



Northern Ireland
Assembly

SECTION 75 SCREENING FORM

What is a policy?

The Equality Commission has defined 'policies' as 'all the ways a public authority carries out, or proposes to carry out, its function relating to Northern Ireland'. The Act defines 'functions' as including powers and duties.

These are effectively catch-all definitions which cover the Secretariat's policies, strategies, schemes, procedures, functions, and practices, whether written or unwritten. You should remember that the Section 75 statutory duties apply to internal policies as well as external policies.

If you are in doubt, please contact the Equality and Good Relations Unit for advice.

Part 1 Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context, and to set out the aims and objectives for the policy being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step-by-step basis.

1. Policy Details

Name of the policy to be screened:

Northern Ireland Assembly Commission Complaints Policy and Procedure

Is this policy new or revised? (Please append policy to screening form)

Revised policy

What is it trying to achieve? (brief outline of intended aims/outcomes of the policy)

- The Assembly currently has a Complaints Policy and Procedure in place.
 - As of 1 April 2016, The Assembly Commission was included in Schedule 3 to the Public Services Ombudsman Act (Northern Ireland) 2016, and therefore now comes under the jurisdiction of the Northern Ireland Public Service Ombudsman (NIPSO).
 - The Complaints policy and procedure has been amended to reflect the role of the NIPSO.
-

Who initiated or wrote the policy?

Communications Office

Directorate responsible for devising and delivering the policy?

Parliamentary Services

Was consultation carried out as part of this screening exercise?

Yes No

Background to the Policy/Strategy/Procedure to be screened.

Include details of any consultations which have been conducted and whether the policy has previously been tabled at SMG/Assembly Commission meetings.

- As of 1 April 2016, The Assembly Commission was included in Schedule 3 to the Public Services Ombudsman Act (Northern Ireland) 2016, and therefore now comes under the jurisdiction of the Northern Ireland Public Service Ombudsman (NIPSO).
- NIPSO provides a professional, independent, impartial and free service to the people of Northern Ireland by providing an independent review of their complaints where they believe that they have sustained an injustice or hardship as a result of the action or inaction of a public service provider.
- Commission officials asked NIPSO colleagues to review and comment on the existing complaints procedure to ensure it was fit for purpose and in line with best practice with similar organisations.
- NIPSO undertook a review of the policy as requested and suggested a number of amendments and the policy has been amended accordingly.
- As well as NIPSO colleagues, the policy has been reviewed and amended on the advice of the Commission's Information Standards Officer and Equality Manager.

The Commission's Complaints Policy and Procedure was discussed by the Commission on 2 September 2010 under the heading 'Section 75: Complaints Policy'.

2. Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

Yes No

If yes, are they

- Financial
- Legislative
- Other, please specify: [Click here to enter text.](#)

3. Main stakeholders affected

Who are the internal and 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 : [Click here to enter text.](#)

4. Other policies with a bearing on this policy

What are these policies? Please list:

Equality Scheme

Staff Handbook

5. Consideration of available data/research (*This means any data or information you currently hold in relation to the policy or gathered during policy development*).

Evidence to inform the screening process may take many forms and should help you to decide who the policy might affect the most. It will also help ensure that your screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) do you hold to inform your decision making process?

| Section 75 category | Details of evidence/information |
|---------------------|---|
| Religious belief | <p>Quantitative data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitative data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation.</p> |
| Political opinion | <p>Quantitative data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitative data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Racial group | <p>Quantitative data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitative data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |

| | |
|-------------------------|--|
| Age | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitive data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Marital status | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitive data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Sexual orientation | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitive data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Men and women generally | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitive data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Disability | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> <p>Quantitive data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
| Dependants | <p>Quantitive data arising from the Northern Ireland Assembly Digital First EQIA 2014/15</p> |

| | |
|--|---|
| | <p>Quantitative data arising from the Northern Ireland Engagement EQIA 2014/2015</p> <p>Northern Ireland Public Services Ombudsman Consultation</p> |
|--|---|

6. Current Assessment of Impact

Having looked at the data/information referred to above at point 5, what does this tell you are the needs, experiences and priorities for the people who fall into the groups below, in relation to your policy? And what is the actual or likely impact on equality of opportunity for those affected by the policy. (See appendix 1 for information on levels of impact).

| Section 75 category | Details of needs/experiences/priorities and details of policy impact | Level of Impact |
|-------------------------|---|-----------------|
| Religious belief | Click here to enter text. | Impact level. |
| Political opinion | Click here to enter text. | Impact level. |
| Racial group | Alternative formats for submitting a complaint to be available for complainants including by telephone and textphone. | Impact level. |
| Age | Alternative formats for submitting a complaint to be available for complainants including by telephone and textphone. | Impact level. |
| Marital status | Click here to enter text. | Impact level. |
| Sexual orientation | Click here to enter text. | Impact level. |
| Men and women generally | Click here to enter text. | Impact level. |
| Disability | Alternative formats for submitting a complaint to be available for complainants including by telephone and textphone. Website adheres to W3C web usability standards. | Impact level. |
| Dependants | Click here to enter text. | Impact level. |

If you do not have enough data to tell you about potential or actual impacts you may need to conduct a pre-consultation to generate more data and to distinguish what groups are potentially affected by your policy.

Part 2 Screening Questions

| 1 Are there any steps/actions which could be taken to reduce any adverse impact as addressed in question 6? | | |
|---|---|--------------------|
| Section 75 category | Issue | Mitigating Measure |
| Religious belief | Details of impact. | Impact level. |
| Political opinion | Details of impact. | Impact level. |
| Racial group | Ensure accessibility in place regarding language and format for submitting a complaint. | Minor |
| Age | Ensure accessibility in place regarding language and format for submitting a complaint | Minor |
| Marital status | Details of impact. | Impact level. |
| Sexual orientation | Details of impact. | Impact level. |
| Men and women generally | Details of impact. | Impact level. |
| Disability | Maintain website adherence to W3C web usability standards. | Minor |

| | | |
|------------|--------------------|---------------|
| Dependants | Details of impact. | Impact level. |
|------------|--------------------|---------------|

| 2 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none | | |
|--|---|---|
| Good relations category | Details of policy impact | Level of impact minor/major/none |
| Religious belief | | none |
| Political opinion | | none |
| Racial group | As the mitigating measures have been put in place, there is likely to be no impact on Good Relations. | none |

| 3 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. Process accessible to all religions |

| | | |
|--------------------------|--|--|
| Political opinion | | No. Process accessible to all. |
| Racial group | | No process accessible to all with alternative formats available. |

4. Consultation

Tell us about who you have talked to about your proposals, either internally or externally, to help you decide if the policy needs further or no further equality investigation?

Northern Ireland Public Services Ombudsman's Office was consulted.
 Assembly Equality Unit was consulted.
 Information Standards Officer was consulted.

5 Disability Duties

Consider whether the policy:

- a) Discourages disabled people from participating in public life and fails to promote positive attitudes towards disabled people.
No. Wide access to the complaints policy and procedure with alternative formats and textphone number.
- b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.
Allows full participation.

Additional considerations

Multiple identities

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.

[Click here to enter text.](#)

Part 3 Screening decision

1. Through screening, an assessment is made of the likely impacts – either major, minor or none – of the policy on equality of opportunity and/or good relations for the relevant categories. Completion of screening should lead to one of the following three outcomes; please mark an x in the appropriate box:

'Screened out' ie the likely impact is none and no further action is required

'Screened out' with mitigation ie the likely impact is minor and measures will be taken to mitigate the impact or an alternative policy will be proposed

'Screened in' for an equality impact assessment (EQIA) ie the likely impact is major and the policy will now be subject to an EQIA

2. If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

Potential policy impacts are limited to access issues. These are fully addressed in the policy. This policy does not address reasons for complaints, only updating the process for addressing them.

3. If the decision is not to conduct an equality impact assessment, but the policy has minor equality impacts, please provide details of the reasons for this decision and of any proposed mitigating measures or proposed alternative policy.

N/A

4. If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

N/A

5. Timetabling and prioritising for EQIA

Complete this section only if your business area/directorate plans to conduct two or more EQIAs.

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| Priority criterion | Rating (1-3) |
|--|--------------|
| Effect on equality of opportunity and good relations | Click |
| Social need | Click |
| Effect on people’s daily lives | Click |
| Relevance to a public authority’s functions | Click |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment.

Is the policy affected by timetables established by other relevant public authorities?

Yes No

If yes, please provide details

[Click here to enter text.](#)

Part 4 Monitoring

Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Commission to conduct an equality impact assessment, as well as help with future planning and policy development.

The Equality Commission for NI (ECNI) recommends that where a policy has been amended or an alternative policy introduced, the public authority should monitor more broadly for adverse impact.

See ECNI Monitoring Guidance for use by Public Authorities (July 2007) pages 9-10, paragraphs 2.13 – 2.20

What data is required in the future to ensure effective monitoring?

| |
|---|
| What are these policies? Please list: List and details of complaints submitted via the Complaints Procedure. |
|---|

Part 5 - Data Protection

1. If applicable, has legal advice been given due consideration?
Yes No N/A
2. Has due consideration been given to information security in relation to this policy?
Yes No

Part 6 - Approval and authorisation

| Screened by: | Position/Job Title | Date |
|--------------|--------------------|------|
| | | |
| Approved by: | | |
| | | |

The policy lead should sign and date the policy under the 'screened by' heading. It should then be countersigned by an approver. The Approver should be the senior manager responsible for the policy which would normally be Head of Business. In instances where a screening decision concludes that an EQIA is required then the screening form should be countersigned by the Director instead of the Head of Business.

There are of course a range of issues which may fall within the scope of being novel, contentious or politically sensitive and could only be taken forward following consultation with the Assembly Commission. Where policy screening highlights novel, contentious or politically sensitive issues, once approved by the Director, should be forwarded to the Clerk/Chief Executive for review, prior to proceeding to SMG and the Assembly Commission.

A copy of the completed screening template and any other relevant associated documentation should be forwarded to the Equality Manager.

ADDITIONAL INFORMATION TO INFORM THE ANNUAL PROGRESS REPORT TO THE EQUALITY COMMISSION

1. Please provide details of any measures taken to enhance the level of engagement with individuals and representative groups.

This amended policy only deals with the mechanics of submitting a valid complaint in specific circumstances .Section 75 complaints and other circumstances for complaints are dealt with by other policies as detailed in the policy.

2. In developing this policy / decision were any changes made as a result of equality issues raised during :

- (a) pre-consultation / engagement;
- (b) formal consultation;
- (c) the screening process; and/or
- (d) monitoring / research findings.

If so, please provide a brief summary including how the issue was identified, what changes were made, and what will be the expected outcomes / impacts for those affected.

None

3. Does this policy / decision include any measure(s) to improve access to services including the provision of information in accessible formats? If so please provide a short summary.

Alternative formats are available and textphone number (along with email address, postal address and telephone number) for contact is provided.

Appendix 1

Screening Questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, you should consider your answers to the questions above.

In addition, the screening questions above further assist you in assessing your policy and must be completed. Some of these questions require you to assess the level of impact of the proposed policy on “equality of opportunity” and “good relations”. The scale used when assessing this impact is either “None”, “Minor” or “Major”. The following paragraphs set out what each of these terms mean.

If your conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then you may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, you should give details of the reasons for the decision taken.

If your 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 your 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

- a) The policy is significant in terms of its strategic importance;
- b) 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;
- c) 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;
- d) 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;

- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) 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;
- c) 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;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) 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.