

Annex D



Northern Ireland
Assembly

SECTION 75 SCREENING FORM

This link will take you to a full list of the 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 guidance 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 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.

Please note that when carrying out your policy screening, you should consult the Equality Commission. It is advisable to do so as early as possible in the process to allow time for full discussion about any equality considerations. Contact details are available on AssISt (intranet for Assembly Staff) by following this link.

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

Name of the policy to be screened/description:

Special Leave Policy

Career Break Policy

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

Revised Policy

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

The Special Leave Policy is being revised. Part of that revision is that we are removing the section on career breaks and creating a standalone policy called the Career Break Policy.

Both policies aim to demonstrate the Northern Ireland Assembly Commission (the 'Assembly Commission') understanding of the need to support staff in achieving balance between their work and personal responsibilities.

Are any of the Section 75 categories which might be expected to benefit from the intended policy/decision? Please explain how.

Both policies may particularly benefit women and/or persons with dependants who more frequently need time out of work to assist with domestic responsibilities. However, both policies are available to all staff.

Who initiated or wrote the policy?

Human Resources Office

Directorate responsible for devising and delivering the policy?

Corporate Services Directorate

Was consultation carried out as part of this screening exercise?

Yes

No

The Equality Commission for Northern Ireland should be consulted when a policy is being screened: please indicate whether consultation has taken place.

Yes

No

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.

Consultations have been carried out with Trade Union Side (TUS) and they are content with both policies. The draft policies and this screening form were sent to the ECNI as part of our pre-consultation process.

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 or tap 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

Click or tap here to enter text.

Other policies with a bearing on this policy

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

A list of related policies, guidance and forms are shown at the end of each Policy. Such policies are either in the Staff Handbook or available on the internal intranet.

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?

The data used in this screening form is from two sources:

- The data for Religious Belief; Gender and Age is taken from the annual **Equality Commission (Northern Ireland) monitoring return**. The data is at 1 April 2021 and covers all permanent Assembly Commission staff.
- The data for the remaining S75 categories is taken from an **Assembly Commission Section 75 Survey** of Secretariat staff and the data is at 31 August 2021. It should be noted that a total of 196 responses were received to the survey representing 60 per cent of all permanent Assembly Commission staff.

Section 75 category and details of evidence/information

Religious belief

BREAKDOWN OF PERMANENT STAFF BY COMMUNITY BACKGROUND AS AT 1.4.21

PROTESTANT	% OF STAFF	ROMAN CATHOLIC	% OF STAFF	NON-DETERMINED	% OF STAFF
187	58	125	38	13	4

COMMUNITY BACKGROUND BY GRADE AS AT 1.4.21

GRADE	PROTESTANT	ROMAN CATHOLIC	NON-DETERMINED	TOTAL
1-3	8	7	0	15
4	19	19	4	42
5	18	20	3	41
6	25	29	2	56
7	53	26	4	83
8	64	24	0	88
Total	187	125	13	325

Political opinion

Currently we do not have any data on the political opinion of our staff although the ECNI has advised that data on Religious Belief can be used as a proxy for political opinion.

Racial group

Secretariat Section 75 Survey results 31.08.21

Category	Per cent (%) Survey
White	97.5
Chinese	0.0
Irish Traveller	0.0
Roma	0.0
Filipino	0.0
Indian	0.0
Asian	0.5
Arab	0.0
Black African	0.0
Black Other	0.0
Mixed Ethnic Group	0.0
Other Ethnic Group	0.5
Prefer not to say	1.5
Total	100

Age

AGE PROFILE OF STAFF AS AT 1.4.21

AGE	NUMBER
20 – 24	4
25 - 29	4
30 - 34	11
35 - 39	40
40 - 44	58
45 - 49	65
50 - 54	58
55 - 59	39
60 - 64	33
65+	13
TOTAL	325

AGE PROFILE BY GRADE at the 1.4.21

GRADE	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+	TOTAL
1-3	0	0	0	1	3	3	6	1	1	0	15
4	0	0	1	2	7	7	11	9	4	1	42
5	0	1	2	5	6	21	1	3	1	1	41
6	0	0	1	4	9	14	14	4	7	3	56
7	0	3	1	17	22	9	12	8	6	1	79
8	4	0	6	11	11	11	14	14	14	7	92
TOTAL	4	4	11	40	58	65	58	39	33	13	325

Marital status

Secretariat Section 75 Survey results 31.08.21

Category	Per cent (%)
Single	19.9
Married	70.9
Separated	1.0
Divorced	4.6
Other (please specify)	1.5
Prefer not to say	2.0
Total	100.0

Sexual orientation

Secretariat Section 75 Survey results 31.08.21

Category	Per cent (%)
Heterosexual	95.9
Gay or Lesbian	1.6
Bisexual	0.0
I use another term (write in)	0.0
Prefer not to say	2.6
Total	100.0

Men and women generally

BREAKDOWN OF PERMANENT STAFF BY GENDER AS AT 1.4.21

MALE	% OF STAFF	FEMALE	% OF STAFF
180	56	145	44

GENDER PROFILE BY GRADE AS AT 1.4.21

GRADE	MALE	FEMALE	TOTAL
1-3	10	5	15
4	18	24	42
5	20	21	41
6	22	34	56
7	47	32	79
8	63	29	92
TOTAL	180	145	325

Disability

Secretariat Section 75 Survey results 31.08.21

Category	Per cent (%)
Yes	19.5
No	75.4
Don't know	4.1
Prefer not to say	1.0
Total	100.0

Type of Disability

Category	Per cent (%)
Mobility impairment	26.3%
Hearing impairment	21.1%
Reduced physical capacity	21.1%
Mental Illness	21.1%
Other (please specify)	21.1%

Dependants

Secretariat Section 75 Survey results 31.08.21

Category	Per cent (%)
No	35.4
Yes, for a child/children	50.8
Yes, for 1 or more adult dependents	22.1
Other	2.6
Prefer not to say	2.1
Total	100.0

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. (major/minor/none) (See appendix 1 for information on levels of impact).

Section 75 category

Religious belief

Needs/experiences/priorities/impacts: This policy is available to all Assembly Commission staff regardless of religious belief.

Impact Level: None

Political opinion

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of political opinion.

Impact Level: None

Racial group

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of race.

Impact Level: None

Age

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of age.

Impact Level: None

Marital status

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of marital status.

Impact Level: None

Sexual orientation

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of sexual orientation.

Impact Level: None

Men and women

Needs/experiences/priorities/impacts: Both policies may particularly benefit women who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with domestic responsibilities. Therefore, both policies may therefore be used more frequently by female staff.

Impact Level: Minor Impact

Disability

Needs/experiences/priorities/impacts: The Policy is available to all staff regardless of disability.

Impact Level: None

Dependants

Needs/experiences/priorities/impacts: Both policies may particularly benefit persons with dependants who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with their responsibilities in caring for dependants.

Impact Level: Minor Impact

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

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

Religious belief

Issues: The Policy is available to all staff regardless of religious belief.

Impact Level:None

Political opinion

Issues: The Policy is available to all staff regardless of political opinion.

Impact Level:None

Racial group

Issues:The Policy is available to all staff regardless of race.

Impact Level:None

Age

Issues:The Policy is available to all staff regardless of age.

Impact Level:None

Marital status

Issues:The Policy is available to all staff regardless of marital status.

Impact Level:None

Sexual orientation

Issues:The Policy is available to all staff regardless of sexual orientation.

Impact Level:None

Men and women generally

Issues: Both policies may particularly benefit women who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with domestic responsibilities. Therefore, both policies may therefore be used more frequently by female staff.

Impact Level:Minor Impact

Disability

Issues: The Policy is available to all staff regardless of disability.

Impact Level:None

Dependants

Issues: Both policies may particularly benefit persons with dependants who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with their responsibilities in caring for dependants.

Impact Level:Minor Impact

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

Religious belief

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Political opinion

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Racial group

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Age

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Marital status

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Sexual orientation

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Men and women generally

Issue: We have identified that both policies may particularly benefit women who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with domestic responsibilities. Therefore, both policies may therefore be used more frequently by female staff. However, both policies have been written in a gender neutral way and will be publicised to all staff using the intranet and available in the Staff Handbook.

Impact Level:Minor Impact

Disability

Issue: Click or tap here to enter text.

Impact Level:Choose an item.

Dependants

Issue: We have identified that both policies may particularly benefit persons with dependants who more frequently need time out of work either on a short-term basis or longer term basis (career break) to assist with their responsibilities in caring for dependants. Therefore, both policies may therefore be used more frequently by staff who have dependants. However, both policies have been written in a way that does not favour persons with dependants and the checks and controls that are in the policy will be applied equality to all staff regardless of whether or not they have dependants. Both policies will be publicised to all staff using the intranet and available in the Staff Handbook so all staff will be aware of their existence.

Impact Level:Minor Impact

To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Good relations category

Religious belief

Details of policy Impact: [Click or tap here to enter text.](#)

Impact Level:None

Political opinion

Details of policy Impact: [Click or tap here to enter text.](#)

Impact Level:None

Racial group

Details of policy Impact: [Click or tap here to enter text.](#)

Impact Level:None

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

Section 75 category

Religious belief

If Yes, provide details: [Click or tap here to enter text.](#)

If No, provide reasons: [The Policy does not have the scope to promote good relations between people of different religious belief, political opinion or racial group](#)

Political opinion

If Yes, provide details: [Click or tap here to enter text.](#)

If No, provide reasons: [The Policy does not have the scope to promote good relations between people of different religious belief, political opinion or racial group](#)

Racial group

If Yes, provide details: [Click or tap here to enter text.](#)

If No, provide reasons: [The Policy does not have the scope to promote good relations between people of different religious belief, political opinion or racial group](#)

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?

A formal consultation exercise was conducted with TUS in January 2022 and they are content. The draft policies and this screening form were sent to the ECNI as part of our pre-consultation process.

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.

No

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.

Women and persons with dependants.

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: check 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) ie 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.

[Click or tap here to enter text.](#)

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.

The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible so it is not considered necessary to conduct an equality impact assessment. Whilst a minor impact on men/women and people with dependants has been identified, the policies are available to all staff. No mitigating measures are proposed.

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

[Click or tap 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	Choose an item.
Social need	Choose an item.
Effect on people's daily lives	Choose an item.
Relevance to a public authority's functions	Choose an item.

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 or tap 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?

A review of the effect of the policies will be undertaken by the HR Office as part of its policy review cycle.

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

The numbers of staff who avail of special leave and career breaks.

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: Karen Martin

Position/Job Title: Deputy Head of HR

Date: Tuesday, 08 February 2022

Approved by: Sinead McDonnell, Head of HR

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.

Click or tap here to enter text.

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.

Click or tap here to enter text.

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.

Click or tap here to enter text.

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.