



**Section 75 NI Act 1998**

**EQUALITY SCREENING FORM**

**Policy Title: Code of Conduct for Members  
of the Board**

**Policy Owner: Chief Executive**

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## **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the NI Policing Board is required **to have due regard to the need to promote equality of opportunity:**

- between person of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and,
- between persons with dependants and persons without<sup>1</sup>.

Without prejudice to the obligations set out above, the NI Policing Board is also required to:

- **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**
- **meet legislative obligations under the Disability Discrimination Order.**

## **Introduction**

1. This Equality Screening form should be read in conjunction with the Equality Commission's revised [Section 75, "A Guide for Public Authorities" April 2010](#) **Staff should complete a form for each new or revised policy for which they are responsible (see page 6 for a definition of policy in respect of section 75).**
2. 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.

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

3. **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**.

4. 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.
5. 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.
6. 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 as 'none'.
7. The Equality Commission has developed four questions, included in Part 2 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.

## Screening decisions

8. Completion of screening should lead to one of the following three outcomes. Namely, the policy has been:
  - i. 'screened in' for equality impact assessment;
  - ii. 'screened out' with mitigation or an alternative policy proposed to be adopted; or
  - iii. 'screened out' without mitigation or an alternative policy proposed to be adopted.

## Screening and good relations duty

9. The Equality 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.

## Part 1

### Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of section 75. It is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if further screening or an EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

The Equality Commission document entitled ‘Section 75 of the Northern Ireland Act 1998- A Guide for Public Authorities indicates that:

“In the context of Section 75, the term policies cover all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies”.<sup>1</sup>

### Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the s75 categories.

### Policy Scoping

10. 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.
11. 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).

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<sup>1</sup> Page 87, Equality Commission: Section 75 of the Northern Ireland Act 1998, ‘A Guide for Public Authorities, April 2010’.

## Information about the policy

Name of the Policy

Code of Conduct for Members of the Board

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Is this an existing, revised or a new policy?

A revised policy

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

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The Code is to set the standards of practice expected from all Members of the Northern Ireland Policing Board (the Board). The public expects exemplary standards of behaviour from those serving on the boards of public bodies when discharging their duties. To that end this Code forms part of individual Members' terms and conditions of appointment and underscores the Board's commitment to attaining the highest standards of business conduct.

The purpose of the Code is to:

- Establish and promulgate a common set of ethics, values and standards of integrity for all Board Members.
  - Support the development of exceptional standards of professional practice.
  - Promote and maintain confidence and trust in Board Members.
- 

Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.

None

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Who initiated or wrote the policy?

Performance Branch Officer

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Who owns and who implements the policy?

NIPB Chief Executive

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## Implementation factors

12. Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? - No

If yes, are they

- financial
- legislative
- other, please specify \_\_\_\_\_



## Main stakeholders affected

13. 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 \_\_\_\_\_

## Other policies with a bearing on this policy (please list and provide further details)

Conflicts of Interest Policy Members of Board

Board Gifts and Hospitality Policy

Basic Guidelines for Payments of Allowances

Board Security/ Data Incident Reporting Policy

Board IT Acceptable Use Policy

Board Policy on the Use of Electronic Devices During Meetings

Board Information and Data Security Guide

Draft Board Whistleblowing Policy

## Available evidence

14. Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.
15. 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	The operation of the Code has no impact on Religious Belief. The Code sets out the standards that must be met by all Members of the Board.
Political opinion	The Board consists of 5 Unionist Party Members, 4 Nationalists Party Members and 1 Member from other Party. The Board has 9 independent members. The operation of the Code has no impact on political opinion. The Code sets out the standards that must be met by all Members of the Board.
Racial group	The operation of the Code has no impact on Racial Group. The Code sets out the standards that must be met by all Members of the Board.
Age	The operation of the Code has no impact on Age. The Code sets out the standards that must be met by all Members of the Board.
Marital status	The operation of the Code has no impact on Martial Status. The Code sets out the standards that must be met by all members of the Board.
Sexual orientation	The operation of the Code has no impact on sexual orientation. The Code sets out the standards that must be met by all Members of the Board.
Men and Women generally	The gender breakdown of the Board is 6 women and 13 men. While the Board does not have a gender balance the Code sets out the standards that must be met by all Members of the Board.
Disability	The operation of the Code has no impact on Disability. The Code sets out the standards that must be met by Members of the Board
Dependants	The operation of the Code has no impact on Dependents. The Code sets out the standards that must be met by the members of the Board.

## Needs, experiences and priorities

16. 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.

<b>Section 75 Category</b>	<b>Details of evidence/information</b>
Religious belief	None in relation to this policy
Political opinion	None in relation to this policy
Racial group	None in relation to this policy
Age	None in relation to this policy
Marital status	None in relation to this policy
Sexual orientation	None in relation to this policy
Men and Women generally	None in relation to this policy
Disability	None in relation to this policy
Dependants	None in relation to this policy

## Part 2

### SCREENING QUESTIONS

#### Introduction

17. In making a decision as to whether or not there is a need to carry out an equality impact assessment, consider questions 1-4 listed below.
18. If the conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the decision may be to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, please detail the reasons for the decision taken.
19. If the 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.
20. If the 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

21 (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**

- 22 (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**

23 (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.

24. 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.

## Screening questions

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

<b>Section 75 category</b>	<b>Details of policy impact</b>	<b>Level of impact? Minor/Major/None</b>
Religious belief		<b>None</b>
Political opinion		<b>None</b>
Racial group		<b>None</b>
Age		<b>None</b>
Marital status		<b>None</b>
Sexual orientation		<b>None</b>
Men and Women generally		<b>None</b>
Disability		<b>None</b>
Dependants		<b>None</b>

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

<b>Section 75 category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief		The Code of Conduct applies to all Board Members
Political opinion		The Code of Conduct applies to all Board Members
Racial group		The Code of Conduct applies to all Board Members
Age		The Code of Conduct applies to all Board Members
Marital status		The Code of Conduct applies to all Board Members
Sexual orientation		The Code of Conduct applies to all Board Members
Men and Women generally		The Code of Conduct applies to all Board Members
Disability		The Code of Conduct applies to all Board Members
Dependants		The Code of Conduct applies to all Board Members



**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

<b>Good relations category</b>	<b>Details of policy impact</b>	<b>Level of impact Minor/Major/None</b>
Religious belief		<b>None</b>
Political opinion		<b>None</b>
Racial group		<b>None</b>

**4.** Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

<b>Good relations category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief		<b>None</b>
Political opinion		<b>None</b>
Racial group		<b>None</b>

## **Additional considerations**

### **Multiple identity**

25. 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; young lesbians, gay and bisexual people*).

N/A

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

N/A

### Part 3

#### Screening decision

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

No equality issues have been identified that warrant a further inspection of equality issues in relation to the Code of Conduct.

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

N/A

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

N/A

30. Further advice on equality impact assessment may be found in a separate Equality Commission publication: "Practical Guidance on Equality Impact Assessment".

## Mitigation

31. 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.
32. Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?
33. If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

N/A

## Timetabling and prioritising

34. **Factors to be considered in timetabling and prioritising policies for equality impact assessment.**
35. 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.
36. 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	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

37. **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.
38. Is the policy affected by timetables established by other relevant public authorities?
39. If yes, please provide details.

## Part 4

### Monitoring

40. Public authorities should consider the guidance contained in the Equality Commission's Monitoring Guidance for Use by Public Authorities (July 2007).
41. The Equality 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).
42. 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.

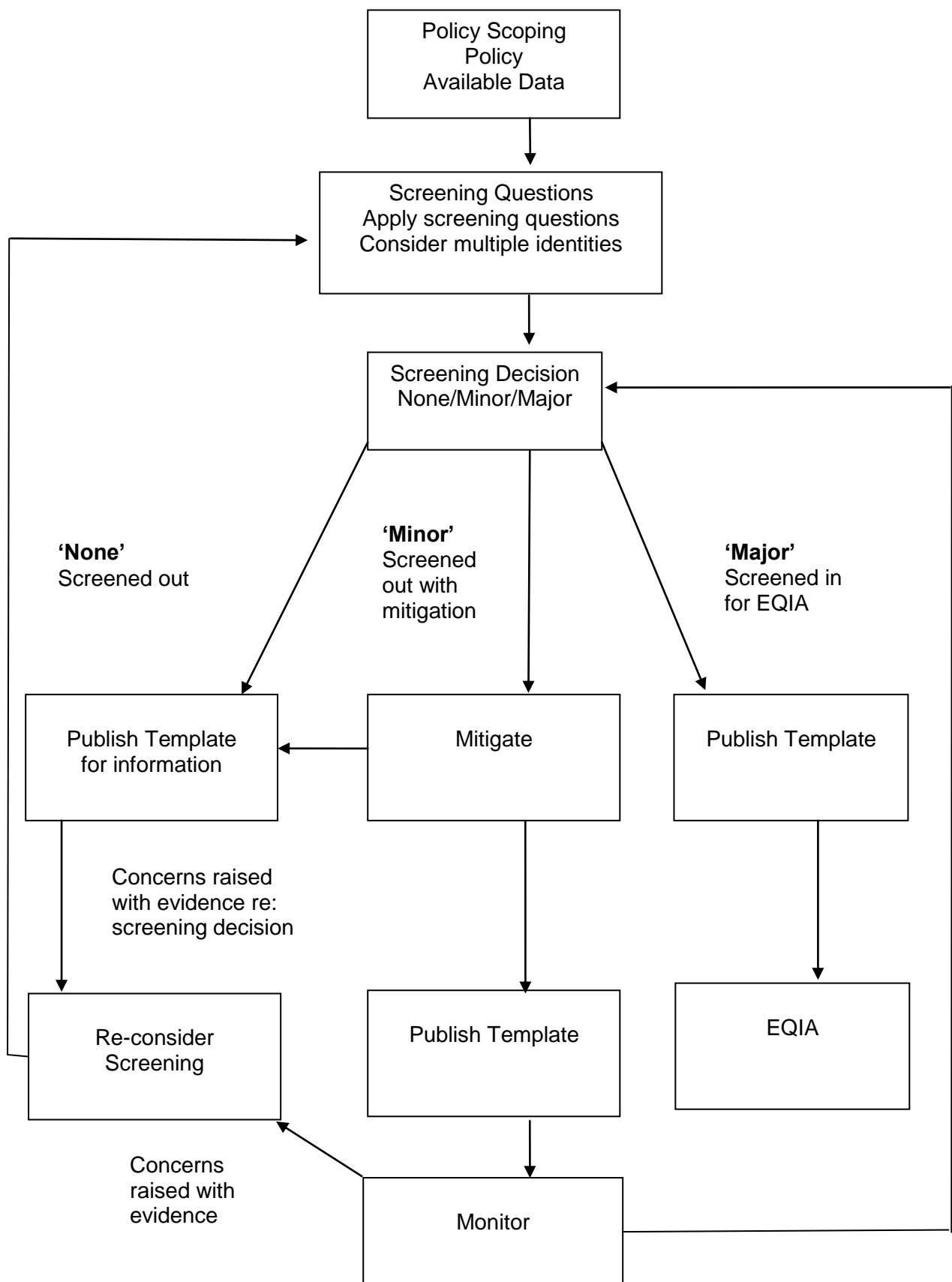
## Part 5

### Approval and authorisation

<b>Screened by:</b>	<b>Position/Job Title/ Organisation</b>	<b>Date</b>
	Performance Branch Officer, NIPB	12 Dec. 2018
<b>Approved by:</b>		
	Corporate Services Manager, NIPB	13 Dec. 2018

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.

## EQUALITY SCREENING FLOWCHART





## MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES

Category	Main Groups
Religious Belief	Protestants; Catholics; people of other religious belief; people of no religious belief
Political Opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Afro Caribbean people; people of mixed ethnic group, other groups
Age	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
Marital/Civil Partnership Status	Married people; unmarried people; divorced or separated people; widowed people; civil partnerships
Sexual Orientation	Heterosexuals; bisexual people; gay men; lesbians
Men and Women generally	Men (including boys); women (including girls); trans-gender and trans-sexual people
Persons with a disability and persons without	Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995.
Persons with dependants and persons without	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.