



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 and functions. 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 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.

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.

Background

The Assembly Commission's Budget for 2015-16 covers expenditure on Members' salaries and allowances, Secretariat staff and general administrative expenditure. The budget for the Commission in 2015/16 has been reduced by 5%, which equates to a cut of just over £2m.

Whilst the overall budget was reduced by 5%, some of these costs are not directly controllable by the Commission. Therefore, there was actually a reduction of 8.2% (£2.035m) on the Commission's **controllable costs** effective from 1 April 2015.

The 2015/16 budget was announced by the Minister for Finance & Personnel on 19 January 2015. The scale of the cut to the Commission's budget was greater than anticipated. As a result, the Commission had limited time to consider and decide which areas of controllable costs could be cut in order to meet the reduced budget for the year.

In March 2015, the Commission considered a number of policies by way of delivering the necessary budgetary savings:-

- Ending of agency worker contracts and suppression of Assembly Secretariat posts – this equated to 20 Full Time Equivalent (FTE) posts.
- Reduction in the level of Assembly staff (18 FTE) through the use of a Voluntary Exit Scheme.
- Amending the Childcare Allowance Scheme from a salary plus to a salary sacrifice scheme.
- Reduction in planned opening hours of Parliament Buildings (leading to a reductions in staffing costs).
- Reduction in the financial assistance to political parties.
- Reduction in MLAs' consumable budgets.

Through a series of meetings of the Commission, changes were made to the degree of cuts in some of the policy areas. By way of example, it had originally been the intention of the Commission to reduce MLAs' consumable budgets by 25%. The end result was a 100% reduction in this budget.

Assembly's Childcare Allowance Scheme – 2014-15

The Assembly Commission provided a Childcare Allowance Scheme (2014-15), whose funding was designed to assist Commission staff in meeting their childcare costs. The Scheme was not intended to meet the full level of childcare costs incurred by staff. The scheme was open to all eligible staff i.e. those who had qualifying children under the age of 14. The assistance provided by the Scheme took the form of an allowance paid towards the cost of the care of a child while the parents were at work. This scheme, in the form of a 'salary plus' basis, was unique to the Northern Ireland Assembly and is not offered by any other body in the public sector in Northern Ireland.

The scheme had a two-tier approach to the provision of this assistance, which was based on the age of the qualifying child:

- 1st From birth to age 5, or until the child starts school (whichever is earlier), actual caring costs incurred in excess of £38.20 per week attracted an allowance of £38.20 per week.
- 2nd From age 5 (or starts school, whichever is earlier), up to the age of 14, actual caring costs incurred in excess of £19.10 per week attracted an allowance of £19.10 per week.

The total cost of providing the Scheme was approx. £284k per annum.

As part of its budget pressure discussions, the Commission considered different options for funding the Childcare Allowance Scheme. Quite simply, the financial impact of keeping the Scheme or retaining an element of the Scheme would have resulted in an additional number of staffing posts having to be suppressed with subsequent job losses.

Specifically, the Commission considered, and subsequently rejected, three alternative options:

- Additional general reduction of £284k applied to administrative costs
- Additional reduction of 12.8 FTE agency workers
- Additional reduction of 6.4 FTE permanent staff

It should be noted that 68% of Assembly Commission employees did not avail of the Scheme or were not able to claim the Childcare Allowance Scheme.

Authority to change the Childcare Allowance Scheme

Based on legal advice, the Commission acknowledges that the availability of a *Childcare Scheme* is a contractual provision but there is no requirement to provide it in the form of a 'salary plus' basis. Paragraph 13 of the Scheme is clear and unambiguous that the Scheme could be reviewed at the end of each financial year and that it falls to the Commission (and only the Commission) to determine the continuation of the provision. Indeed, the Commission has made changes to the Scheme on a number of occasions over the past few years.

As the Commission had an immediate budget pressure commencing from 1 April 2015 it agreed to make an immediate change to a transition from a 'salary plus' scheme (as set out above) to a 'salary sacrifice' scheme (2015-16), saving approximately £284k per annum.

The 'salary sacrifice' based Childcare Scheme 2015-16 involves staff purchasing Childcare Vouchers – a cost-saving employee benefit, available to all working parents and implemented through the Commission's payroll.

Staff can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has the potential to save over £900 per year on childcare costs by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year. The Assembly Commission also saves money because the amount each parent sacrifices from their salary is exempt from employers' National Insurance Contributions.

Consultation on the change to the Childcare Allowance Scheme

The Assembly Commission's Equality Scheme at paragraph 3.2.6 states that in respect to consulting on policy changes, it will under exceptional circumstances implement a policy immediately and consult thereafter to ensure that any impacts of the policy are considered.

In anticipation of the Commission's decision regarding the change to the 2015-16 Childcare Scheme, Assembly management met with TUS to inform them of the Commission's intention to change the Scheme and to consult with TUS on what the Scheme would change to i.e. a Childcare Voucher Scheme operating on a 'salary sacrifice' basis.

As a result of the discussions with TUS, a number of mitigation measures were discussed and accepted by the Commission as a way to alleviate some of the financial pressure the change to the Scheme might have on individual staff members. The mitigation measures implemented were as follows:

- The Childcare Voucher Scheme became available for all staff on 1 July 2015;
- For staff at AG6 grade and above, the 'salary plus' provisions as contained in the Childcare Allowance Scheme 2014-15 continued to 31 July 2015 (instead of ending on 1 April 2015);
- Staff at AG8 and AG7 grades could continue to avail of the 'salary plus' provisions as contained in the Childcare Allowance Scheme 2014-15 to 31 October 2015 (instead of ending on 1 April 2015).

As a result of representations from staff members and external bodies, a decision was also taken to conduct a consultation exercise, in line with Section 75 Statutory Duties, with all Assembly Commission staff to consider whether other measures could be put in place to mitigate against the change to the Childcare Allowance Scheme. The consultation exercise was conducted during August/September 2015.

A number of proposed mitigation measures were detailed in the consultation document. In essence there appears to be a number of issues upon which the Commission decision to change to a salary sacrifice scheme may have the potential to cause an adverse impact under Section 75. These issues are:-

- Childcare Vouchers are not able to be used for unregistered childcare provision.
- The additional cost of childcare when a staff member has to work outside their normal working pattern e.g. to facilitate late Plenary sittings.
- The particular difficulty that parents of children with disabilities experience in obtaining registered childcare facilities to care for their childcare where that care is provided by a Specialist.

In addition to the consultation exercise, the Assembly's Research and Information Service (RaISe) was asked to provide any other relevant statistical and qualitative information in relation to childcare policies.

Relevant statistical & Qualitative Information

In relation to relevant statistical and qualitative information in relation to childcare policies, RaISe provided information on the operation of childcare voucher schemes across the public and private sectors and the uptake of the Scheme across the UK. They also provided details of other childcare provision in other legislatures and access to other relevant public documents e.g. Childcare Strategy, NI Executive 2015.

OFMdFM commissioned a project in 2013 on the current use of both informal and formal childcare. Part of their research involved surveying all 4,099 registered childcare providers across NI. The data showed that childcare vouchers are one of the main financial support mechanisms available to parents in NI. In total, 86% of providers surveyed stated that they accept childcare vouchers.

An academic study of the childcare voucher scheme using 2007-08 Family Resources Survey data, examined usage of the scheme in the UK. The following points were found:-

- Childcare vouchers provide support for working families throughout the income distribution apart from people on, or very close to the minimum wage.
- Vouchers provide part of a patchwork for childcare support available to working parents, becoming increasingly important for families earning between £20,000 and £30,000 when tax credit support typically runs out.
- The vast majority of users were on middle incomes, with around 83% of users paying income tax at the basic rate, a higher proportion than was previously been thought.
- There is no evidence that the income distribution of voucher users is different to that of the whole population.
- Childcare vouchers appear to be used more intensively by working lone parents than by couples.
- All occupational and socio-economic groups are well represented among voucher users, with manual and unskilled workers being the best represented group.
- Voucher users are diverse in terms of family structure, gender, geographic location and ethnicity.

RaISe also provided information on childcare provision in other legislatures.

At the House of Commons, a nursery is available for staff. The nursery is not subsidised and charges are comparative with other childcare providers in central London. The House of Commons also operates a childcare voucher scheme through “salary sacrifice”.

The House of Lords pays childcare vouchers to eligible employees in addition to their salary subject to the employee meeting with specific criteria e.g. be a single parent. Vouchers can only be claimed for one child at a time.

The National Assembly for Wales operates a childcare voucher scheme through “salary sacrifice” for staff.

At the Scottish Parliament, a crèche facility is available. The Parliament meets the costs of childcare vouchers for staff to the value of £52.02 per week for pre-school age and £12.97 per week for older children. The maximum payment per family is £243 per month. Where childcare is provided by a registered provider, the employee does not pay income tax and national insurance. However, for a non-registered carer such as a grandparent, income tax and national insurance is paid by the employee and national insurance contributions are payable by the employer.

Results of the consultation exercise

A total of 25 responses were received from the consultation exercise. In addition TUS provided 16 representations from staff that were received in March/April 2015 on the proposed change (at that time) to the Childcare Allowance Scheme. For the purposes of the screening form, we refer to the responses received from both avenues as ‘consultation responses.’

Whilst a range of consultation responses were received, it is clear that a number of staff

are deeply disappointed on an individual basis with the decision to change the Childcare Allowance Scheme. The main concerns were around the individual financial loss, particularly in the context of other real term cuts and pension contribution increases; the disruption and stress the change will have on their families and the injustice felt as a result of MLAs still being able to avail of an equivalent to the Childcare Allowance Scheme.

The consultation responses provided feedback on the two mitigation measures that had been proposed in the consultation document and invited other ideas for mitigation.

Mitigation 1

The first mitigation proposal was '*The provision of a level of financial support to contribute towards additional childcare costs incurred when required by the Assembly to attend work which is outside of a staff member's normal working pattern*'.

Some consultees felt that this proposed mitigation measure would do little or nothing to alleviate the change to the Childcare Scheme given that they do not work outside of their normal working pattern. There seemed to be a misinterpretation by some consultees that the financial support being suggested through this mitigation measure could not be used by unregistered childminders e.g. family & friends. This is not the case.

RaISe provided statistics on the number of late sittings held by the Assembly between the years 2007 to 2014. They also provided detail of the business areas where staff were needed for late sittings.

Based on an analysis of the 120 staff who previously claimed the Childcare Allowance, we have estimated that approximately 34 members of staff could be expected to work outside their normal working pattern because of late sittings. This analysis is based on the business areas in which these staff are engaged. However, of this total of 34 members of staff, 16 are located within the Ushering business area where a late sitting beyond the normal working pattern would only occur if the sitting extends beyond 10:30 pm. For the past two Assembly sessions (commencing in September 2013 and September 2014) there were only 6 instances of the sitting lasting beyond 10:30 pm over that two-year period.

For the remaining 18 members of staff, there are 12 staff members split equally across two business areas (IS Office and Hansard) who claimed Childcare Allowance who could be expected to work outside their normal working pattern. These business areas are likely to be affected by each late sitting.

It is estimated that, on average, approximately 12 members of staff (excluding Ushering staff) would have claimed Childcare Allowance and been expected to work beyond their normal working pattern for each late sitting of the Assembly (or other attendance that required work beyond the normal working pattern). In addition, 5 members of staff from Ushering could have been expected to be in attendance for the small number of sittings beyond 10:30 pm.

Naturally, the potential mitigation set out in this measure could only apply to staff who were **required** to remain in work beyond their normal working pattern. The total number of actual hours that were worked beyond 6 pm for the last full session of the Assembly (starting in September 2014) was 78.6 hours. For the affected staff who could claim the Childcare Allowance, the cost of providing a level of financial support under Mitigation 1

would be less than £10k.

Mitigation 2

The second mitigation proposal was *'The provision of a level of financial support for parents of children with disabilities who must use a Specialist in the provision of care for that child'*.

A number of consultees reported that the specialist support provided to their child was done so through a family member rather than a person external to the family who was trained in the needs of the child i.e. trained in the child's epilepsy plan; changing feeding tubes etc.

Consideration can be given to broadening the definition of what is meant by 'Specialist' . One consultee suggested that proving that a child has a disability, should be linked to whether they receive Disability Living Allowance as opposed to relying on written confirmation from a child's consultant or GP. When discussing this mitigation measure with TUS, they noted that it can take a long time for a child to be diagnosed with a disability, particularly relating to behavior. A letter from a staff member's GP appeared to be the most straightforward and convenient approach for the parent.

It was not clear from the consultation responses how many staff could qualify to avail of a level of financial support under this proposed mitigation measure and the Assembly do not have any statistical information relating to the number of staff who have children with disabilities. From anecdotal evidence, it would appear that only a small number of staff would qualify for such financial support and hence the cost to the Assembly Commission would presumably be quite low.

Alternative mitigation measures

In terms of alternative mitigation measures proposed by respondents, the following were suggested:-

- Reintroduce the two children cap.
- Introduce an allowance per family and not per child.
- Reduce the current allowance rates by 50%.
- Implement a sliding scale of allowance based on pay.
- Access to the Childcare Allowance Scheme could be prioritized on the basis of need (e.g. lone parents).

We have carried out costings on the basis of the alternative mitigation measures proposed by respondents and the information and analysis is shown below.

Reintroduce the two children cap

Based on the 120 members of staff who claimed under the Allowance, this would have an impact on 9 members of staff i.e. only 9 members of staff claiming the Allowance has more than 2 children. The total saving that would arise from this mitigation would be £14.9k which is not sufficient to achieve the required budgetary savings.

Introduce an allowance per family and not per child

An allowance based on the number of members of staff who availed of the Childcare Allowance Scheme could see each of the 120 members of staff receive a payment. This payment would need to be set at a level that did not have an adverse impact on the savings that the Commission is required to make. It is recognised that this mitigation proposal is similar to the construction of the Childcare Allowance in that it is a salary plus scheme.

Reduce the current allowance rates by 50%

This proposal appears to be a continuation of the current mitigation to extend the implementation date of the amendment to the Scheme. The salary plus payments would be cut by 50% and would cost approximately £142k per year.

Implement a sliding scale of allowance based on pay

It is assumed that this proposal would mean that higher paid staff would receive less of an Allowance than lower paid staff. The range of options to implement this proposal are extremely wide. The Assembly Commission has already considered this option and discounted it. There remains a concern that there could be an adverse impact of this proposal on other Section 75 categories such as Age and Gender.

Access to the Childcare Allowance Scheme could be prioritised on the basis of need (e.g. lone parents).

We have already considered in Mitigation 2 above, a level of financial support for parents of children with disabilities. In terms of lone parents, the Assembly Commission does not hold this information. It could not assess the overall impact of the mitigation on the family unit (however made up).

Final Consideration by the Assembly Commission

A decision was taken by the Assembly Commission at its meeting in early December 2015 to implement the two further mitigation measures already referenced in this form with effect from 1 November 2015. The first of these relates to staff to incur additional childcare costs as a direct result of the need to attend their place of employment outside of their normal working hours to facilitate Assembly business. The second relates to staff whose children have a disability that is unlikely to be accommodated within usual childcare arrangements.

1. Policy Details

Name of the policy to be screened:

Assembly Commission Childcare Allowance Scheme 2015-16

Is this policy new or revised?

Revised policy

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

The purpose of the Childcare Allowance Scheme 2015-16 is to assist Secretariat staff in meeting their childcare costs. At present (i.e. under the 2014-15 Scheme) the assistance provided by the Scheme takes the form of an allowance paid towards the cost of the care of a child while the parents are at work. This is known as a 'salary plus' scheme.

Who initiated or wrote the policy?

Head of HR

Directorate responsible for devising and delivering the policy?

Corporate Services Directorate

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.](#)

2. 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.](#)

3. Other policies with a bearing on this policy

**What are these policies? Please list:
Assembly Commission Budget for 2015-16**

The Assembly Commission's Budget for 2015-16 covers expenditure on Members' salaries and allowances, Secretariat staff and general administrative expenditure. The budget for the Commission in 2015/16 has been reduced by 5%, which equates to a cut of just over £2m.

Whilst the overall Assembly budget was reduced by 5%, some of these costs are not directly controllable by the Commission. Therefore, there was actually a reduction of 8.2% (£2.035m) on the Commission's **controllable costs** effective from 1 April 2015.

As part of its deliberations on its Budget for 2015-16, the Childcare Scheme will transition from a 'salary plus' scheme (2014-15) to a 'salary sacrifice scheme' (2015-16), saving approximately £280k per annum.

The Commission's Budget for 2015-16 was considered by the Commission at an informal workshop held on 6 March 2015, and formally on 10 March 2015. The Budget was approved by the Commission on 18 March 2015.

4. 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>The policy change does not in any way contain any actions that are contrary or impact upon the religious beliefs of Commission employees.</p> <p>Evidence:</p> <p>The Childcare Allowance Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p> <p>120 staff utilised the Childcare Allowance Scheme 2014-15. The community background breakdown is as follows:</p> <table data-bbox="488 1178 867 1346"> <tr> <td>Not declared:</td> <td>5%</td> </tr> <tr> <td>Protestant:</td> <td>56.7%</td> </tr> <tr> <td>Roman Catholic:</td> <td>38.3%</td> </tr> </table> <p>The Community background of all Commission employees is</p> <table data-bbox="488 1451 886 1619"> <tr> <td>Not declared:</td> <td>4.5%</td> </tr> <tr> <td>Protestant:</td> <td>56.6%</td> </tr> <tr> <td>Roman Catholic</td> <td>38.9% .</td> </tr> </table>	Not declared:	5%	Protestant:	56.7%	Roman Catholic:	38.3%	Not declared:	4.5%	Protestant:	56.6%	Roman Catholic	38.9% .
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Political opinion	<p>N/A – The policy change does not in any way contain any actions that are contrary to, or impact upon, the political opinion of Commission employees.</p> <p>Evidence:</p>												

	<p>The Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p>																																
Racial group	<p>N/A – The policy change does not in any way contain any actions that are contrary to, or impact upon, Commission employees from different racial groups.</p> <p>Evidence:</p> <p>The Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p>																																
Age	<p>The policy change does not in any way contain any actions that are contrary or impact upon Commission employees of different ages.</p> <p>Evidence:</p> <p>The Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme. 120 staff utilised the Childcare Allowance Scheme 2014-15. The age profile is as follows:</p> <table border="0"> <thead> <tr> <th>Age Range</th> <th>No. of staff</th> </tr> </thead> <tbody> <tr> <td>20-30</td> <td>4 (3%)</td> </tr> <tr> <td>31-35</td> <td>28 (23%)</td> </tr> <tr> <td>36-40</td> <td>28 (23%)</td> </tr> <tr> <td>41-45</td> <td>34 (28%)</td> </tr> <tr> <td>46-50</td> <td>17 (15%)</td> </tr> <tr> <td>51-65</td> <td>9 (8%)</td> </tr> <tr> <td>Total</td> <td>120</td> </tr> </tbody> </table> <p>The age profile for all Commission employees is as follows:</p> <table border="0"> <thead> <tr> <th>Age Range</th> <th>No. of staff</th> </tr> </thead> <tbody> <tr> <td>20-30</td> <td>12 (3%)</td> </tr> <tr> <td>31-35</td> <td>47(13%)</td> </tr> <tr> <td>36-40</td> <td>69 (19%)</td> </tr> <tr> <td>41-45</td> <td>69 (19%)</td> </tr> <tr> <td>46-50</td> <td>62 (16%)</td> </tr> <tr> <td>51-65</td> <td>113 (30%)</td> </tr> <tr> <td>Total</td> <td>372</td> </tr> </tbody> </table>	Age Range	No. of staff	20-30	4 (3%)	31-35	28 (23%)	36-40	28 (23%)	41-45	34 (28%)	46-50	17 (15%)	51-65	9 (8%)	Total	120	Age Range	No. of staff	20-30	12 (3%)	31-35	47(13%)	36-40	69 (19%)	41-45	69 (19%)	46-50	62 (16%)	51-65	113 (30%)	Total	372
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<p>Marital status</p>	<p>N/A – The policy change does not in any way contain any actions that are contrary to, or impact upon, the marital status of Commission employees.</p> <p>Evidence:</p> <p>The Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p>								
<p>Sexual orientation</p>	<p>N/A – The policy change does not in any way contain any actions that are contrary to, or impact upon, the sexual orientation of Commission employees.</p> <p>Evidence:</p> <p>The Childcare Scheme is open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p>								
<p>Men and women generally</p>	<p>N/A – The policy change does impact greater on men than women in the Assembly given that a higher percentage of men claimed the allowance. However, this is not unexpected given that the Assembly has a greater percentage of male employees than female employees.</p> <p>Evidence:</p> <p>120 staff utilised the Childcare Allowance Scheme 2014-15. The gender breakdown is as follows:</p> <table data-bbox="488 1402 747 1474"> <tr> <td>Female</td> <td>34%</td> </tr> <tr> <td>Male</td> <td>66%</td> </tr> </table> <p>The gender breakdown of all Commission employees is:</p> <table data-bbox="488 1577 756 1648"> <tr> <td>Female</td> <td>43%</td> </tr> <tr> <td>Male</td> <td>57%</td> </tr> </table> <p>Whilst the change in policy has a greater impact on males versus females, the Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme</p>	Female	34%	Male	66%	Female	43%	Male	57%
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<p>Disability</p>	<p>N/A – The policy change does not in any way contain any actions that are contrary to, or impact upon, Commission employees with a disability.</p> <p>Evidence:</p> <p>Of the 120 staff claiming Childcare in March 15, 12 (10%) declared a disability.</p> <p>The total number of staff declaring a disability is 33 (9%).</p> <p>The Childcare Scheme was open to all eligible Commission employees i.e. those who have qualifying children under the age of 14. No eligible Commission employee has been refused access to the scheme.</p>
<p>Dependants</p>	<p>The Commission’s Budget for 2015-16 does impact upon Commission employees with qualifying children under the age of 14, in respect of whom Childcare Allowance was claimed under the Commission’s Childcare Scheme 2014-15.</p> <p>Evidence:</p> <p>The Assembly Commission does not hold information on staff members’ children.</p>

5. Current Assessment of Impact

Having looked at the data/information referred to above at point 4, 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 adverse 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	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Political opinion	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Racial group	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Age	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Marital status	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Sexual orientation	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Men and women generally	<p>The proposed policy change will have a minor actual or likely adverse impact on equality of opportunity given that a higher percentage of males claimed the Childcare Allowance Scheme. However, this is not unexpected given that the Assembly has a greater percentage of male employees than female employees.</p> <p>However under the Childcare Scheme 2015-16 Commission employees can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has the potential to save over £900 per year on</p>	Minor

	<p>childcare by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year.</p> <p>Therefore the male employees affected by the change to the Childcare Allowance Scheme will be able to use the Childcare Voucher Scheme which will mitigate against some of the financial loss experienced through the policy change.</p>	
Disability	The proposed policy change will not have actual or likely adverse impact on equality of opportunity.	None
Dependants	<p>The move from the Childcare Scheme 2014-15 to the Childcare Scheme 2015-16 will have a major actual or likely adverse impact on equality of opportunity.</p> <p>However under the Childcare Scheme 2015-16 Commission employees can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has the potential to save over £900 per year on childcare by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year.</p> <p>It is noted that there may be a difficulty for parents of children with disabilities to enter into registered childcare arrangements. However from having conducted some research into this matter it is clear that registered child-minders who specialize in caring for children with disabilities are available. The provision of a level of financial support for parents of children with disabilities who must use a Specialist in the provision of care for that child is actively been considered within this screening exercise.</p>	Major

	It should also be noted that a 'salary plus' Childcare Scheme is not provided by any other public sector body.	
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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	No adverse impact.	None
Political opinion	No adverse impact.	None
Racial group	No adverse impact.	None
Age	No adverse impact.	None
Marital status	No adverse impact.	None
Sexual orientation	No adverse impact.	None
Men and women generally	<p>Some adverse impact given that a higher percentage of males claimed the Childcare Allowance Scheme. However, this is not unexpected given that the Assembly has a greater percentage of male employees than female employees.</p> <p>However under the Childcare Scheme 2015-16, Commission employees can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has</p>	Minor

	<p>the potential to save over £900 per year on childcare by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year.</p> <p>Therefore the male employees affected by the change to the Childcare Allowance Scheme will be able to use the Childcare Voucher Scheme which will mitigate against some of the financial loss experienced through the policy change.</p>	
Disability	No adverse impact.	None
Dependants	<p>Some adverse impact.</p> <p>Under the Childcare Scheme 2015-16 the Commission will implement a Childcare Voucher Scheme whereby Commission employees can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has the potential to save over £900 per year on childcare by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for</p>	Minor

	<p>Childcare Vouchers, the potential household savings are up to £1,800 each year.</p> <p>A phased transition to the salary sacrifice scheme was implemented:</p> <ul style="list-style-type: none">• The Childcare Voucher Scheme will become available for all staff on 1 July 2015;• For staff at AG6 grade and above, the Childcare Allowance Scheme 2014-15 continued to 31 July 2015 (instead of ending on 1 April 2015);• Staff at AG8 and AG7 grades can avail of the Childcare Allowance Scheme 2014-15 to 31 October 2015 (instead of ending on 1 April 2015); and <p>It is noted that there may be a difficulty for parents of children with disabilities to enter into registered childcare arrangements. However from having conducted some research into this matter it is clear that registered child-minders who specialize in caring for children with disabilities are available. The provision of a level of financial support for parents of children with disabilities who must use a Specialist in the provision of care for that child is actively been considered within this screening exercise.</p> <p>It should also be noted that a</p>	
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	'salary plus' Childcare Scheme is not provided by any other public sector body.	
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2. Is there an opportunity to better promote equality of opportunity and/or good relations in what you are proposing to do?

Please provide reasons.

The Childcare Allowance Scheme 2014-15 was open to all eligible Commission employees i.e. those who have dependent children under the age of 14. No eligible Commission employee has been refused access to the scheme.

The phased transition to the salary sacrifice scheme assisted employees in making alternative childcare arrangements if considered necessary e.g. sourcing a registered childcare provider so that vouchers can be used.

A decision was taken by the Assembly Commission at its meeting in early December 2015 to implement the two further mitigation measures already referenced in this form with effect from 1 November 2015. The first of these relates to staff to incur additional childcare costs as a direct result of the need to attend their place of employment outside of their normal working hours to facilitate Assembly business. The second relates to staff whose children have a disability that is unlikely to be accommodated within usual childcare arrangements

3. 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?

Since the Commission's decision to amend the Childcare Scheme for 2015-16, officials have engaged in discussions with Trade Union Side (TUS) on the implementation of this change from a 'salary plus' to a 'salary sacrifice' scheme.

TUS is not content with the Commission's decision and believes that the removal of the Childcare Scheme is financially detrimental to a number of its members.

In addition to this, a decision was taken to conduct a consultation exercise, in line with Section 75 Statutory Duties, with all Assembly Commission staff to consider whether other measures could be put in place to mitigate against the change to the Childcare Allowance Scheme. The consultation exercise was conducted during August/September 2015.

4 Disability Duties?

Consider whether the policy:

- a) Discourages disabled people from participating in public life and fails to promote positive attitudes towards disabled people.

The Childcare Scheme 2015-16 does not discourage disabled people from participating in public life.

- b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.

The Childcare Scheme 2015-16 does not impact on attitudes towards disabled people.

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.

No level of impact on people with multiple identifies (relating to the S75 categories) has been identified during screening.

Part 3 Screening decision

1. If the decision is not to conduct an equality impact assessment (*none*), please provide details of the reasons.

The decision is not to conduct an equality impact assessment.

No level of impact on seven out of the nine Section 75 categories has been identified during screening. In respect of the 'Men/Women' Section 75 category, a minor impact has been identified given that a higher percentage of males claimed the Childcare Allowance Scheme. In respect of the 'Dependents' Section 75 category, a major impact has been identified.

However, with the introduction of the mitigation measures already introduced and the introduction of others, both residual impacts are determined as Minor.

The mitigation measures are listed below.

Introduction of a Childcare Voucher Scheme

Under the Childcare Scheme 2015-16, Commission employees can swap part of their salary (tax and National Insurance free) to contribute towards their childcare costs, for children up to the age of 15. Each working parent has the potential to save over £900 per year on childcare by using the Childcare Voucher scheme, because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year. Therefore employees affected by the change to the Childcare Allowance Scheme will be able to use the Childcare Voucher Scheme which will mitigate against some of the financial loss experienced through the policy change. In the introduction of the Voucher Scheme, information sessions were held for staff in Parliament Buildings to explain how the Voucher Scheme worked and to review the individual financial circumstances of interested staff members to assess the financial impact of purchasing vouchers.

A phased transition to the salary sacrifice scheme has been implemented

There was a phased transition to the salary sacrifice scheme in the following ways:

- The Childcare Voucher Scheme became available for all staff on 1 July 2015;
- For staff at AG6 grade and above, the Childcare Allowance Scheme 2014-15 continued to 31 July 2015 (instead of ending on 1 April 2015);
- Staff at AG8 and AG7 grades could continue to avail of the Childcare Allowance Scheme to 31 October 2015 (instead of ending on 1 April 2015).

The phased transition to the salary sacrifice scheme assisted employees in making alternative childcare arrangements if necessary e.g. sourcing a registered childcare provider so that vouchers can be used.

Other Mitigation Measures

A number of other mitigation measures were considered as a result of the consultation exercise that was conducted during August/September 2015 and which are already referenced in this screening form.

A decision was taken by the Assembly Commission at its meeting in early December 2015 to implement the two further mitigation measures already referenced in this form with effect from 1 November 2015. The first of these relates to staff to incur additional childcare costs as a direct result of the need to attend their place of employment outside of their normal working hours to facilitate Assembly business. The second relates to staff whose children have a disability that is unlikely to be accommodated within usual childcare arrangements

2. If the decision is not to conduct an equality impact assessment, but the policy has minor equality impacts which can be mitigated/provided by an alternative policy, and therefore does not require an EQIA (*minor*), the likely impacts are obvious and well known because there is adequate equality data available and nothing further is likely to be gained by conducting an EQIA. Provide details of the reason for the decision with proposed changes/amendments for an alternative policy to be introduced.

Mitigation measures have been put in place including:

- The provision of advice for staff moving from Childcare Scheme 2014-15 to Childcare Scheme 2015-16;
- Implementation of a tax efficient voucher Childcare Scheme enabling each working parent to potentially save over £900 per year on childcare because the amount they swap is deducted from their salary before tax and National Insurance is applied. As both parents can register for Childcare Vouchers, the potential household savings are up to £1,800 each year; and
- A phased transition to the salary sacrifice scheme was implemented.

The introduction of the Childcare Voucher Scheme into the Assembly before the planned launch of the UK Government's Tax-Free Childcare initiative, gives employees the option of considering which 'scheme' is better for their personal circumstances e.g. remaining in the Voucher Scheme or changing to the Government scheme.

It is important to recognise that the provision of financial support through a Childcare Scheme is only one of the ways that the Assembly Commission supports its' employees with children. The Assembly Commission provides for a range of flexible working arrangements. Such arrangements are being utilised by both mothers and fathers in the Secretariat. We believe this enhances gender equality and allows parents to achieve a balance between work commitments, parental childcare and formal childcare arrangements.

A number of other mitigation measures were considered as a result of the consultation

exercise that was conducted during August/September 2015 and which are already referenced in this screening form. A decision was taken by the Assembly Commission at its meeting in early December 2015 to implement the two further mitigation measures already referenced in this form with effect from 1 November 2015. The first of these relates to staff to incur additional childcare costs as a direct result of the need to attend their place of employment outside of their normal working hours to facilitate Assembly business. The second relates to staff whose children have a disability that is unlikely to be accommodated within usual childcare arrangements

3. If the decision is to subject the policy to an equality impact assessment (*major*), please provide details of the reasons.

Not applicable.

4. Timetabling and prioritising for EQIA

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. This list of priorities will assist the CCSU in timetabling. Details of the Equality Impact Assessment Timetable will be included in the quarterly Screening Report.

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:

Not applicable.

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
Sinead McDonnell	Head of HR	5/12/2015
Approved by:		
Richard Stewart	Director of Corporate Services	15/12/2015

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

(PLEASE NOTE : THIS IS NOT PART OF THE SCREENING TEMPLATE BUT MUST BE COMPLETED AND RETURNED WITH THE SCREENING)

1. Please provide details of any measures taken to enhance the level of engagement with individuals and representative groups. Please include any use of the Equality Commissions guidance on consulting with and involving children and young people.

Not applicable.

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 effected.

Not applicable.

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.

None.

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.