

## SECTION 75 POLICY SCREENING FORM

### Section 75 Statutory Equality Duties

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

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

Section 75 (1) requires the University 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 University 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<sup>1</sup> that the term 'policy' is used to denote any strategy, policy (proposed/amended/existing) or practice and/or decision, whether written or unwritten.

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

If you are in doubt, please contact the Diversity and Inclusion Unit for advice. Equality screening guidance is also available at [Queen's website](#) or by contacting the Diversity and Inclusion Unit.

## **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 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.

It should be remembered that the Section 75 statutory duties apply to internal policies (relating to people who work for the University), as well as external policies (relating to those who are, or could be, served by the University).

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

## A. Information about the policy

Name of the policy to be screened and description

Guidelines on Staff Requests to Undertake Part-time Courses of Study

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

Revised guidelines

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

To provide guidelines and a framework for staff and managers to consider requests relating to staff wishing to undertake a part-time course leading to a qualification and seeking support in this. Principles, eligibility and criteria for consideration to help decision making and some practical guidance are included in the guidelines.

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Are there any Section 75 categories which might be expected to benefit from the policy?

If so, explain how.

These guidelines are relevant for staff in all categories and grades, therefore Section 75 categories would be relevant.

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Who initiated or wrote the policy?

Organisational Development, People and Culture Directorate

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Directorate responsible for devising and delivering the policy?

People and Culture (although these are guidelines to aid decision making across different departments in Queen's)

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## **Background to the Policy to be screened.**

Include details of any pre- consultations/consultations which have been conducted and/or whether the policy has previously been tabled at the University's Operating Board or the Standing Committee of the Senate.

This is a revision of existing guidelines.

These have been updated to move from a situation where the associated funding may have been processed from a central (HR Directorate) budget. Applications and decisions would have been considered at local (School/Directorate) level for staff requests, and this remains the case, however the proposal was made for decisions regarding the funding/financial aspects to be more consistently managed at local level as well as the decision.

Consultation has taken place via discussions with Faculty teams (including Directors of Operations and HR Business Partners) the Registrar's Office (regarding Directorates), and the Finance Directorate regarding budget allocation. This has also been raised at UEB.

Feedback will be welcomed by Organisational Development and these guidelines will be kept under review to support effective implementation.

## **B. Implementation factors**

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

If yes, are they

- financial? Available budget in departments
- legislative?
- other?( please specify): Differing expectations or interpretations of people involved

### C. 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 \_\_\_\_\_

### D. Other policies with a bearing on this policy

What are they? (please list)

- Corporate Plan (Institutional Strategy)
- People and Culture Strategy, *People First*, (People and Culture)
- Equality and Diversity Policy (People and Culture)

Who owns them?

See above

### E. Available evidence

**What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.**

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.

Section 75 category	Details of evidence/information (Provided by Diversity and Inclusion Unit, correct at June 2019)
Religious belief	Protestant: 34.9% Roman Catholic: 39.6% Non-determined: 25.5%
Political opinion	No evidence or information identified that would have an impact
Racial group	Broad Ethnicity: Not known: 4.6% Ethnic: 6.9% White: 88.5%
Age	Age Range: Under 25: 1.5% 25-29: 8.7% 30-34: 14.3% 35-39: 17.5% 40-44: 15.1% 45-49: 14.2% 50-54: 12.2% 55-59: 9.8% 60-64: 5.3% 65+: 1.5%

Marital status	<p>Widowed: 0.5%</p> <p>Civil partnership: 0.9%</p> <p>Separated: 1.5%</p> <p>Prefer not to say: 2.1%</p> <p>Divorced: 2.8%</p> <p>Other: 3.4%</p> <p>Not known: 3.5%</p> <p>Single: 32.1%</p> <p>Married: 53.4%</p>
Sexual orientation	<p>Of either sex: 0.9%</p> <p>Of the same sex: 3.2%</p> <p>I do not wish to answer: 11.6%</p> <p>Not known: 13.9%</p> <p>Of a different sex: 70.3%</p>
Men and women generally	<p>Male: 46.2%</p> <p>Female: 53.8%</p>
Disability	<p>Yes: 7.3%</p> <p>Not known: 19.6%</p> <p>No: 73.1%</p>
Dependants	<p>Not known: 9.8%</p> <p>Yes: 44.5%</p> <p>No: 45.7%</p>

## F. Needs, experiences and priorities

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<sup>2</sup>? 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	<p>The University is an equal opportunities employer. The University's Equality and Diversity Policy applies to applicants for employment, employees and those who work at the University (including members of Senate and its core committees) and relates to decisions including access to training.</p> <p>The purpose of the document is to provide guidance for staff and managers in considering requests relating to staff wishing to undertake a part-time course.</p> <p>Section 4.2 of the revised guidelines state that "it is the responsibility of the line manager and authorising managers to ensure that requests are considered fairly and consistently in their area of responsibility."</p> <p>The guidelines are likely to have a positive impact for all staff, regardless of religious belief</p>	None
Political opinion	See above but for political opinion	None
Racial group	See above but for racial group	None
Age	See above but for age	None

<sup>2</sup> 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.

Marital status	See above but for marital status.	None
Sexual orientation	See above but for sexual orientation	None
Men and women generally	See above but for men and women generally	None
Disability	See above but for disability.	None
Dependants	See above but for dependants.	None

## Part 2 Screening questions

<b>1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?</b>		
Section 75 category	Issue	Minor/major/none?
Religious belief	The guidelines are likely to have a positive impact on equality of opportunity for all staff, regardless of religious belief	None
Political opinion	See above but for political opinion	None
Racial group	See above but for racial group	None

Age	See above but for age.	Minor
Marital status	See above but for marital status	None
Sexual orientation	See above but for sexual orientation	None
Men and women generally	See above but for men and women generally	None
Disability	See above but for disability	None
Dependants	See above but for dependants.	None

**2 Are there any actions which could be taken to reduce any adverse impact which has been identified or opportunities to better promote equality of opportunity?**

Section 75 category	Issue	Mitigating Measure
Religious belief	No adverse impacts have been identified as a result of the screening	The policy will be monitored and reviewed annually, including data on each of the protected characteristics to identify if any adverse impacts have arisen

Political opinion	See above	See above
Racial group	See above	See above
Age	See above	See above
Marital status	See above	See above
Sexual orientation	See above	See above
Men and women generally	See above	See above
Disability	See above	See above
Dependants	See above .	See above

**3 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	Details of policy impact	Level of impact minor/major/none
Religious belief	n/a neutral, same for all	none

Political opinion	n/a neutral, same for all	none
Racial group	n/a neutral, same for all	none

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief	n/a neutral, same for all	n/a
Political opinion	n/a neutral, same for all	n/a
Racial group	n/a neutral, same for all	n/a

## E Multiple identity

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 potential impacts with regard to multiple identity (S75 categories) have been identified.

Further analysis may be required on an intersectional level.

## F Disability Duties

### 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. The University is an equal opportunities employer and seeks to provide equality for all, including persons with disabilities. This includes decisions relating to access to training.
- b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.

Yes, see above

### Part 3. Screening decision

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

**'Screened out'** i.e. the likely impact is none and no further action is required

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

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

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

[Click here to enter text.](#)

The guidelines have been screened and no adverse impacts have been identified. The guidelines potentially have positive impacts for staff in each of the section 75 groups as line managers and authorizing managers are responsible for ensuring all requests are considered fairly and consistently.

The guidelines will be reviewed and data on requests for part-time study will be reviewed on equality grounds to identify if any adverse impacts arise. This is reflected in the guidelines as a result of the screening exercise.

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.

[Click here to enter text.](#)

See above



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

[Click here to enter text.](#)

n/a

## D Timetabling and prioritising

If the policy has been ‘**screened in**’ for equality impact assessment 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 the University’s functions	Click

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

If yes, please provide details

## Part 4. Monitoring

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

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

Any forms related to these guidelines should be retained by the relevant School or Directorate.

Organisational Development will review these annually

Annual review with HR Business Partner team will be undertaken to ascertain if there are any issues or whether amendments are required to the guidelines

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

Analysis of requests in relation to these guidelines, broken down by protected characteristics such as age, gender, disability, race (including colour, nationality and ethnicity), sexual orientation, religion and political opinion, marital status and having or not having dependants.

## 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

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
Francis Guinane	(Learning and Development Manager)	26/6/19
<b>Approved by:</b>		
Laura Lynch	Head of Organisational Development	26/6/19

A copy of the screening form, for each policy screened, should be 'signed off' and approved by the senior manager responsible for the policy

In instances where a screening decision concludes that an EQIA is required then the screening form should be countersigned by a Director.

There may at times be policy issues which fall within the scope of being novel, contentious or politically sensitive and could only be taken forward following consultation with the University's Operating Board and/or Standing Committee of the Senate. Where a policy screening highlights such issues the screening form must be signed off by the Director prior to proceeding to the University's Operating Board and/or the Standing Committee of the Senate.

Following ratification, a copy of the approved screening form, and associated policy must be forwarded to the Diversity and Inclusion Unit for publication on the University's website.

## **ADDITIONAL INFORMATION TO INFORM THE ANNUAL EQUALITY 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 as part of screening.

2. In developing this policy 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.

The policy document will be written in Arial 12 font and saved as a pdf so it can be enlarged.

## Appendix 1

### Levels of Impact (Questions 6-9)

#### Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, you should consider the answers provided 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 introduce:

- measures to mitigate the adverse impact; or
- 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.

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.

