

Equality Screening Template – Section 75 of Northern Ireland Act 1998

Policy title: Proposal for primary legislation to resolve issues in regard to the Department’s financial powers

Decision: Policy screened out **without** mitigation or an alternative policy adopted.

Contact: Heidi-Beth Hudson

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For Equality Unit Completion:

Amendments requested?	No
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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.

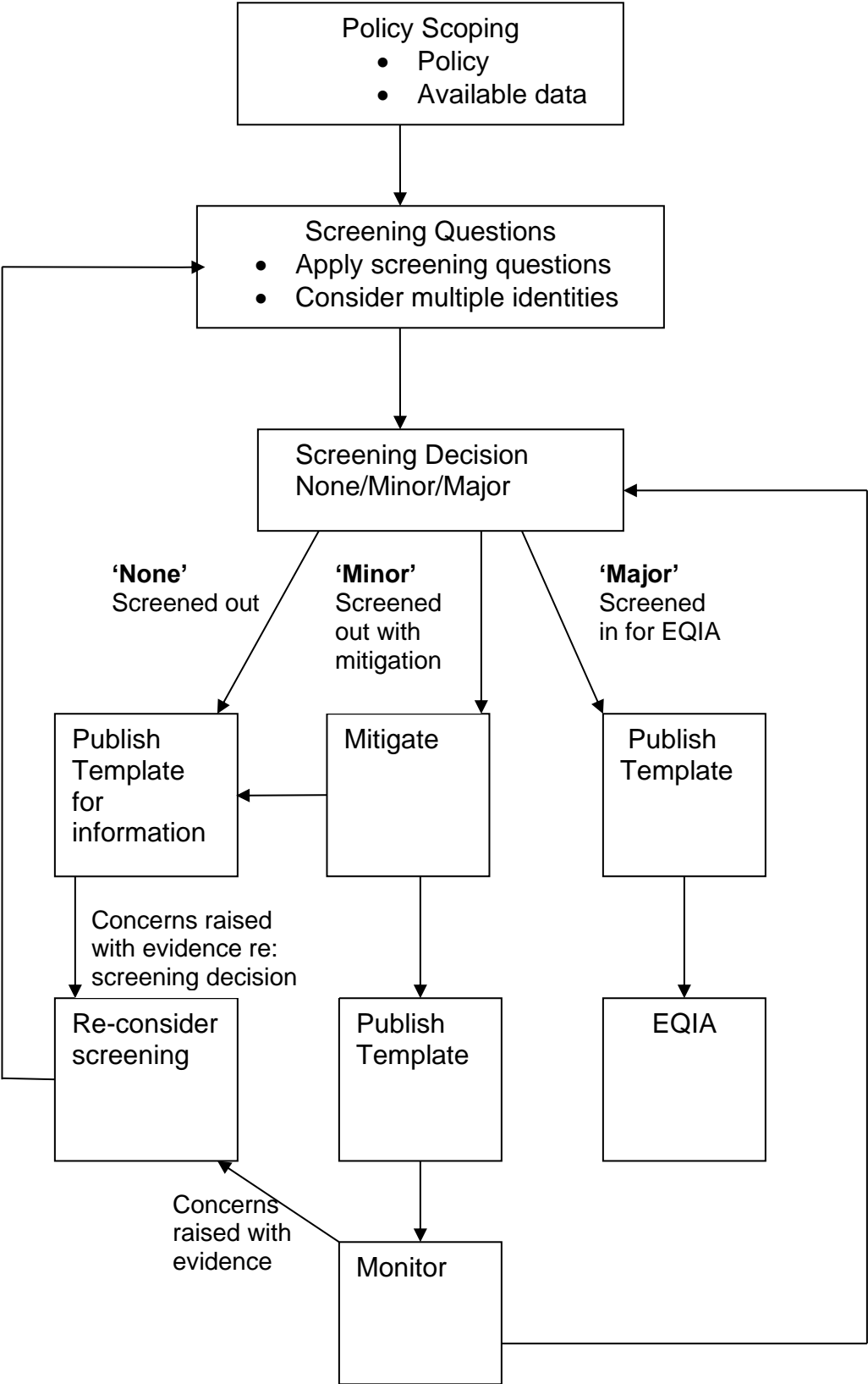
Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

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 primary legislation to resolve issues in regard to the Department's financial powers

Is this an existing, revised or a new policy?

New

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

DfE is consulting on a proposal for primary legislation to resolve issues in regard to the Department's financial powers.

DfE has identified the following financial issues that it proposes to resolve via primary legislation:

- a. DfE's power to provide financial assistance where it is likely to be in the interest of the economy;
- b. DfE's power to exempt or remit certain fees in exceptional circumstances for Tourism Northern Ireland (TNI), for TNI to have the flexibility to introduce new fees where appropriate, and to extend TNI's existing ability to grade or classify certified tourist establishments to also include tourist amenities;

- c. DfE's power to form companies;
- d. Updating of section 1 of the Employment and Training Act (Northern Ireland) 1950¹.
- e. the handling of smaller Departmental accounts (i.e. possible absorption within the main Departmental accounts).

The proposal contains provisions which would be permissive, however decisions in the future to make use of these provisions would be subject to use in accordance with DfE's Equality Scheme, including screening as applicable.

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

This legislation is technical in nature, although parts of it may be used in future to benefit the economy. Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme on a case by case basis by the relevant policy / project lead.

Who initiated or wrote the policy?

Department for the Economy, Economic Vision Division, with input from across the Department.

Who owns and who implements the policy?

Department for the Economy.

Implementation factors

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

Legislative – as this proposal relates to Primary Legislation, the outcome is subject to the full legislative process.

¹ As amended by [The Employment and Training \(Amendment\) \(Northern Ireland\) Order 1988 \(legislation.gov.uk\)](https://legislation.gov.uk).

Main stakeholders affected

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

staff

other public sector organisations

voluntary/community/trade unions

other - Private sector businesses, Industry, Local Councils, Academia & Educational Institutions (Universities, Colleges and Education Authorities)

Other policies with a bearing on this policy

- what are they?

The following legislation is likely to require amendment if primary legislation proceeds:

The Education and Libraries (Northern Ireland) Order
Employment and Training Act (Northern Ireland) 1950
The Tourism (Northern Ireland) Order 1992
Petroleum (Production) Act (Northern Ireland) 1964
Mineral Development Act (Northern Ireland) 1969.

- who owns them?

The Department for the Economy.

- **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.

This legislation is technical in nature, although parts of it may be used in future to benefit the economy. Overall evidence in relation to S75 categories is provided below.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme on a case by case basis by the relevant policy / project lead.

This draft S75 Equality Screening document has been published along with the consultation on the proposal. The proposal is currently screened out without mitigation, however DfE welcomes additional information or feedback on this proposal that would be relevant to the screening. We will update the draft S75 Equality Screening following the consultation.

Religious belief evidence / information:

In 2021, the main current religions were: Catholic (42.3%); Presbyterian (16.6%); Church of Ireland (11.6%); Methodist (2.4%); Other Christian denominations (6.9%); and Other religions (1.3%). In addition 17.4% of our population had 'No religion'.²

The Equality Commission Fair Employment Monitoring Report found that in 2021 members of the Protestant community 50.2% represented a greater share of the private sector workforce. The Catholic community share of the private sector workforce was 49.8%, an increase of 0.2 pp from 49.6% in 2020, and 9.4 pp from 40.4% in 2001. There has been an average increase, of 0.5 pp per annum in the

² NISRA, [Census 2021 main statistics for Northern Ireland table MS-B19 religion \(updated\)](#)

Roman Catholic community share of the private sector workforce between 2001 and 2021.³

Political Opinion evidence / information:

In 2021 in the NI Life and Times Survey, 31% identified as unionist, 26% as Nationalist, 38% as neither, 1% provided another answer and 4% didn't know.⁴

Racial Group evidence / information:

On Census Day 2021, 3.5% of the population, or 65,600 people, belonged to minority ethnic groups. This was around double the 2011 figure (1.8% – 32,400 people) and four times the 2001 figure (0.8% – 14,300 people). The largest ethnic minority group was Black (11,000 – 0.6%), Indian (9,900 – 0.5%) and Chinese (9,500, 0.5%). 96.6% of the population was white⁵.

Age evidence / information:

The 2021 census provided the following breakdown of our population:⁶

Age band	2021 Census population	Percentage of population
0-14	365,200	19%
15-64	1,211,400	64%
15-39	594,300	31%
40-64	617,100	32%
65+	326,500	17%
65-84	287,200	15%
85+	39,400	2%
All ages	1,903,100	100%

Marital Status evidence / information:

Census 2021 shows that people married or in civil partnerships (opposite sex)

³ Equality Commission for NI, [Fair Employment Monitoring Report No. 32 \(2021 Monitoring Returns\)](#)

⁴ NI Life and Times Survey 2022, [political attitudes](#)

⁵ NISRA as footnote 1, [table MS-B01 ethnic group](#)

⁶ NISRA, as footnote 1, [table MS-A01 five year age bands](#)

represent 44.9% of the population, with people married or in civil partnerships (same sex) at 0.3%.

Those not living in a couple (including single, married, separated, divorced, widowed) represent 46.6% of the population. Single people alone are 31.4% of the population⁷.

Sexual Orientation evidence / information:

A new question for Census 2021 on sexual orientation was asked of people aged 16 and over. While completing the census is required by law, the question on sexual orientation had no statutory penalty for those who failed to provide an answer.

The percentage of the population aged 16 or over and identifying as straight or heterosexual was 90%, with 2.1% identifying as gay, lesbian, bisexual or other sexual orientation.

A further 7.9% either ticked 'prefer not to say' or chose not to answer the question. Taken together, these were labelled 'No sexual orientation stated' in this report.⁸

Across England, Wales and Northern Ireland, Northern Ireland (2.1%) has the lowest percentage of people who identify as (LGB+), thereafter comes Wales with 3.0% of people who identify as LGB+ and then England with 3.2%⁹.

Men & Women generally evidence / information:

The census day population comprised of 967,000 females and 936,100 males.¹⁰

In 2021 the Equality Commission Monitoring Report found that in the private sector, men accounted for 54.4% of the monitored workforce, and women 45.6%. Within this group, of full-time employees there was a greater proportion of men (57.8%) and women made up a greater proportion of part time employees (66.1)%.¹¹

⁷ NISRA, as footnote 1, [table MS-A30 marital and civil partnership status](#)

⁸ NISRA, as footnote 1, [table MS-C04 sexual orientation basic detail](#)

⁹ NISRA [Census 2021 Statistical bulletin sexual orientation](#)

¹⁰ NISRA, [Census 2021 main statistics for Northern Ireland](#)

¹¹ Equality Commission for NI, [Fair Employment Monitoring Report No. 32 \(2021 Monitoring Returns\)](#)

The most recent Labour Market Report, published in December 2023, indicated that 465,000 males were employed, and 425,000 females were employed.¹²

Although the female economic inactivity rate has been declining in recent years in 2021, just under a third of working age women were economically inactive, compared to just under a quarter of men. Economic inactivity rates for females have been consistently higher than males. Women consistently have lower economic activity than men regardless of the age of the youngest dependent child, but rates were lowest for women with a youngest dependent child of pre-school age.¹³

Disability evidence / information:

Overall, 24.8% of respondents aged 16-64 in NI reported a long-term illness and a disability¹⁴. In the UK overall the figure was 17.4%.¹⁵

There is a range of data to indicate that people with disabilities have greater issues with finding satisfying and meaningful work. People with disabilities earned less than people without disabilities on average, there is a higher rate of under-employment for people with disabilities than people without and people with disabilities report lower satisfaction scores across a range of job quality indicators.¹⁶

Dependants evidence / information:

The 2021 census found that on Census Day, 30.7% of households in NI had at least one dependant child, this represents a further fall from 36% in 2001 and 34% in 2011.

Women are more likely to report looking after family and home as a reason for economic inactivity (28% for women, vs 6% for men).¹⁷

¹² <https://www.nisra.gov.uk/publications/labour-market-report-december-2023>

¹³ NISRA, [Women in NI 2020/21](#)

¹⁴ [Labour Force Survey \(headline tables\) July – September 2023](#)

¹⁵ NISRA, [UK National Wellbeing Measures NI Data](#)

¹⁶ Department for Communities, [Disability within NI Labour Market 2022](#)

¹⁷ NISRA, [Women in NI 2020/21](#)

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

This proposed legislation contains technical provisions, although parts of it may be used in future to benefit the economy.

Future implementation of specific policies or projects which are enabled by the legislative changes proposed will be considered in accordance with DfE's Equality Scheme, and needs, experiences and priorities of each of the categories will be considered on a case by case basis by the relevant policy / project lead.

Political Opinion

As above

Racial Group

As above

Age

As above

Marital status

As above

Sexual orientation

As above

Men and Women Generally

As above

Disability

As above

Dependants

As above

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 technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations. Any responses to the consultation that indicate potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and impacts on each of the categories will be considered on a case by case basis by the relevant policy / project lead.

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

What is the level of impact? None

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

As above

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? No

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

Religious Belief –

The proposal is technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations. Any responses to the consultation that indicate potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and opportunities to better promote equality of opportunity for people within each of the categories will be considered on a case by case basis by the relevant policy / project lead.

Political Opinion –

As above

Racial Group –

As above

Age –

As above

Marital Status –

As above

Sexual Orientation –

As above

Men and Women generally –

As above

Disability –

As above

Dependants –

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**:

The proposal is technical in nature and will have no bearing in terms of its likely policy impact on religious belief. Any responses to the consultation that indicate potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and any potential impacts on religious belief will be considered on a case by case basis by the relevant policy / project lead.

What is the level of impact? None

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

The proposal is technical in nature and will have no bearing in terms of its likely policy impact on political opinion. Any responses to the consultation that indicate potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality

Scheme and any potential impacts on political opinion will be considered on a case by case basis by the relevant policy / project lead.

What is the level of impact? None

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

The proposal is technical in nature and will have no bearing in terms of its likely policy impact on racial group. Any responses to the consultation that indicate potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and any potential impacts on racial group will be considered on a case by case basis by the relevant policy / project lead.

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:

Religious Belief –

The proposal is technical in nature and will have no bearing in terms of opportunities to better promote good relations between people of different religious belief, political opinion or racial group. Any responses to the consultation that indicate potential opportunities will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and opportunities to better promote good relations between people of different religious belief, political opinion or racial group will be considered on a case by case basis by the relevant policy / project lead.

Political Opinion –

No – as above.

Racial Group –

No – 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.

No potential impacts of the proposal are noted on people with multiple identities, due to the technical nature of these proposals. Any responses to the consultation that indicate such potential impacts will be considered.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme and potential impacts on people with multiple identities will be considered on a case by case basis by the relevant policy / project lead.

Part 3. Screening decision

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

No impacts have been identified at this stage. DfE is carrying out a consultation on this proposal and will consider any response or data that is relevant and update the screening following closure of the consultation.

This proposal is technical in nature, although parts of it may be used in future to benefit the economy.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme on a case by case basis by the relevant policy / project lead.

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.

No impacts have been identified.

This proposal is technical in nature, although parts of it may be used in future to benefit the economy.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme on a case by case basis by the relevant policy / project lead.

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 – N/A – screened out.

Social need – N/A – screened out.

Effect on people's daily lives – N/A – screened out.

Relevance to a public authority's functions – N/A screened out.

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. N/A – screened out.

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.

Although no impacts have been identified at this stage, and the policy has been screened out, DfE is carrying out a consultation on this proposal and will consider any response or data that is relevant and update the screening following closure of the consultation, including whether this reveals any relevance for monitoring.

This proposal is technical in nature, although parts of it may be used in future to benefit the economy.

Future implementation of specific policies or projects which are enabled by these provisions will be considered in accordance with DfE's Equality Scheme on a case by case basis by the relevant policy / project lead, including screening / monitoring as appropriate.

Part 5 - Approval and authorisation

Screened by: Heidi-Beth Hudson
Position/Job Title: Principal – Financial Provisions Legislation
Business Area/ Branch: Economic Vision
Date: 24 May 2024

Approved by: Giulia ní Dhulchaointigh
Position/Job Title: Director

Business Area/Branch: Economic Vision Directorate

Date: 29 May 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.