

Equality Screening Template – Section 75 of Northern Ireland Act 1998

Please complete the coversheet details below:

Policy title: Proposal for the introduction of Carer’s Leave

Decision (delete as appropriate)

Policy screened out **without** mitigation or an alternative policy adopted

Contact: Gareth Dillon/Don Henderson

Date of completion: 07/06/24

Content

Part 1. Policy scoping – 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.

Part 2. Screening questions – 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.

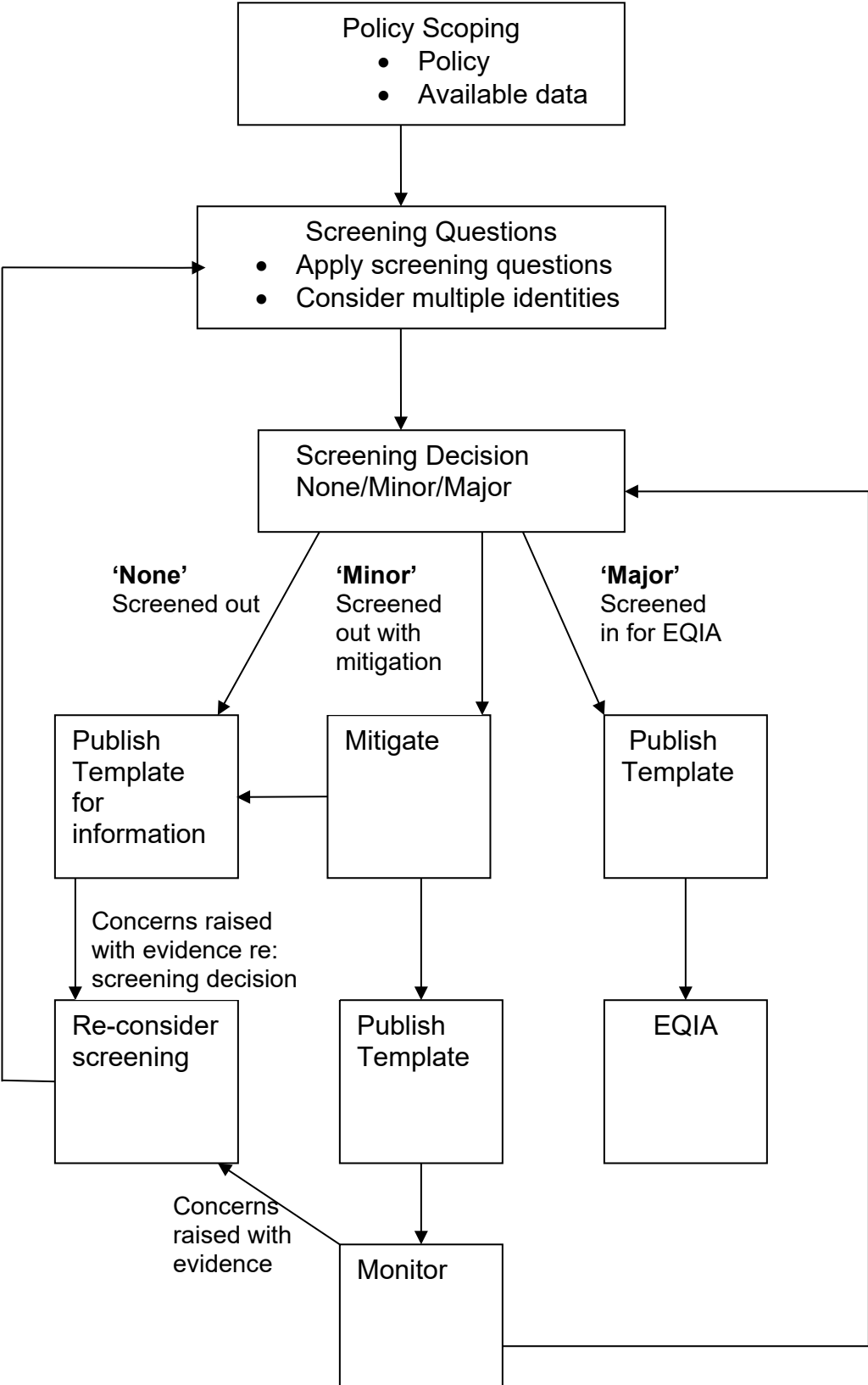
Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the

likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

Flowchart for the equality screening process and decision.



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 the policy

Proposal for the introduction of Carer's Leave

Is this an existing, revised or a new policy?

This is a new policy.

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

To introduce a new right which would allow qualifying employees to take up to one weeks leave per year to provide care for a family member or other dependant who has a longer-term or otherwise significant care need.

The proposed introduction of an entitlement to carer's leave aims to:

- Help support carers to balance their employment and caring responsibilities, by giving more flexibility to take time out of work for caring and promote a better work life balance
- Recognise the specific needs of unpaid carers in work
- Allow employers to recruit from the widest possible talent pool and make the most of human resources available to them and help create minimum standard of support for unpaid carers in work.

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

If so, explain how.

Any eligible employee in any of the s75 categories might potentially be expected to benefit from this new policy / entitlement.

Who initiated or wrote the policy?

This policy was initiated by the Department for the Economy

Who owns and who implements the policy?

The Department for the Economy.

Implementation factors

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

If yes, are they (please delete as appropriate)

Legislative: This policy will be implemented through primary and secondary legislation.

Main stakeholders affected

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

The policy will impact upon:

- Employees and their employers;
- Voluntary & community sector/trade unions;
- Other public sector organisations; and
- NICS officials.

Other policies with a bearing on this policy

- what are they?
N/A
- who owns them?
N/A

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 Commission has produced this guide to [signpost to S75 data](#).

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

Religious belief evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Political Opinion evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Racial Group evidence / information:

The proposal is designed to have a positive impact on employees that may be

required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Age evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. The policy is targeting employees, therefore it is expected that the people availing of carer's leave will be from the working age population. A public consultation exercise will be launched in due course on a future employment Bill.

Marital Status evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Sexual Orientation evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Men & Women generally evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. Having

said that, the Census NI 2021 results show that the majority of unpaid carers are female (60%).¹ A public consultation exercise will be launched in due course on a future employment Bill.

Disability evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

Dependants evidence / information:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. According to the Census 21 NI, there are over 220k people with caring responsibilities and 103k who are employees. In addition, some carers not currently in employment could be empowered to return to work as a result of the proposal. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit. A public consultation exercise will be launched in due course on a future employment Bill.

¹ https://build.nisra.gov.uk/en/custom/data?d=PEOPLE&v=IS_CARER_AGG5&v=UR_SEX

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 of the needs, experiences and priorities for each of the Section 75 categories below:

Religious belief

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Political Opinion

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Racial Group

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Age

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category. The policy is targeting employees, therefore it is expected that the people availing of carer's leave will be from the working population age demographic.

Marital status

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Sexual orientation

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Men and Women Generally

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category. The Census NI 2021 results show that the majority of unpaid carers are female (60%).

Disability

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category.

Dependants

There are no anticipated different needs, experiences and priorities as a result of this policy with regards to this category. The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need.

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 Screening Questions 1-4, which follow.

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.

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.

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 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.

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?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Age**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. The policy is targeting employees, therefore it is expected that the people availing of carer's leave will be from the working population age demographic. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Marital Status**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Sexual Orientation**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Men and Women**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. The Census NI 2021 results show that the majority of unpaid carers are female (60%). We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Disability**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

Details of the likely policy impacts on **Dependants**:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. According to the Census 21

NI, there are over 220k people with caring responsibilities, 103k who are employees. In addition, some carers not currently in employment could be empowered to return to work as a result of the proposal. We haven't identified any evidence to suggest that people within this category would be adversely affected by this, or the number of people who would potentially benefit.

What is the level of impact? None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? Yes/No

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. No adverse impacts have been identified.

Religious Belief –

If Yes, provide details:

If No, provide reasons: As above

Political Opinion –

If Yes, provide details:

If No, provide reasons: As above

Racial Group –

If Yes, provide details:

If No, provide reasons: As above

Age –

If Yes, provide details:

If No, provide reasons: As above

Marital Status –

If Yes, provide details:

If No, provide reasons: As above

Sexual Orientation –

If Yes, provide details:
If No, provide reasons: As above

Men and Women generally –
If Yes, provide details:
If No, provide reasons: As above

Disability –
If Yes, provide details:
If No, provide reasons: As above

Dependants –
If Yes, provide details:
If No, provide reasons: As 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?

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:
(insert text here)
What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:
(insert text here)
What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:
(insert text here)
What is the level of impact? None

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

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

The proposal is designed to have a positive impact on employees that may be required to provide care for a family member or other dependant who has

a longer-term or otherwise significant care need. No adverse impacts have been identified.

Religious Belief –

If Yes, provide details:

If No, provide reasons: As above

Political Opinion –

If Yes, provide details:

If No, provide reasons: As above

Racial Group –

If Yes, provide details:

If No, provide reasons: As above

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).

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

The proposal is designed to have a positive impact on employees that request a period of leave to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. It benefits only those within a working age demographic. The policy intention is to have a positive impact upon eligible employees.

Notwithstanding this the policy is not anticipated to have an adverse impact on the affected age demographic or on those outside of it or on those in any of the other categories.

Part 3. Screening decision

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

Policy screened out **without** mitigation or an alternative policy adopted

The policy has no discernible adverse impacts on any of the Section 75 categories as detailed above. The proposal is designed to have a positive impact on employees that request a period of leave to provide care for a family member or other dependant who has a longer-term or otherwise significant care need. It benefits only those within a working age demographic. The policy intention is to have a positive impact upon eligible employees and is not envisaged to have any adverse impact on others.

The Department intends to hold a public consultation which will help to determine if the policy proposal is appropriate and how it should be implemented. In reaching a final policy decision, further equality impact insight gained though the consultation process will be taken into account. Any unanticipated equality impacts which may arise following the introduction of legislation resulting from this policy proposal will be assessed as they arise, and further addressed as the need arises.

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 - please provide details.

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 -

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 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.

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.

The Department intends to hold a public consultation which will help to determine if the policy proposal is appropriate and how it should be implemented. In reaching a final policy decision, further equality impact insight gained through the consultation process will be taken into account. Any unanticipated equality impacts which may arise following the introduction of legislation resulting from this policy proposal will be assessed as they arise, and further addressed as the need arises.

Part 5 - Approval and authorisation

Screened by: Don Henderson

Position/Job Title: Deputy Principal

Business Area/ Branch: Employment Relations Policy & Legislation: Work-Life Balance & EU Exit

Date: 07/06/2024

Approved by: Gareth Dillon

Position/Job Title: Head of Employment Relations and Work-Life Balance Branch

Business Area/Branch: Business & Employment Regulation Division

Date: 07/06/2024

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.