



Northern Ireland  
Assembly

**Annex B**

## **SECTION 75 SCREENING FORM**

### **What is a policy?**

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

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

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

### **Part 1 Policy scoping**

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

## 1. Policy Details

**Name of the policy to be screened:**

Staff Hours at Work Policy

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

revised policy

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

The Staff Hours at Work Policy aims to support the operational needs of the Assembly, recognising that the nature of this support and the times when it is needed may vary between different business areas within the Assembly Secretariat. The objectives of the Policy are to:

Provide a consistent approach across the business for the recording of hours worked by staff;

Assist staff in achieving an appropriate work-home balance while meeting the needs of the business;

Ensure compliance with legislation pertaining to working hours;

Ensure that staff do not work excessive hours but are here to support the business when necessary; and

Enable staff to take off credit time that they have accrued.

The Staff Hours at Work Policy applies to permanent employees, agency staff and inward secondees at all Assembly grades, with the exception of those who are employed in a post which operates within an established shift pattern and those who have an alternative working pattern (applied for and granted under the Flexible Working and Partial Retirement Procedures) and the staff member and their manager have agreed that start and finish times cannot be flexible.

**Who initiated or wrote the policy?**

Human Resources Office

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**Directorate responsible for devising and delivering the policy?**  
Corporate Services

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**Was consultation carried out as part of this screening exercise?**

Yes  No

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

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

The Staff Hours at Work Policy was implemented on a pilot basis in January 2015 and rolled out to all areas of the business in September 2015. It was agreed that the Policy should be reviewed after one year in operation. For a number of reasons, the review was delayed.

As part of the review which has now taken place, the HR Office engaged with SMG and invited input from Heads of Business. TUS have also been consulted.

**2. Implementation factors**

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

Yes  No

If yes, are they

- Financial
- Legislative
- Other, please specify:

### **3. Main stakeholders affected**

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

- Staff
- Service users
- other public sector organisations
- voluntary/community/trade unions
- Other, please specify :

### **4. Other policies with a bearing on this policy**

**What are these policies? Please list:**

On development of the Staff Hours at Policy in 2015, there was an impact on the payment of overtime in that such payment could only be claimed outside of the bandwidth established by the Policy. However, proposed changes arising from this review of the Policy do not raise any new issues in relation to other policies.

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

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

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

Information is held on the gender, age and community background of the workforce (employed by the Northern Ireland Assembly Commission) who are impacted by this policy.

Section 75 category	Details of evidence/information								
Religious belief	<p>The policy will apply to all staff. The quantitative data on the workforce composition at 01.04.19 was as follows:</p> <table border="1" data-bbox="505 1010 1365 1283"> <thead> <tr> <th data-bbox="505 1010 724 1178">Protestant</th> <th data-bbox="724 1010 919 1178">Roman Catholic</th> <th data-bbox="919 1010 1154 1178">Non Determined</th> <th data-bbox="1154 1010 1365 1178">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="505 1178 724 1283">184</td> <td data-bbox="724 1178 919 1283">125</td> <td data-bbox="919 1178 1154 1283">14</td> <td data-bbox="1154 1178 1365 1283">323</td> </tr> </tbody> </table>	Protestant	Roman Catholic	Non Determined	Total	184	125	14	323
Protestant	Roman Catholic	Non Determined	Total						
184	125	14	323						
Political opinion	Policy applies to all staff.								
Racial group	As above								

Age	<p>The policy applies to all staff. The quantitative data on the workforce composition at 01.04.19 was as follows:</p> <table border="1" data-bbox="506 327 782 600"> <thead> <tr> <th>Age</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>&lt; 30</td> <td>0</td> </tr> <tr> <td>30 - 39</td> <td>68</td> </tr> <tr> <td>40 - 49</td> <td>126</td> </tr> <tr> <td>50 - 59</td> <td>94</td> </tr> <tr> <td>&gt;60</td> <td>35</td> </tr> <tr> <td>TOTAL</td> <td>323</td> </tr> </tbody> </table>	Age	Number	< 30	0	30 - 39	68	40 - 49	126	50 - 59	94	>60	35	TOTAL	323
Age	Number														
< 30	0														
30 - 39	68														
40 - 49	126														
50 - 59	94														
>60	35														
TOTAL	323														
Marital status	Policy applies to all staff														
Sexual orientation	As above														
Men and women generally	<p>Policy applies to all staff. The quantitative data on the workforce composition at 01.04.19 was as follows:</p> <table border="1" data-bbox="506 1083 876 1285"> <thead> <tr> <th>Male</th> <th>Female</th> </tr> </thead> <tbody> <tr> <td>180</td> <td>143</td> </tr> </tbody> </table>	Male	Female	180	143										
Male	Female														
180	143														
Disability	<p>9 staff completed the most recent Annual Disability Audit (2018) to indicate that they consider that they have a disability. This information has been collected from staff however there may be other staff with disabilities who have not responded to the audit.</p>														
Dependants	The policy applies to all staff.														

## 6. Current Assessment of Impact

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

Section 75 category	Details of needs/experiences/priorities and details of policy impact	Level of Impact
Religious belief	The policy is procedural in nature and applies to all staff.	None
Political opinion	As above	None
Racial group	As above	None
Age	As above	None
Marital status	As Above	None
Sexual orientation	As above	None
Men and women generally	As above	None
Disability	As above	None
Dependants	As above	None

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 identified.	None
Political opinion	As above	None
Racial group	As above	None
Age	As above	None
Marital status	As above	None
Sexual orientation	As above	None
Men and women generally	As above	None
Disability	As above	None
Dependants	As above	None



<b>2 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none</b>		
<b>Good relations category</b>	<b>Details of policy impact</b>	<b>Level of impact minor/major/none</b>
<b>Religious belief</b>	N/A	None
<b>Political opinion</b>	N/A	None
<b>Racial group</b>	N/A	None

<b>3 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?</b>		
<b>Section 75 category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
<b>Religious belief</b>		No, the policy sets out a procedure which applies to all staff.
<b>Political opinion</b>		As above
<b>Racial group</b>		As above

#### **4. Consultation**

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

The revised Staff Hours at Work Policy has been discussed with SMG. TUS has been consulted and has agreed the revised Policy.

## 5 Disability Duties

Consider whether the policy:

- a) Discourages disabled people from participating in public life and fails to promote positive attitudes towards disabled people.  
No.
- 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; 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 multiple Section 75 categories has been identified during screening

### Part 3 Screening decision

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

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

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

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

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

No level of impact on multiple Section 75 categories has been identified during screening

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

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

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**5. Timetabling and prioritising for EQIA**

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

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

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

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

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

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



## 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

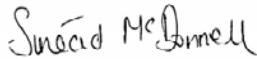
What data is required in the future to ensure effective monitoring?

What are these policies? Please list: Implementation of the Policy is managed at business area level.
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## 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
Karen Martin	Deputy Head of HR	02.04.19
Approved by:		
Sinead McDonnell 	Head of HR	03.04.19

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.