



Northern Ireland
Assembly

SECTION 75 SCREENING FORM

Section 75 Statutory Equality Duties

<http://www.equalityni.org/S75duties>

The promotion of equality of opportunity entails more than the elimination of discrimination. It may also require proactive measures to be taken to maintain and secure equality of opportunity.

Section 75 (1) requires the Assembly Commission in carrying out its functions, powers and duties to have *due regard to the need to promote equality of opportunity between –*

- persons of different religious belief, political opinion, racial group, age, marital status, or sexual orientation
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

Without prejudice to the obligations set out above, the Commission is also required to:

- a) have regard to the desirability of promoting good relations between persons of different
- religious belief
 - political opinion; or
 - racial group
- b) meet legislative obligations under the Disability Discrimination Order.

What is a policy?

The Equality Commission for Northern Ireland state in their guidance¹ that the term ‘policy’ is used to denote any strategy, policy (proposed/amended/existing) or practice and/or decision, whether written or unwritten.

The Commission’s Equality Scheme reflects the Equality Commission’s definition of a policy and this should be applied in determining what needs to be screened. The Equality Scheme states:

“In the context of Section 75, ‘policy’ is very broadly defined and it covers all the ways in which we carry out or propose to carry out its functions in relation to Northern Ireland. In respect of this equality scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written

¹Section 75 of the Northern Ireland Act 1998, A Guide for Public Authorities’ April 2010, page 30. A policy may include planning decisions, service changes, corporate strategies, policy development, practices, guidelines, procedures and protocols; board papers

or unwritten and irrespective of the label given to it, e.g. ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’.”

If you are in doubt, please contact the Equality and Good Relations Unit for advice. Equality Screening guidance notes are also available on Assist.

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.

Policy Details

<p>Name of the policy to be screened/description: Staff Travel & Subsistence Policy</p> <hr/>
<p>Is this policy an existing, new or revised policy? (Please append policy to screening form) Revised Policy</p> <hr/>
<p>What is it trying to achieve? (brief outline of intended aims/outcomes of the policy) The policy aims to give clear guidance on how travel for Assembly business should be arranged and approved and sets out what incidental costs will be reimbursed. It also seeks to establish a clear framework for how those expenses wholly, necessarily and exclusively incurred while travelling on Assembly business will be reimbursed,</p> <hr/>
<p>Are any of the Section 75 categories which might be expected to benefit from the intended policy/decision? Please explain how. No</p> <hr/>
<p>Who initiated or wrote the policy?</p>

Head of Finance

Directorate responsible for devising and delivering the policy?
Corporate Services

Was consultation carried out as part of this screening exercise?

Yes No

Consultation will be carried out with staff – through engagement with TUS once the draft policy is considered by the Secretariat Management Group (SMG).

Background to the Policy to be screened.

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

The underlying Travel & Subsistence policy is a “legacy” policy. At the time of separation from the NICS, the NICS policy was adopted in full by the Assembly Commission. It has been reviewed twice from 2010 and considered by SMG, in 2012 and late 2016. The reviews did not result in any substantive changes but were primarily aimed at streamlining the policy, removing sections that were no longer relevant, particularly around overseas postings and to ensure it was still compliant with HM Revenue and Customs guidance on business travel expenses. The reviews also looked at accommodation and subsistence rates and incorporated some of the additional corporate measures that were put in place following large scale budget cutting exercises, such the Comprehensive Spending Review in 2010, and the comprehensive corporate budget review in 15/16 referred to internally as SP15+.

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.](#)

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 : External parties, such as witnesses or consultants are sometimes reimbursed expenses under the provisions of this policy.

Other policies with a bearing on this policy

What are these policies and who owns them? Please list:

This policy interacts with a number of other policies –

- Incidental Costs of Parliamentary Travel for Members – Finance Office;
- Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016 – Independent Financial Review Panel;
- Travelling time - HR Office;
- Assistance to Study – Further Education – HR Office;
- Assistance to Study – Essential Qualifications – HR Office;
- Overtime – HR Office;
- Gifts & Hospitality Policy – Finance Office;
- Government Procurement Card Policy – Finance Office;
- Travel Scheme – use of Taxis – Finance Office;
- Fraud Prevention and Anti Bribery Policy – Finance Office
- Committee Handbook – Clerking and Members’ Support Office

Consideration of available data/research (*This means any data or information you currently hold in relation to the policy or have 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? For example, is there any evidence of higher or lower participation or uptake by different groups?

Information has been gathered by benchmarking policy proposals with other existing travel policies within the public sector and looking at screening exercises carried out in a number of other public sector organisations. An overarching principle of the travel policy is that it is open to all employees and it will seek to ensure that no employee suffers a financial detriment as a result of undertaking business related travel. It will seek to reimburse all employees for additional costs *incurred wholly, necessarily and exclusively incurred in undertaking business travel*, in a manner which is compliant with HMRC guidelines. As such there is no evidence that there will be a higher or lower participation in each of the Section 75 categories, however, further consideration is required for the disability and dependent groups

Section 75 category	Details of evidence/information
Religious belief	No evidence of higher or lower participation or uptake by this group.
Political opinion	No evidence of higher or lower participation or uptake by this group.
Racial group	No evidence of higher or lower participation or uptake by this group.
Age	No evidence of higher or lower participation or uptake by this group.
Marital status	No evidence of higher or lower participation or uptake by this group.
Sexual orientation	No evidence of higher or lower participation or uptake by this group.
Men and women generally	No evidence of higher or lower participation or uptake by this group.

Disability	<p>With regard to those employees who have a disability: currently 9 staff have declared a disability out of the current Staff in Post of 328.9 FTE.</p> <p>Consideration of the costs associated with reasonable adjustments will need to be reflected. Staff travelling with a disability may require additional assistance by way of reasonable adjustment, e.g. they may need to be accompanied, they may need to take additional baggage due to medications, they may require additional space when travelling, or use of an airport lounge, reserved seating or priority boarding. They may also need to use of taxis instead of other forms of public transport. The costs associated with such reasonable adjustments should be deemed admissible and reflected in the policy.</p>
Dependants	<p>Childcare /caring costs incurred as a result of travelling to undertake Assembly business outside of working hours are not wholly, necessarily and exclusively incurred as a direct result of undertaking employment duties and as such would not be admissible costs for reimbursement. Other policies are in place to offer staff assistance with childcare/caring costs, such as Childcare policy, Flexible Working and Special Leave Policies.</p>

Current Assessment of Impact

Having looked at the data/information you have collected in the question above, 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	Staff should not need to claim any additional costs associated with travelling specifically related to religious belief.	None
Political opinion	Staff should not need to claim any additional costs associated with travelling specifically related to political opinion.	None
Racial group	Staff should not need to claim any additional costs associated with travelling specifically related to racial group.	None
Age	Staff should not need to claim any additional costs associated with travelling specifically related to age.	None
Marital status	Staff should not need to claim any additional costs associated with travelling specifically related to marital status.	None
Sexual orientation	Staff should not need to claim any additional costs associated with travelling specifically related to sexual orientation.	None
Men and women generally	Staff should not need to claim any additional costs associated with travelling specifically related to gender.	None
Disability	If additional costs are incurred due to disability they may be permitted as a “reasonable adjustment” but only as long as they are wholly,	None

	necessarily and exclusively incurred as a result of the travel. Provision to assist staff with disabilities and/or long term conditions will be added to the policy as a result of this screening exercise.	
Dependants	Additional childcare/caring costs incurred out of hours as a direct result of staff having to undertake travel for Assembly business are normally inadmissible under the terms of this policy.	None

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

Part 2 Screening Questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?		
Section 75 category	Issue	Minor/major/none?
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None

Men and women generally	None	None
Disability	None	None
Dependants	None	None

2 Are there any actions which could be taken to reduce or mitigate any adverse impact which has been identified or opportunities to better promote equality of opportunity for people within the section 75 categories?		
Section 75 category	Issue	Mitigating Measure
Religious belief	Details of impact.	None
Political opinion	Details of impact.	None
Racial group	Details of impact.	None
Age	Details of impact.	None
Marital status	Details of impact.	None
Sexual orientation	Details of impact.	None
Men and women generally	Details of impact.	None

Disability	The potential for staff with a disability to require additional support or reasonable adjustments will be recognised in the policy. This should better promote equality of opportunity.	None
Dependants	Additional childcare / caring policies and HR policies are in place to assist with additional needs. These better promote equality of opportunity.	None

3 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	None
Political opinion	None	None
Racial group	None	None

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief		Policy has no impact.
Political opinion		Policy has no impact.
Racial group		Policy has no impact.

Consultation

Tell us about who you have talked to about your proposals, either internally or externally and who you have formally or informally consulted, to help you decide if the policy needs further equality investigation?

Policy will be consulted on with TUS and any issues raised will be addressed through appropriate changes to the policy if necessary.

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
- b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.
The policy will consider the need to ensure reasonable adjustments are provided to ensure participation in public life.

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).

Provide details of data of the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Disabled employees with childcare/caring responsibilities could potentially be impacted on two levels.

However, all requests for travel arrangements and claims for reimbursements of expenses are reviewed on a case by case basis and this will be built into the policy. The policy's overarching principle will apply to all staff – it is to accommodate travel on Assembly related business and to reimburse the “additional” costs wholly, necessarily and exclusively incurred as a result of that travel.

Part 3 Screening decision

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'** i.e. the likely impact is none and no further action is required
- 'Screened out' with mitigation** i.e. 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)** i.e. the likely impact is major and the policy will now be subject to an EQIA

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

The policy does not require an EQIA as there are no impacts on Section 75 categories.

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.

While the policy has the potential to have minor equality impacts, a mitigating provision will be added to the policy to ensure that reasonable adjustments and the associated costs for those with disabilities are permitted.

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

Click here to enter text.

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	1
Social need	1
Effect on people’s daily lives	1
Relevance to a public authority’s functions	1

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

Please detail how you will monitor the effect of the policy?

Review of travel authorisation forms and associated reimbursement claims will be undertaken after implementation of the policy (1 year), along with requests for reasonable adjustments to ensure all requests have been facilitated. The policy will also have a process for approval of exceptional requests or for issues that fall outside of the scope of the policy. These too will be reviewed to ensure that the policy impact is as intended and that no equality issues have arisen.

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

Part 5 - Data Protection

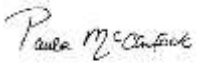
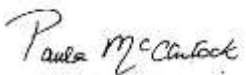
If applicable, has legal advice been given due consideration?

Yes No N/A

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
	Head Of Finance	26/05/2020
Approved by:		
	Head Of Finance	26/05/2020

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.

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.

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.

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.