



Northern Ireland
Assembly

SECTION 75 SCREENING FORM

What is a policy?

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

These are effectively catch-all definitions which cover the Secretariat's policies, strategies, schemes, procedures and functions. You should remember that the Section 75 statutory duties apply to internal policies as well as external policies. If you are in doubt please contact the Equality Unit for advice.

Part 1 Policy scoping

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

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

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

The Staff Hours at Work Policy has been under development for some time, in consultation with Trade Union Side through the ERG Policy Sub Group. A draft Policy was considered by SMG in May 2014. The draft Policy was subsequently subject to formal consultation with Staff and Trade Union Side for a period of six weeks. In October 2014, SMG agreed a revised draft Staff Hours at Work Policy. This revised draft has now been agreed with Trade Union Side.

1. Policy Details

Name of the policy to be screened:

Staff Hours At Work Policy

Is this policy new or revised?

New Policy

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

The Staff Hours at Work Policy aims to support the operational needs of the Assembly, recognizing 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

Directorate responsible for devising and delivering the policy?

The Human Resources Office is responsible for devising the Policy. However, managers at all grades and in all areas of the business are responsible for implementation/delivery of the Policy.

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: Managers and staff not implementing the policy consistently.

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 of the public

3. Other policies with a bearing on this policy

What are these policies? Please list:

The policy on payment of overtime is impacted on by this Policy, ie overtime payment may only be claimed outside of the bandwidth established by the Staff Hours at Work Policy (and once full contractual hours have been worked in that week).

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

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

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

Section 75 category	Details of evidence/information
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Religious belief	<p>The Staff Hours at Work Policy applies to all staff of the Assembly Commission. The current breakdown of permanent staff by community background is as follows:</p> <p>216 Protestant</p> <p>146 Roman Catholic</p> <p>17 Non Determined</p>
Political opinion	Click here to enter text.
Racial group	Click here to enter text.
Age	<p>Age profile of staff as at 28.02.14</p> <p>Age Numbers</p> <p>20-24 1</p> <p>25-29 23</p> <p>30-34 66</p> <p>35-39 62</p> <p>40-44 74</p> <p>45-49 52</p> <p>50-54 45</p> <p>55-59 33</p> <p>60-64 19</p> <p>65 + 4</p>
Marital status	Click here to enter text.
Sexual orientation	Click here to enter text.

Men and women generally	<p>The policy applies to staff of the Assembly Commission. The breakdown of permanent staff by gender is as follows:</p> <p>216 Male</p> <p>163 Female</p> <p>The number and breakdown of inward secondees in the Assembly Commission can vary at any point in time, as does the number of agency staff. Both of these groups fall within the scope of the Policy.</p>
Disability	31 staff have advised that they have a disability
Dependants	Click here to enter text.

5. 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 adverse impact on equality of opportunity for those affected by the policy. (See appendix 1 for information on levels of impact).

Section 75 category	Details of needs/experiences/priorities and details of policy impact	Level of Impact
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None

Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependants	None	None

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	The Policy is procedural in nature and will be applied to all staff irrespective of Section 75 category	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

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

Please provide reasons.

No, the Policy sets out a procedure which applies to all staff.

3. Consultation

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

The Staff Hours at Work Policy has been consulted on with Trade Union Side and Staff.

4 Disability Duties?

Consider whether the policy:

- a) Discourages disabled people from participating in public life and fails to promote positive attitudes towards disabled people.
The Staff Hours at Work Policy is procedural in nature and would not discourage disabled people from participating in public life
- b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.
The Staff Hours at Work Policy is procedural in nature and does not impact on attitudes towards disabled people

Additional considerations

Multiple identities

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

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

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

Part 3 Screening decision

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

No level of impact on any specific/multiple Section 75 categories has been identified during screening.

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.

Not applicable

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

Not applicable

4. Timetabling and prioritising for EQIA

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

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

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

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	Click
Social need	Click
Effect on people’s daily lives	Click

Relevance to a public authority's functions	Click
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Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the CCSU in timetabling. Details of the Equality Impact Assessment Timetable will be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

Yes ☐ No ☒

If yes, please provide details

[Click here to enter text.](#)

Part 4 Monitoring

Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Commission to conduct an equality impact assessment, as well as help with future planning and policy development.

The Equality Commission for NI (ECNI) recommends that where a policy has been amended or an alternative policy introduced, the public authority should monitor more broadly for adverse impact.

See ECNI Monitoring Guidance for use by Public Authorities (July 2007) pages 9-10, paragraphs 2.13 – 2.20

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

What are these policies? Please list:

We will monitor the implementation of the policy on an annual basis to ensure that there is no adverse impact arising from the policy.

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	03.11.14
Aine Kerr	Senior HR Manager	03.11.14
Approved by: Sinead McDonnell	Head of HR	04.11.14

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy. A copy of the completed screening template and any other relevant associated documentation should be forwarded to the Equality Manager.

The Equality Manager will make the completed screening template available on the NIA website as soon as possible following completion, and approval of the screening form.

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.