



**Northern Ireland Assembly Commission**

**SECTION 75 SCREENING FORM**

**Guidance for answering questions to the  
Assembly Commission for Oral and Written response**

## SECTION 75 SCREENING FORM

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- C Main Groups identified as relevant to the Section 75 categories
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## 1 The Legal Background

Section 75 of the Northern Ireland Act 1998 (the Act) requires the Assembly Commission to comply with two statutory duties:

### **Section 75 (1)**

In carrying out our functions relating to Northern Ireland we are required 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; and
- persons with dependants and persons without.<sup>1</sup>

### **Section 75 (2)**

In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

## 2 Introduction

This form should be read in conjunction with the Equality Commission's revised Section 75, "A Guide for Public Authorities" April 2010, which is available on the Equality Commission's website ( [www.equalityni.org](http://www.equalityni.org) ). Staff should complete a form for each new or revised policy for which they are responsible (see page 5 for a definition of policy in respect of section 75).

The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations and so determine whether an Equality Impact Assessment (EQIA) is necessary. Screening should be introduced at an early stage when developing or reviewing a policy.

The lead role in the screening of a policy should be taken by the policy decision-maker who has the authority to make changes to that policy and should involve, in the screening process:

- other relevant team members;
- those who implement the policy;
- staff members from other relevant work areas; and
- key stakeholders.

A flowchart which outlines the screening process is provided at Annex A.

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<sup>1</sup> A list of the main groups identified as being relevant to each of the section 75 categories is at Annex C of the document.

The first step in the screening exercise, is to gather evidence to inform the screening decisions. Relevant data may be either quantitative or qualitative or both (this helps to indicate whether or not there are likely equality of opportunity and/or good relations impacts associated with a policy). Relevant information will help to clearly demonstrate the reasons for a policy being either 'screened in' for an equality impact assessment or 'screened out' from an equality impact assessment.

The absence of evidence does not indicate that there is no likely impact but if none is available, it may be appropriate to consider subjecting the policy to an EQIA. Screening provides an assessment of the likely impact, whether 'minor' or 'major', of its policy on equality of opportunity and/or good relations for the relevant categories. In some instances, screening may identify the likely impact is none.

The Commission has developed a series of four questions, included in Part ? of this screening form with supporting sub-questions, which should be applied to all policies as part of the screening process. They identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

### **3 Screening decisions**

Completion of screening should lead to one of the following three outcomes.

The policy has been:

- 1 'screened in' for equality impact assessment;
- 2 'screened out' with mitigation or an alternative policy proposed to be adopted; or
- 3 'screened out' without mitigation or an alternative policy proposed to be adopted.

### **4 Screening and good relations duty**

The Commission recommends that a policy is 'screened in' for equality impact assessment if the likely impact on good relations is 'major'. While there is no legislative requirement to engage in an equality impact assessment in respect of good relations, this does not necessarily mean that equality impact assessments are inappropriate in this context.

### **5 Definition of 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.

The Oxford English Dictionary has defined a policy as 'A course or principle of action adopted or proposed by a government, party, business or individual.'

## 6 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.

## 7 Policy Details

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

Procedures and approaches governing the administration of oral and written questions to the Assembly Commission.

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**Is this policy new or revised?**

Existing policy

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

The Assembly Commission is required to respond to Questions for Oral and Written Answer in line with the Assembly Standing Orders<sup>2</sup>, namely Standing Order 19(1) (b) (3) (5), 20, 20B and 20C. Any MLA may ask a member representing the Assembly Commission, on matters relating to the Commission's official responsibilities. The procedures governing the administration of oral and written are a combination of written policy agreed by Commission decision and those devised from obligations within Standing Orders.

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**Who initiated or wrote the policy?**

The Assembly Commission

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

- Corporate Support Unit (Chief Executive's Office)
- Assembly Business Office (assists in delivery of policy)

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<sup>2</sup> <http://www.niassembly.gov.uk/Assembly-Business/Standing-Orders/Standing-Orders/#19>

## **8 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 Assembly Commission**

The policy being screened within this report relates to the ‘Procedures and approaches governing the administration of oral and written questions to the Assembly Commission.’

#### **Assembly Standing Order/Legislative Basis:**

Under Section 40 (4) Northern Ireland Act 1998, the Commission (hereinafter the Commission) has the role of providing the Assembly, or ensuring that the Assembly is provided, with the property, staff and services required for the Assembly’s purposes. Section 40 (5) provides that the Assembly may give special or general directions to the Commission for the purpose of or in connection with the exercise of the Commission’s functions.

The Commission is made up of the Speaker and five Assembly Members.

Current Assembly Members are as follows:

- Mr Peter Weir, MLA (DUP)
- Ms Caitríona Ruane, MLA (Sinn Féin)
- Mr Sam Gardiner, MBE, JP, MLA (UUP)
- Mr Pat Ramsey, MLA (SDLP)
- Mrs Judith Cochrane, MLA (Alliance)

#### **Background to the issue**

At the Commission meeting on 7 May 2013, following a proposal from a Commission Member to respond to Assembly Questions for written answer in both English and Irish, a vote was taken which resulted in the Commission agreeing not to allow questions for written response to be responded bilingually. This was confirmed again at the Commission meeting on 5 June 2013, again through a weighted vote (extracts from minutes are included below). At the Commission meeting in June 2014, it was agreed that an equality screening exercise would be undertaken in relation to the Commission’s procedures for answering questions.

- The process for answering questions by the Assembly Commission consists of two parts, one in relation to questions for oral answer during Question Time and the second in relation to questions for written answer.
- Questions may be asked of the Commission in relation to any matter or matters for which the Commission carries responsibility. Standing Order 19(1)(b)<sup>3</sup>.
- The Assembly Commission responds to both written and oral questions.
- The administration of questions is supported by the Corporate Support Unit and procedures have been devised and approved by the Commission.

<sup>3</sup> <http://www.niassembly.gov.uk/Assembly-Business/Standing-Orders/Standing-Orders/#19>

### **Questions for Oral Answer**

- **Questions for oral answer** are taken after questions for Ministers on a rotational basis, on Tuesdays at 3.30pm. The Commission answers Oral Questions approximately every 3 months during the Parliamentary year. A rota agreed by the Commission determines which Commission Member will answer questions. Responsibility will normally be matched against the portfolio responsibilities for Commission Members, however in cases where questions fall under one or several portfolios, then other Commission Members may be approached to respond. Any Commission Member in this instance can respond to any question raised by a Member.
- Questions for urgent oral answer may be taken if, in the opinion of the Speaker, it is of an urgent nature and relates to a matter of public importance. The question may only be asked on a sitting day. (Standing Order 20B (1)).
- A member may ask a question if it is submitted before 10.30am and the member representing the Commission to whom it is addressed is given a minimum of four hours' notice. (Standing Order 20B (2))
- No topical questions will be asked of the Commission during Question Time (Standing Order 20A)
- Bi-lingual translation is provided to support Commission Members in the delivery of their responses during Question Time.
- Where the Member who submitted the question is not present to ask it or the question is not reached in the time allocated for questions, the Member representing the Commission to whom the question is addressed will provide a written response. (Standing Order 20(9))
- Supplementary questions can also arise during Question Time where the Commission Member agrees to provide a written response.
- On all occasions where a written response is required arising from Oral Question Time, a Commission Member can be provided with a bi-lingual translation of the response for signature prior to issue to the Member.
- A diagrammatical interpretation of this process is attached at Annex D.

### **Questions for Written Answer**

- Members can table **questions for written answer** in the Business Office Monday to Friday until 4.00pm. Questions received after 4.00pm will be treated as having been received on the next working day. Written questions to the Assembly Commission are issued from the Business Office on a daily basis when the Assembly is sitting.
- Members can ask up to 5 questions per Member per day (of which 1 may be for priority answer<sup>4</sup>). (Standing Order 20C (1))
- Commission Members normally sign responses to Assembly Questions for written response in line with their portfolio arrangements. Further detail on these arrangements is included below.
- Based on the current Commission policy, all questions for written answer are responded to in the language that is used to ask the question. As the Assembly

<sup>4</sup> Priority questions are answered within two, three, four or five working days.



Business Office only accept questions from Members in English, Assembly Questions to the Commission are currently answered only in English.

- Bi-lingual translation is not provided to support Commission Members in line with the Commission decision taken on 7 May 2013
- A diagrammatical interpretation of this process is attached at Annex D.

To detail the methodology used in assigning questions to the Commission, the Commission Handbook details that the Commission has adopted **portfolio holder arrangements** which mirror the structure of the Assembly Secretariat and afford each Commission Member an opportunity to have an oversight of specific issues and areas at an operational level.

The arrangements also offer Members an opportunity to gain further working knowledge to assist them in responding effectively to Assembly Questions on behalf of the Assembly Commission. Commission Members are asked to answer both Written and Oral Questions, on behalf of the Commission, generally in line with their portfolio arrangements.

The principle is that all answers will reflect the corporate position of the Commission as the Commission Member signs on behalf of the full Commission and not as an individual.

**Current Portfolio Arrangements (Nov 2014) are as follows:**

- Mr Peter Weir MLA currently hold the portfolio for the Legal and Governance Directorate
- Ms Caitríona Ruane, MLA currently hold the portfolio for the Information and Outreach Directorate
- Mr Sam Gardiner, MBE, JP, MLA currently hold the portfolio for the Clerking and Reporting Directorate
- Mr Pat Ramsey, MLA currently hold the portfolio for the Facilities/Keeper of the House Directorate
- Mrs Judith Cochrane, MLA currently hold the portfolio for the Corporate Services Directorate

**Extract from Commission Meetings**

The matter of bi-lingual translation has been discussed by the Assembly Commission at several meetings. During these discussions a weighted vote was used. The Commission have agreed<sup>5</sup> that where consensus cannot be reached, the Speaker would generally defer the matter to the next meeting. In exceptional circumstances, the Speaker may decide that a vote is required. On such occasions, each of the Commission Members carries a voting strength equivalent to the number of elected Members in the party to which they belong. Independent Assembly Members or members of political parties not represented on the Commission, by prior arrangement with the Speaker, may allocate their vote to an individual Commission Member.

The matter of bi-lingual translation has been discussed by the Commission on

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<sup>5</sup> <http://assist.assemblyni.gov.uk/services/Commission/documents/CommissionHandbook.pdf>

several occasions. During May and June 2013, the Commission adopted their current approach to the matter of translation as evidenced by the minutes of those meetings, namely:

Meeting of the 7 May 2013<sup>6</sup>

**“10. BILINGUAL TRANSLATION – LEGAL ADVICE**

*The Speaker briefed the Commission on the legal advice received from the Director of Legal and Governance Services. The Speaker confirmed that attempts to resolve this issue had been unsuccessful and that he was of the view that a vote in the Commission was now the way forward. Mrs Cochrane proposed that Ms Ruane should be allowed to respond bilingually to Assembly Questions on behalf of the Commission. Ms Ruane asked that it be recorded that she as an MLA and Party Whip felt that she and her Party and the people who vote for them were being discriminated against by this decision. The Commission voted as follows:-*

*For:- Ms Ruane, Mrs Cochrane = 37 votes.*

*Against:- Mr Weir, Mr Cree, Mr Ramsey = 67 votes.*

*The motion was lost.*

*Ms Ruane asked for the outstanding questions to be referred back to her.”*

Meeting of the 5 June 2013<sup>7</sup>

**“5.2 Bilingual Responses to AQWs to the Commission**

*The Speaker informed the Commission that following its decision, at the meeting on 7 May 2013, to respond to all questions for written answer in the language which had been used to ask the question, the outstanding questions had been returned by the Commission Member translated bilingually. The Speaker sought Members views on how to progress the matter.*

*Ms Ruane stated that in her opinion that she was entitled to exercise her right to respond to questions in both English and Irish and believed that the decision of the Commission was discriminatory.*

*Mr Weir stated that as all responses to Assembly Questions for written answer are signed by Commission Members on behalf of the Commission and as the Commission had taken a previous decision to issue responses in the language which had been used to ask the question, that the questions should be issued immediately to the Members in that format and signed by another Member of the Commission.*

*Mr Cree agreed with Mr Weir’s position as he felt that a democratic decision had been previously taken by the Commission.*

<sup>6</sup> <http://www.niassembly.gov.uk/ABOUT-THE-ASSEMBLY/Assembly-Commission/Minutes/>

<sup>7</sup> <http://www.niassembly.gov.uk/ABOUT-THE-ASSEMBLY/Assembly-Commission/Minutes/>

*The Speaker made the proposal that the responses now issue in the format agreed by the Commission on 7 May 2013.*

*The Commission voted as follows:-*

*For :- Mr Weir, Mr Cree, Mr Ramsey and Mrs Cochrane = 75 votes.*

*Against :- Ms Ruane = 29 votes.*

*The proposal was agreed.”*

Based on this decision all assembly Commission Written Questions are answered in the language which has been used to ask the question.

### **Other Conventions/ Relevant Rulings**

#### **Proceedings of the Assembly: Language**

Section 41 (1) of the Northern Ireland Act 1998<sup>8</sup> provides for the proceedings of the Assembly to be regulated by standing orders and these standing orders cannot be made, amended or repealed without cross-community support in accordance with section 41 (2) of the Northern Ireland Act 1998. Whilst Commission Language Guidance can refer to standing orders and indicate what action/ policy it wishes to put in place to assist the Assembly, it must be careful not to breach section 41 of the Northern Ireland Act 1998.

Standing Order 78<sup>9</sup> entitled Language states “Members may speak in the language of their choice.”

The Northern Ireland Assembly Companion: Rulings, Convention and Practice states at 4.6 p.73 that as early as 14 December 1998 (Vol 1 page 243) the then Initial Presiding Officer explained to the Assembly that he, and the Clerks, would be provided with an English translation (of Irish) so that he could

*“fulfil my function of ensuring that all contributions, whether in English or Irish, conform to the rules of the Assembly.”*

Early rulings on the matter, such as that given on 1 March 1999 (Vol 2 page 147) concentrated on the requirement for courtesy to other Members. A member, who had spoken in Irish, had said that she thought the translation provided to the Speaker would suffice. The Speaker replied:

*“I have from a very early stage made clear that a translation is a courtesy to other Members; it is not to clarify the position for me. I have taken the precaution of making arrangements for myself so that I can know if a translation that is proffered is a reasonably accurate translation of what was said. However, I have always taken the view – and this is one that I have expressed to the Assembly and which*

<sup>8</sup> <http://www.legislation.gov.uk/ukpga/1998/47/contents>

<sup>9</sup> <http://www.niassembly.gov.uk/Assembly-Business/Standing-Orders/>

*Members have never challenged – that when Members speak in another language they should give a translation out of courtesy to the other Members.”*

However, on 20 November 2000 (Vol 7 page 201) the Speaker responded to a point of order in a stronger fashion. The response also refers to a report on the subject of simultaneous translation, and covers ministerial statements as well as other contributions to debate:

*“The position is clear. When responses are made in a language other than English, a full and accurate translation must be given. On a number of occasions I have checked the matter. For Members who wish to have a simultaneous translation, a report showing the costs and other details has been available for over 18 months. It is simply a matter of a proposal to be taken forward to the Business Committee.*

*My ruling is clear: any statements made in a language other than English must be translated fully and accurately.”*

### **The Assembly Commission’s Good Relations Strategy<sup>10</sup>**

The development of Language Policy and Guidance is set out in the Commission’s Good Relations Strategy at 2.9 of the Good Relations Action Plan. This Strategy was approved by the Commission on 8 May 2012. The Assembly Commission does not yet have an agreed Language Policy. However, draft Language Guidance has been considered by the Assembly Commission at several meetings including 24/01/12, 28/02/12, 06/11/12, 27/02/13, and 05/06/14. The views of all Political Parties have been sought in 2013 and are to be considered at a future meeting of the Commission.

## **9 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

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<sup>10</sup> <http://www.niassembly.gov.uk/ABOUT-THE-ASSEMBLY/Corporate-Information/Policies/Northern-Ireland-Assembly-Commission-Good-Relations-Strategy-2012--2016-/>

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

**10 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 : Members

**11 Other policies with a bearing on this policy**

What are these policies?

Please list:

Assembly Standing Orders  
 Speaker's Rulings  
 Assembly Commission Handbook  
 NIA Corporate Strategy 2012-16  
 Good Relations Strategy 2012 - 16

**12 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 from the following sources informed the development of the current screening form:

- The 2011 NI Census
- DCAL,2012, Knowledge and use of Irish in Northern Ireland: Findings from the Continuous Household Survey 2011/12
- NIAR 669-14 Research Paper (Assembly Research Services) 2014
- NI Assembly Standing Orders
- NI Assembly Website

Table 1: Consideration of available data/research

Section 75 category	Details of evidence/information
Religious belief	<p>The 2011 NI Census<sup>11</sup> showed that 184,898 people have some knowledge of the Irish language; a higher proportion of Catholics (21%) than Protestants (2%) said they had some ability in Irish.</p> <p>DCAL, (2012). Knowledge and use of Irish in Northern Ireland: Findings from the Continuous Household Survey 2011/12<sup>12</sup>: The 2011/12 Continuous Household Survey (CHS) indicated that there was a higher proportion of Catholics than Protestants who have knowledge of Irish (29% and 2% respectively).</p>
Political opinion	<p>NIAR 669-14 Research Paper (Assembly Research Services)<sup>13</sup>: Use of Irish in the Northern Ireland Assembly and Executive, Indicates that although no quantitative data on the numbers of members speaking Irish in the Assembly Chamber, members may use the language of their choice when speaking, Standing Orders do not provide for a language other than English when tabling. Anecdotally, we are aware that Members of Sinn Fein and SDLP have used Irish as part of Plenary business, therefore indicating that more Members designated as Nationalist speak the Irish Language within the Chamber.(Full research report attached)</p> <p><b><u>Current Breakdown of Assembly Membership</u></b><sup>14</sup></p> <p>DUP 38  Sinn Fein 29  SDLP 14  UUP 13  Alliance 8  Independents 2  TUV 1  UKIP 1  NI21 1  Green Party 1</p> <p><b><u>Assembly Designation Make-Up</u></b></p> <p>Unionist 56  Nationalist 43  Other 9</p>

<sup>11</sup> NISRA , Census 2011: Key Statistics for Northern Ireland, Dec 2012

<sup>12</sup> DCAL,2012, Knowledge and use of Irish in Northern Ireland: Findings from the Continuous Household Survey 2011/12

<sup>13</sup> NIAR 669-14 Research Paper (Assembly Research Services) 2014

<sup>14</sup> <http://www.niassembly.gov.uk/>

	<b>Qualitative data</b> such as Questions to the Assembly Commission <sup>15</sup> highlighted the desire by both Unionists and Nationalists to have their identities reflected in Parliament Buildings. Questions to the Assembly Commission further indicate that Members from Sinn Fein would like to use the Irish Language both within a written and verbal context.
Racial group	The Assembly's Information and Outreach Service have developed a leaflet entitled "Your Assembly Your Say" is available in 11 different languages on the Assembly's website <sup>16</sup> and in hard copy on entrance to Parliament Buildings. Irish is one of the languages used in this document. In partnership with CCEA (Council for the Curriculum Examinations and Assessment), the Primary Section <sup>17</sup> of the Education Service dedicated website is also currently being translated into Irish. The Assembly's Information and Outreach Directorate is also looking into the transcription of tours into a range of languages, including Irish. The Assembly's Education Service provides Irish translation when supporting Irish medium schools visiting Parliament Buildings.
Age	The 2011 Census also showed that knowledge of Irish was highest amongst 12-15 year olds (20%), older people were less likely to have some knowledge of Irish with 6% of people aged 75 over saying they have some knowledge of Irish.
Marital status	No data available in relation to the current policy
Sexual orientation	No data available in relation to the current policy
Men and women generally	Following the election of May 2011, 20 of the 108 MLAs were female (18.5%) and 88 male (81.5%). As of September 2014, 22 of the 108 MLAs are female (20.4%) and 86 male (79.6%).
Disability	No data available in relation to the current policy
Dependants	No data available in relation to the current policy

<sup>15</sup> <http://www.niassembly.gov.uk/Assembly-Business/Questions/>

<sup>16</sup> <http://www.niassembly.gov.uk/Visit-and-Learning/Visiting/>

<sup>17</sup> <http://education.niassembly.gov.uk/>

### 13 Current Assessment of Impact

Having looked at the data/information referred to above in table 1, 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).**

**Table 2: Current assessment of impact**

Section 75 category	Details of needs/experiences/priorities and details of policy impact	Level of Impact
Religious belief	<p>On the basis of an analysis of available evidence and information, there is evidence that the provision of bi-lingual responses as part of the guidance for answering questions for written response, may indirectly impact differentially on persons of different religious belief.</p> <p>Research indicates that more Catholics than Protestants have knowledge of the Irish language (CHS). In addition, the 2011 NI Census showed that 184,898 people have some knowledge of the Irish language; a higher proportion of Catholics (21%) than Protestants (2%) said they had some ability in Irish. The Census Report 2011 also indicates that 10.65% have some ability in Irish with 3.74% indicating that they can speak, read, write and understand Irish. Using this information it could then be assumed that by not providing the service bi-lingually could have an adverse impact on these persons.</p>	Minor
Political opinion	<p>On the basis of an analysis of available evidence and information, there is evidence that the provision of bi-lingual responses as part of the guidance for answering questions for written response, indirectly impacts differentially on persons of different political opinion.</p> <p>As research and qualitative data indicate, more individuals who have designated as Nationalist use the Irish language in the Assembly Chamber when speaking as part of proceedings. Further information from Members of Sinn Fein indicates a desire to use the Irish Language in a written context as part of their administrative duties as Members of the Assembly Commission. It could then be assumed that by not providing the</p>	Minor



	service bi-lingually could have a adverse impact on this individuals based on political opinion.	
Racial group	There is no evidence any different needs, experiences and priorities of those individuals of different racial groups in relation to the guidance for answering both oral and written questions to the Assembly Commission.	None
Age	There is no evidence any different needs, experiences and priorities of those individuals of different age in relation to the guidance for answering both oral and written questions to the Assembly Commission.	None
Marital status	There is no evidence any different needs, experiences and priorities of those based on marital status in relation to the guidance for answering both oral and written questions to the Assembly Commission	None
Sexual orientation	There is no evidence any different needs, experiences and priorities of those of different sexual orientation in relation to the guidance for answering both oral and written questions to the Assembly Commission	None
Men and women generally	There is no evidence any different needs, experiences and priorities of men and women generally in relation to the guidance for answering both oral and written questions to the Assembly Commission	None
Disability	There is no evidence any different needs, experiences and priorities of those individuals with disabilities in relation to the guidance for answering both oral and written questions to the Assembly Commission	None
Dependants	There is no evidence any different needs, experiences and priorities of those individuals with dependents in relation to the guidance for answering both oral and written questions to the Assembly Commission	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

### 14 Screening Questions

Table 3: Impact on equality of opportunity for those affected by the policy

<b>1 Are there any steps/actions which could be taken to reduce any adverse impact as addressed in point 12 (Table 2)?</b>		
Section 75 category	Issue	Mitigating Measure
Religious belief	Review the current policy of the Assembly Commission in respect to translation to allow any member of the Assembly Commission to respond to either questions for written or oral answer in the language of their choice with an English translation.	Minor
Political opinion	Review the current policy of the Assembly Commission in respect to translation to allow any member of the Assembly Commission to respond to either questions for written or oral answer in the language of their choice with an English translation.	Minor
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

**15. Is there an opportunity to better promote equality of opportunity and/or good relations in what you are proposing to do?**

Based on the available data and research there may be opportunities to better promote good relations by taking an inclusive view of the use of other languages within the proceedings of the corporate body.

**16. 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?

- Assembly Commission Members
- Senior Management Group

**17. 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

## 18. 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.

The Commission recognises that none of the Section 75 categories operate as silos and that people have multiple identities. It is also recognised that where issues have been raised, or may in the future be raised, that they will revisit their guidance and amend as necessary.

## Part 3

### 19. Screening Decision

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

**This section to be completed following consultation with Commission Members and consideration of proposed mitigating factors.**

19.2 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*), provide details of the reason for the decision with proposed changes/amendments for an alternative policy to be introduced.

As above

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

Click here to enter text.

## 20. 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.

20.1 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**

### **21. 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?

#### **Monitoring and Review**

Monitoring of the guidance for handling questions asked to the Assembly Commission for oral or written answer will be conducted on an on-going basis by the Commission and Corporate Support Unit.

## **Part 5**

### **22. 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

### 23. Approval and authorisation

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
Robin Ramsey Cathy McGowan	Head of Corporate Support Unit Assistant Assembly Clerk	
<b>Reviewed by:</b>		
Maria Bannon	Equality Manager	
<b>Approved by:</b>		
Trevor Reaney	Clerk/Chief Executive	

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.

**24. 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.

**This section to be completed following consultation with Commission Members and consideration of proposed mitigating factors.**

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.

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.

## Annex A                      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.

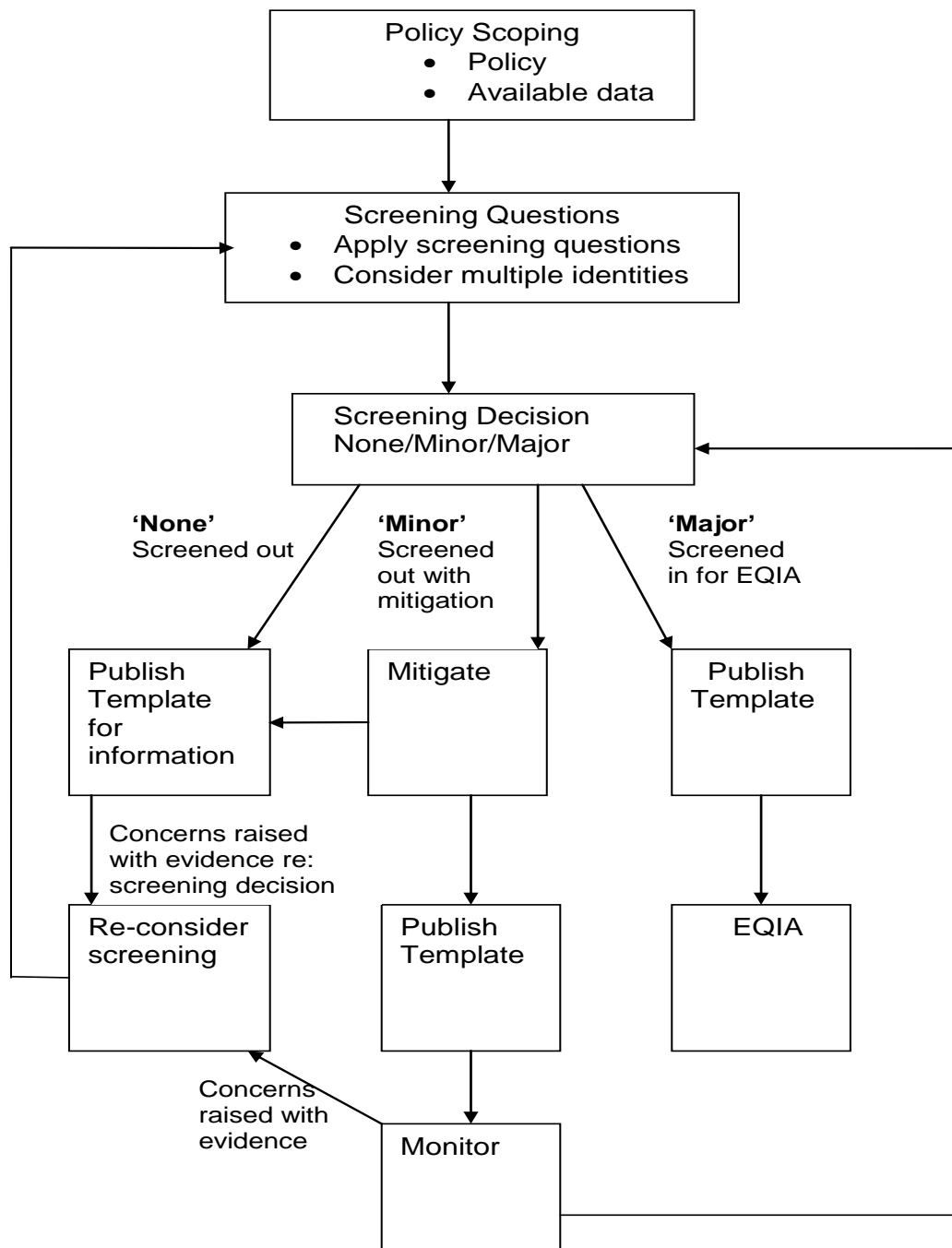
### **In favour of 'minor' impact**

- 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.

## Annex B Screening Flowchart<sup>18</sup>



<sup>18</sup> Section 75 of the Northern Ireland Act 1998 – A Guide for public authorities, Equality Commission for NI, April, 2010 (p.59).

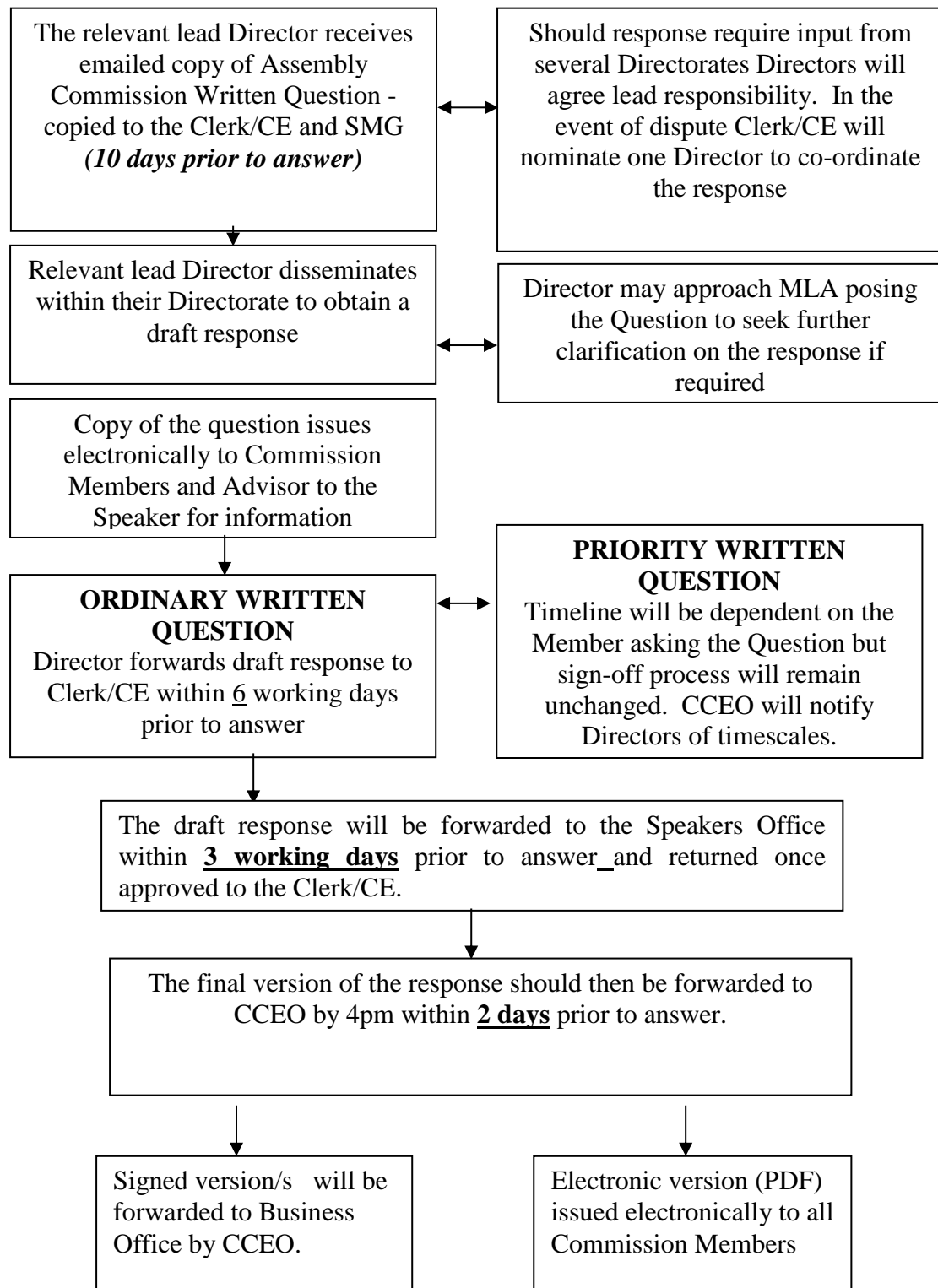
## Annex C Main Groups identified as relevant to the Section 75 categories

Category	Main Groups
<b>Religious Belief</b>	Protestants; Catholics; people of other religious belief; people of no religious belief
<b>Political Opinion</b>	Unionists generally; Nationalists generally; members/supporters of any political party
<b>Racial Group</b>	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Afro Caribbean people; people of mixed ethnic group, other groups
<b>Age</b>	For most purposes, the main categories are: children under 18; people aged between 18 and 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age
<b>Marital/Civil Partnership Status</b>	Married people; unmarried people; divorced or separated people; widowed people; civil partnerships
<b>Sexual Orientation</b>	Heterosexuals; bisexual people; gay men; lesbians
<b>Men and Women generally</b>	Men (including boys); women (including girls); transgender and trans-sexual people
<b>Persons with a disability and persons without</b>	Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995.
<b>Persons with dependants and persons without</b>	Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for a dependent elderly person.

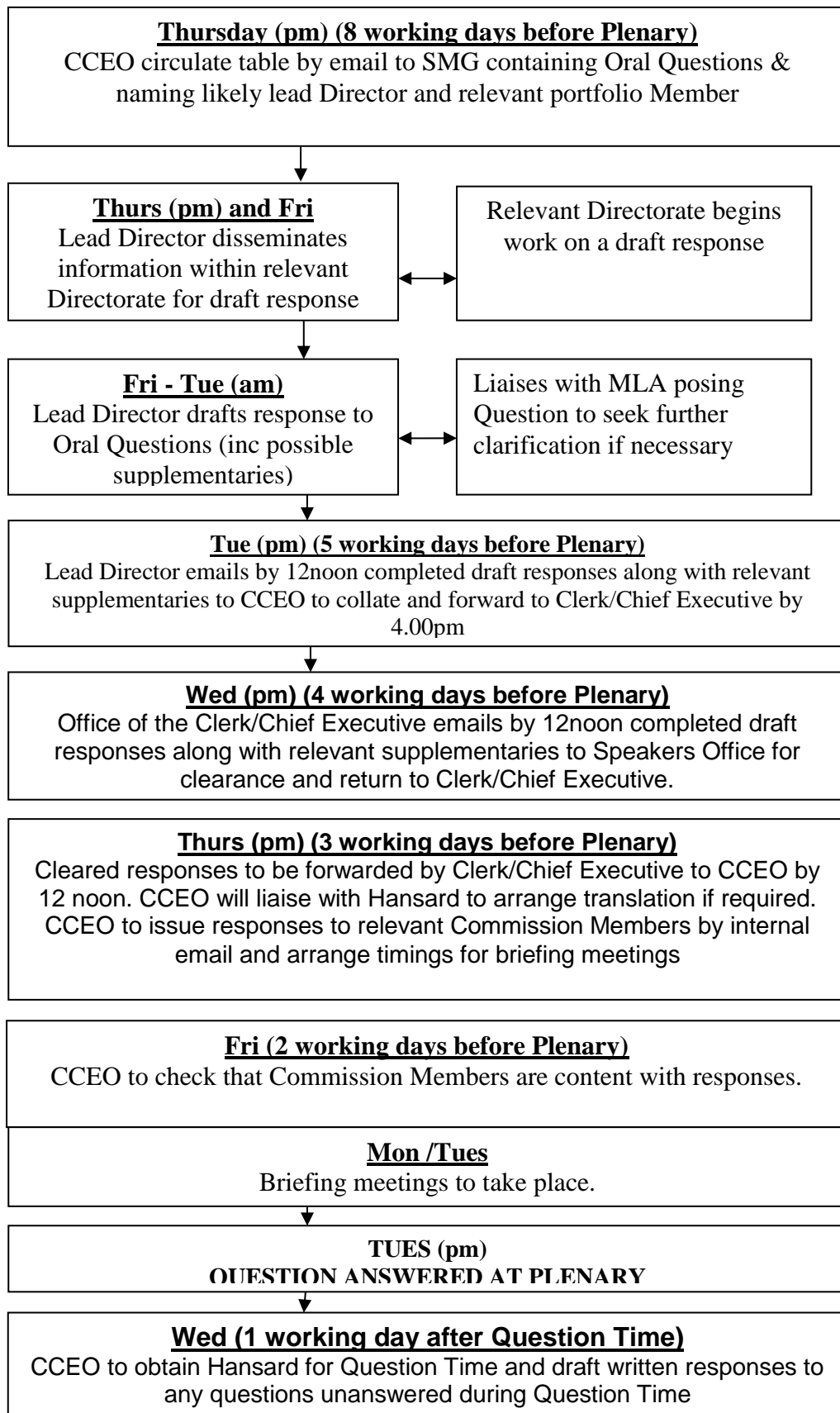


## Annex D Assembly Questions Flowchart

### Process Map for completing Questions for WRITTEN ANSWER for the Assembly Commission



**Process Map for completing Questions for ORAL ANSWER for the Assembly Commission**



**E NIAR 669-14 Research Paper (Assembly Research Services):**