** |  |
| **Sexual orientation** |  |
| **Men and women generally** |  |
| **Disability** |  |
| **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**

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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** | |  | | **Minor (Positive)** |
| **Marital status** | |  | |  |
| **Sexual orientation** | |  | |  |
| **Men and women generally** | |  | |  |
| **Disability** | |  | | **Minor (Positive)** |
| **Dependants** | |  | | **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** |
|  | Policy is applied universally to all staff regardless of Section 75 category |
| **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** |
|  | Policy applies universally to all staff regardless of Section 75 category |

**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. This policy applies to all staff and their managers within Derry City and Strabane District Council irrespective of gender, age, religion, political opinion, marital status, dependent status, disability, ethnicity, or sexual orientation. Its aim is to ensure consistency and fairness to all staff, therefore all staff should be treated a consistent and fair manner and their non-attendance due to ill health treated sensitively.** |

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:** |  |  |
| Paula Donnelly | Lead Human Resource 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. Office of National Statistics (2017) “**Sickness absence in the labour market: 2016 -Analysis describing sickness absence rates of workers in the UK labour market** [**https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/labourproductivity/articles/sicknessabsenceinthelabourmarket/2016**](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/labourproductivity/articles/sicknessabsenceinthelabourmarket/2016) [↑](#footnote-ref-1)
2. Office of National Statistics (2017) “**Sickness absence in the labour market: 2016 -Analysis describing sickness absence rates of workers in the UK labour market** [**https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/labourproductivity/articles/sicknessabsenceinthelabourmarket/2016**](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/labourproductivity/articles/sicknessabsenceinthelabourmarket/2016) [↑](#footnote-ref-2)