**Equality Screening Form**

**INTRODUCTION**

The information contained in this Equality Screening Form has been extracted from the Equality Commission for Northern Ireland’s Guide for Public Authorities (2010). Additional information about the 5 parts of the form and a flowchart to demonstrate the process of completion is detailed in [**Appendix 1**](#Appendix1) of the form.

This template document and further guidance can be found by clicking the following link - [www.equalityni.org/S75duties](https://www.equalityni.org/S75duties)

**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.

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

**Information about the policy**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of Policy** | Policy Statement on Handling of Disclosure Information | | | | | |
| **Is it existing, revised or a new policy?** | Existing |  | New |  | Revised |  |
| **If revised, please outline main updates:** | Updated in line with Access NI sample policy statement for Registered Bodies | | | | | |
| **What is it trying to achieve?**  **(Intended aims/outcomes)** | Explaining to candidates how we will process and protect their sensitive criminal history information where we are required to review it. | | | | | |
| **Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.** | N/A | | | | | |
| **Who initiated or wrote the policy?** | HR Services Manager | | | | | |
| **Who owns and who implements the policy?** | Human Resources | | | | | |

**Implementation Factors**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | No |  |

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

If yes, are they: (Select all applicable)

|  |  |
| --- | --- |
|  | Financial |
|  | Legislative |
|  | Other – please specify: |  |

**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: | Applicants |

##### [Other policies with a bearing on this policy](#Onefour) (please list):

|  |
| --- |
| * Rehabilitation of Ex-Offenders Policy * Access NI Code of Practice |

**Available Evidence**

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The following document should help you source data - [Section 75 - Evidence Signposting Guide](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/S75DataSignpostingGuide.pdf)

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

|  |  |
| --- | --- |
| **Section 75 category** | **Details of evidence/information** |
| Religious belief | No data available relating to religious belief and recruitment of ex-offenders. However, in NI there may be applicants who have spent and/or unspent convictions relating to sectarian troubles, which was predominantly based on religious and political beliefs, in the 70’s, 80’s and 90’s.  [Recruiting People with Conflict-Related Convictions - Employers' Guidance (executiveoffice-ni.gov.uk)](https://www.executiveoffice-ni.gov.uk/sites/default/files/publications/ofmdfm_dev/ex-prisoners-final-guidance.pdf) |
| Political opinion | Political opinion is often treated as a proxy to religious belief in NI. |
| Racial group | NI Census 2021 showed that 96.6% of NI population identifies as white: [Census 2021 Main statistics for Northern Ireland - Statistical bulletin - Ethnic group (nisra.gov.uk)](https://www.nisra.gov.uk/system/files/statistics/census-2021-main-statistics-for-northern-ireland-phase-1-statistical-bulletin-ethnic-group.pdf)  Statistical data for England and Wales shows in 2019, 84.8% of population identified as white: [Population estimates by ethnic group and religion, England and Wales - Office for National Statistics (ons.gov.uk)](https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/populationestimatesbyethnicgroupandreligionenglandandwales/2019#ethnicity-in-england-and-wales)  No data available for NI regarding racial group or ethnicity and convictions, however some data for England and Wales indicates that persons of black ethnicity represented 20%.  [Women and the Criminal Justice System 2021 - GOV.UK (www.gov.uk)](https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2021/women-and-the-criminal-justice-system-2021) |
| Age | BBC reports that the peak age for receiving a criminal conviction is 21-25 for males, and 26-30 for females.  [Who commits crime? - Crime - National 5 Modern Studies Revision - BBC Bitesize](https://www.bbc.co.uk/bitesize/guides/zqb2pv4/revision/5) |
| Marital status | No data available to identify marital status of those with or without criminal history |
| Sexual orientation | No data available to identify sexual orientation of those with or without criminal history |
| Men and women generally | Data relating to England and Wales in 2021 shows that of all convictions given, 21% were to females and 79% to males.  Women and the Criminal Justice System 2021 - GOV.UK (www.gov.uk)  Internal monitoring information of employee bus/glider drivers or shunters shows the following breakdown by sex: Female: 144, male: 1626 |
| Disability | No data available to identify those with or without a disability in relation to a criminal history |
| Dependants | No data available to identify those with or without dependants of those with or without criminal history |

**Needs, Experiences and Priorities**

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details for each of the Section 75 categories

|  |  |
| --- | --- |
| **Section 75 category** | **Details of needs/experiences/priorities** |
| Religious belief | Bus Driver or Shunter roles are the only Translink positions that meet the requirements of regulated activity, therefore will require an Enhanced Disclosure check – this could show spent convictions that are ‘troubles related’ and therefore considered under religious belief and/or political opinion.  However, the policy does not identify these as separate types of convictions and addresses convictions simply by relevance to the required role, which is line with Employers guidance (linked in the evidence above) |
| Political opinion | Political opinion is typically viewed by proxy of religious belief. |
| Racial group | No specific data could be found regarding racial group or ethnicity of NI population with criminal convictions. The data above shows that NI has a higher percentage of its population being white, therefore it would expect a lower percentage of crimes to be reported involving perpetrators who are not white.  There is nothing within the policy statement that has any impact on applying the policy statement on handling disclosure information to any racial group. |
| Age | It would typically be expected to see younger applicants with unspent convictions due to less time likely having lapsed since the conviction was recorded and based on the above data showing that the peak age for people receiving convictions is between 21 and 30.  However, as bus drivers into Translink require enhanced disclosure checks which may reveal any spent and unspent convictions, there may be convictions which appear for older applicants to Translink, such as in relation to the troubles.  There is nothing within the policy to specify any difference in applying the policy statement based on age. |
| Marital status | No data identified to show a correlation between the Policy statement on handling disclosure information and marital status |
| Sexual orientation | No data identified to show a correlation between the Policy statement on handling disclosure information and marital sexual orientation |
| Men and women generally | With approximately 4/5 persons receiving convictions being men, the policy statement on handling disclosure information would be expected to impact on more men than women. Additionally, as Translink require bus drivers to obtain an Enhanced Disclosure check which will inform of spent and unspent convictions, and with a higher percentage of men than women applying to be bus drivers, it increases the likelihood of this policy being applied to more men than women. |
| Disability | No data identified to show a correlation between the Policy statement on handling disclosure information and disability |
| Dependants | No data identified to show a correlation between the Policy statement on handling disclosure information and those with or without dependants |

**PART 2 - SCREENING QUESTIONS**

**Introduction**

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 which are given on pages 66-68 of the Guide: [Guide for Public Authorities April 2010](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75GuideforPublicAuthoritiesApril2010.pdf)

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

**Impact: Major / Minor / None**

If the public authority’s 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.

**In favour of ‘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. |

If the public authority’s 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 ‘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. |

If the public authority’s conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

**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. |

**Screening Questions 1 - 4**

|  |  |  |
| --- | --- | --- |
| **Screening Question 1** | | |
| What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? Minor/ Major/ None | | |
| Section 75 category | Details of policy impact | Level of impact? Minor/Major/None |
| Religious belief | Due to NI history of The Troubles, there may be a higher number of applicants with Troubles related convictions that will need to be assessed under the Recruitment of Ex-Offenders Policy and therefore applying this policy statement will be applied. However, there is no identified type of disclosure information that would impact this category. | None |
| Political opinion | See above. | None |
| Racial group | There is no identified impact on racial group. | None |
| Age | Whilst information above indicates that age could be a factor in equality of opportunity when applying the Policy statement on handling disclosure information, this is because there are different factors that might be applicable due to age of individual at the time of a conviction or as to how much time has passed. However, regardless of age the policy statement would be applied equally. | None |
| Marital status | There is no identified impact or relevance on marital status in applying this policy | None |
| Sexual orientation | There is no identified impact or relevance on sexual orientation in applying this policy | None |
| Men and women generally | Whilst information above indicates that sex/gender could be a factor in equality of opportunity when applying the Policy statement on handling disclosure information, this is because there is likely to be more men than women applying to Translink with disclosable convictions. However, the policy statement applies care in processing handling and retention of disclosure information, regardless of gender. | None |
| Disability | There is no identified impact or relevance on disability in applying this policy | None |
| Dependants | There is no identified impact or relevance on whether or not someone has dependants in applying this policy | None |

|  |  |  |
| --- | --- | --- |
| **Screening Question** **2** | | |
| Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? | | |
| Section 75 category | If **Yes**, provide details | If **No**, provide reasons |
| Religious belief |  | No, as the policy is designed to provide equality of opportunity regardless of religious belief. |
| Political opinion |  | No, as the policy is designed to provide equality of opportunity regardless of political opinion. |
| Racial group |  | No, as there is no identified impact on this category. |
| Age |  | No, as the policy is designed to provide equality of opportunity regardless of age |
| Marital status |  | No, as there is no identified impact on this category. |
| Sexual orientation |  | No, as there is no identified impact on this category. |
| Men and women generally |  | No, as the policy is designed to provide equality of opportunity regardless of gender. |
| Disability |  | No, as there is no identified impact on this category. |
| Dependants |  | No, as there is no identified impact on this category. |

|  |  |  |
| --- | --- | --- |
| **Screening Question** **3** | | |
| 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 | | |
| Good relations category | Details of policy impact | Level of impact Minor/Major/None |
| Religious belief | Although some convictions in NI could be troubles related and therefore have some correlation to religious belief, the policy stipulates that only trained and authorised personnel will have access to the conviction information, and only for the time required to make a recruitment decision, therefore there is no identified reason for the policy to have any impact on good relations between people of different religions. | None |
| Political opinion | There is no identified impact on this category. | None |
| Racial group | There is no identified impact on this category. | None |

|  |  |  |
| --- | --- | --- |
| **Screening Question 4** | | |
| Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? | | |
| Good relations category | If **Yes**, provide details | If **No**, provide reasons |
| Religious belief |  | No, as there is little or no impact on good relations in applying the Policy statement on handling disclosure information. |
| Political opinion |  | No, as there is little or no impact on good relations in applying the Policy statement on handling disclosure information. |
| Racial group |  | No, as there is little or no impact on good relations in applying the Policy statement on handling disclosure information. |

**Additional Considerations**

**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).

|  |
| --- |
| No multiple identity categories identified |

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

|  |
| --- |
|  |

**PART 3 - SCREENING DECISION**

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

|  |
| --- |
| Not required as no direct impact identified on any of the nine categories.  This policy also closely follows the respective sample policy provided by Access NI. |

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be **mitigated or an alternative policy be introduced**.

|  |
| --- |
| N/A |

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

|  |
| --- |
| N/A |

All public authorities’ equality schemes must state the authority’s arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

**Mitigation**

When the public authority concludes that the likely impact is ‘minor’ and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

|  |
| --- |
| N/A |

**Timetabling and Prioritising**

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

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

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

|  |  |
| --- | --- |
| **Priority Criterion** | **Rating (1-3)** |
| Effect on equality of opportunity and good relations | Choose an item. |
| Social need | Choose an item. |
| Effect on people’s daily lives | Choose an item. |
| Relevance to a public authority’s functions | Choose an item. |

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

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

If yes, please provide details:

|  |
| --- |
| **No** |

**PART 4 - MONITORING**

Public authorities should consider the guidance contained in the Commission’s Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

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

|  |
| --- |
| Equality screening will be reviewed for validity when the policy is next reviewed. |

**PART 5 - APPROVAL AND AUTHORISATION**

|  |  |  |  |
| --- | --- | --- | --- |
| **Policy Title:** | **Policy Statement on Handling of Disclosure Information** | **Version No:** | **1.2** |
| **Print Name** | **Position/Job Title** | **Signature** | **Date** |
| **Screened By:** | | | |
| Kerri Adams | HR Compliance & Governance Officer | A close-up of a signature  Description automatically generated | 27/09/2023 |
| **Approved by:** | | | |
| Paula Ludlow | HR Services Manager |  | 10/10/2023 |

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, made easily accessible on the public authority’s website as soon as possible following completion and made available on request.

**APPENDIX 1**

|  |  |  |
| --- | --- | --- |
| **Part** | **Part Title** | **Description** |
| **1** | [**Policy Scoping**](#Part1) | Asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations |
| **2** | [**Screening Questions**](#Part2) | Asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues. |
| **3** | [**Screening Decision**](#Part3) | Guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or tointroducemeasures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations. |
| **4** | [**Monitoring**](#Part4) | Provides guidance to public authorities on monitoring for adverse impact and broader monitoring. |
| **5** | [**Approval and Authorisation**](#Part5) | Verifies the public authority’s approval of a screening decision by a senior manager responsible for the policy. |

Policy Scoping

* Policy
* Available data

Screening Questions

* Apply screening questions
* Consider multiple identities

Screening Decision None/Minor/Major

Mitigate

Publish Template

Re-consider screening

Publish Template for information

Publish Template

EQIA

Monitor

**‘None’**

Screened out

**‘Major’**

Screened in for EQIA

**‘Minor’**

Screened out with mitigation

Concerns raised with evidence

Concerns raised with evidence re: screening decision