

Section 75 Policy Screening Form

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. 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.

You 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 the policy or policy area:

Disciplinary Policy

Is this an existing, revised or a new policy/policy area?

Existing	Revised	New
	✓	

Brief Description

Disciplinary rules are necessary for promoting orderly employment relations as well as fairness and consistency in the treatment of individuals. They enable organisations to influence the conduct of employees and deal with problems of unacceptable behaviour and/or poor performance thereby assisting organisations to operate effectively.

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

It is important that employees know what standards of conduct and performance are expected of them. The Employment Rights (Northern Ireland) Order as amended by the Employment (NI) Order 2003 requires employers to provide written information for their employees about certain aspects of their disciplinary rules and procedures. Managers should know and be able to apply the rules and the procedures they are required to follow.

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

YES	NO	N/A
	✓	

If YES, explain how. N/A

Who initiated or wrote the policy?

Capita HR

Who owns and who implements each element of the policy?

Employee	Decision Officer	Disciplinary Panel	Appeal
Chief Executive	HRRC Chair	Chair & Vice Chair	Board
Deputy Chief Executive	Chief Executive	HRRC Chair & Vice Chair	Chair and board panel
Director	Deputy Chief Executive	Chief Ex & HRRC Chair	Chair & Vice Chair
Manager	Director	Deputy Chief Ex & HRRC Chair	Chief Executive & Chair
Officers/Assistants	Manager	Director & Deputy Chief	Chief Executive & HRRC Chair

Implementation factors

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

YES	NO	N/A
	✓	

If YES, are they

Financial: N/A

Legislative: N/A

Other, please specify:

Main stakeholders affected

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

Staff:

All staff members.

Service users:

N/A

Other public sector organisations:

N/A

Voluntary/community/trade unions: N/A

Other, please specify: N/A

Other policies with a bearing on this policy

What are they and who owns them?

Connswater Homes policies & procedures and legislation

- The Employment Rights (Northern Ireland) Order 1996
- The Employment (NI) Order 2003
- The Employment Relations (NI) Order 2004
- Data Protection Act 1998
- Public Interest Disclosure Act 1998
- Employment Rights Act (NI) 2011
- Enterprise, Regulatory and Reform Act 2013
- Labour Relations Agency Code of Practice
- Whistleblowing Policy COR-11
- Grievance Policy HR-06
- Dignity at Work Policy HR-07
- Equal Opportunities Policy COR-02

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.

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

Section 75 Category	Details of Evidence/Information
ALL	No evidence affecting specific groups has been gathered. This policy applies to all members of staff and stakeholders fairly and consistently irrespective of which equality group they belong to.

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
ALL	The Disciplinary Policy clearly sets out the Association’s commitment to fairness and equality in the consistent approach taken to deal with its obligation to deal with matters where the conduct of an employee falls below reasonably required standards.

Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy **out**. If a policy is 'screened out', you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

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 hence it would be appropriate to conduct an EQIA;
- 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 among 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.

Taking into account the earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 grounds? Minor/Major/None		
Section 75 Category	Details of Policy Impact	Level of Impact? Minor/Major/None
Religious belief		None
Political opinion		None
Racial / ethnic group	Dignity at Work Policy can be made available in various languages where English is not the first language.	Minor (positive)
Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability	Literature will be available in alternative formats on request. Support such as interpreters will be available on request. Adjustments will be made on request eg specific training implemented for individual staff to aid them to comply with mandatory training as and when required or adjustments made to facilitate access to meeting rooms.	Minor (positive)
Dependants		None

2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories?		
Section 75 Category	If Yes, provide details	If No, provide reasons
		This disciplinary policy applies to all groups fairly and consistently irrespective of which equality group they do or do not belong to.

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	N/A	None
Political opinion	N/A	None
Racial group	N/A	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 Yes , provide details	If No , provide reasons
	N/A	This policy does not provide opportunities to promote equality amongst particular groups but the Association is committed to the promotion of good relations. There are a number of other policies in place to ensure the promotion of good relations between employees to ensure they are comfortable in all work areas.

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).

None identified

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

None identified

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please underline one):

- 1. Not be subject to an EQIA (with no mitigating measures required)**
- 2. Not be subject to an EQIA (with mitigating measures /alternative policies)**
- 3. Not be subject to an EQIA at this time**
- 4. Be subject to an EQIA**

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

This policy in place to ensure the Association meets its statutory obligations The Employment Rights (Northern Ireland) Order as amended by the Employment (NI) Order 2003 which requires employers to provide written information for their employees about certain aspects of their disciplinary rules and procedures.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

No mitigation necessary

In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? YES / NO

If YES, when & why?

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. 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 EQIA.

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

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Any further comments on the screening process and any subsequent actions?

Part 4: Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You 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, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

This policy will be reviewed once every three years unless changes in legislation dictate otherwise.

Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
C Waterworth	Director of Corporate Assurance	11/06/14
Approved by:		
J Locke	Chief Executive	11/06/14

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, made easily accessible on your website as soon as possible following completion and made available on request.