

# POLICY SCREENING FORM

## The Legal Background

**Under Section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:**

- between persons 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 Department is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

**The Human Rights Act 1998** gives legal status in UK law to fundamental human rights set out in the European Convention on Human Rights (ECHR). The Act is about respecting and fostering the Convention Rights in everything we do. Public bodies now have a statutory duty to ensure that their decisions and actions are compatible with ECHR and to act in accordance with these rights. What is more, we need to be pro active in ensuring that we comply with our obligations and ensure that we develop a human rights culture. The Act gives people a right to redress in a UK court if they think that their human rights have been violated by a public authority.

## **Disability Discrimination Act (1995) (DDA)**

Under the most recent amendment of the 1995 Disability Discrimination Act, that came into effect in January 2007, public authorities, in all areas of their work must now consider how to:

- promote positive attitudes towards disabled people; and
- encourage participation by disabled people in public life.

## **2    *What is Screening?***

---

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

## **The Task**

In order to determine whether an EQIA is necessary, changes to existing policies and new or proposed policies should be screened for significant equality issues as they arise. This form is intended to assist with the screening of any policies for which you take the lead and to record the outcome in respect of each policy. It should also be used as a prompt when considering legislative proposals.

The screening procedure should lead to one of these conclusions:

- the policy being screened does not have a significant impact on equality of opportunity; or
- the policy being screened has (or is likely to have) a significant impact on equality of opportunity. Policies falling into this category will need to be considered further and may require an Equality Impact Assessment.

**Officials should complete a form for each of the new or revised policies for which they are responsible (see page 3 for a definition of policy in respect of section 75).** When you have completed the form it should be retained on file in the branch for record purposes, a copy being sent to the Equality Unit for information.

## **FORM CONTENTS**

**PART I - IDENTIFICATION OF POLICY TO BE SCREENED .....** 3

**PART II - SCREENING ANALYSIS.....** 5

**PART III - EQUALITY IMPACT ASSESSMENT RECOMMENDATION.....** 9

**ANNEXE A - MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES FOR NORTHERN IRELAND PURPOSES**

## **1. IDENTIFICATION OF POLICY TO BE SCREENED**

### **Definition of Policy**

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

OFMDFM Guidance on Legislative Procedures (Primary and Subordinate) sets out clearly the stages at which equality of opportunity considerations should be taken into consideration in the development of legislation.

ECNI’s Guidance for implementing Section 75 of the Act is available in hard copy or on the website [www.equalityni.org](http://www.equalityni.org)

### **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 S75categories.

#### **1.1 Title of policy to be screened:**

The 2011 Census of Population in Northern Ireland

#### **1.2 Brief description of policy to be screened:**

- The next Census within Northern Ireland is due to take place on 27 March 2011. The census is the largest single statistical exercise undertaken by government, and remains the most important source of information on the size and nature of the population. The Census will cover everyone usually resident in Northern Ireland on census night, with a subset of information also collected from visitors who are present that night. Information will also be collected from residents in communal establishments and individuals or households with no usual or physical address.

### **1.3 Aims of policy to be screened:**

The following high-level strategic aims underpin the development and design of the 2011 Census:

- To provide high quality, value for money statistics that are fit for purpose and meet the needs of users;
- To maximise response rates by actively encouraging participation in the Census and raising awareness of its important role;
- To protect, and be seen to protect, the confidential personal information collected through the Census; and
- To secure public and user confidence in the final results and delivers them in a timely manner.

*It is essential that all the aims of the policy be clearly and fully defined.*

### **1.4 Directorate and Business Unit/s responsible for devising and delivering policy:**

Census Office  
Northern Ireland Statistics and Research Agency

### **1.5 Are there any linkages to other NI Departments/NDPBs in relation to to this policy/legislation?**

The information from the Census is used widely and underpins national and local decision making. Central government, local authorities, the health and education services, the academic community, commercial businesses, professional organisations and the public at large all need reliable information on the number and characteristics of people and households if they are to conduct their activities effectively. This need is currently best met by conducting a census every ten years covering the whole of the population, and by updating the population estimates each year benchmarked on the preceding census.

### **1.5 On whom will the policy/legislation impact?**

Each household within NI will be given a 2011 Census questionnaire to complete, containing questions relating to each person usually resident in the household as well as to the household as a whole. Additionally, there will be space for the householder to record the type, number and name of visitors present at the address on census night and certain basis demographic characteristics such as age, sex and usual address. Information will also be collected from students, those responsible for boarding school children, and people in some types of communal establishments, such as hotels, hospitals and prisons. Additional procedures will need to be adopted for some special populations such as people with no settled place of residence, such as Travellers, and persons sleeping rough.

## **1.6 Who implements the policy?**

Census Office within the Northern Ireland Statistics and Research Agency is responsible for conducting the 2011 Census within Northern Ireland

## **2. SCREENING ANALYSIS**

### **Answering the Four Screening Questions**

The following four questions ask for evidence in relation to the Section 75 dimensions. You should not think of the “don’t know” column in the form as the easy option to respond to any of the questions. In cases where you don’t know and you don’t have data, you will need to make a judgement based on experience as to whether the policy you are screening may have an impact on any of the nine dimensions. If your judgement is that the policy may have a differential adverse impact in relation to any of the Section 75 dimensions (i.e. it affects some groups differently and less favourably than other groups), you should seek to obtain evidence. You should note that evidence can be qualitative – i.e. drawn from the experience of individuals from their perspective – as well as quantitative. Officers must give consideration to steps that they could reasonably be expected to obtain evidence and thereby inform their decision-making. Such steps could include meeting with a representative group or selective consultation.

**Where there is little or no evidence, and common sense indicates that a differential impact may be expected, you should discuss this with the Equality Officer.**

As to sources of data, an audit of current key sources within Northern Ireland Departments is at Appendix 4 of the document available at:-  
<http://www.equalityni.org/pdf/ACF445.pdf>.

The Northern Ireland Statistics and Research Agency web-site gives details of additional data sets (<http://www.nisra.gov.uk>).

**2.1 Is there any evidence of higher or lower participation or uptake by different groups? If so, please indicate below.**

CATEGORY	YES	NO	DON'T KNOW
Gender		✓	
Sexual orientation		✓	
Religion		✓	
Political opinion		✓	
Disability (physical and learning)		✓	
Race or ethnic origin (includes Travellers)		✓	
Age	✓		
Dependant responsibilities		✓	
Marital status		✓	

**YES/NO:** Give reasons for your answer, including sources used.

Completion of the Census is a statutory responsibility and every person has the same opportunity to participate and is actively encouraged to do so through (a) a comprehensive programme of Community Liaison, (b) a targeted Publicity campaign, (c) specially arranged public interface services such as a dedicated contact centre and web self-help facility and (d) on the door step support provided by the Census field staff. While participation is compulsory, it is acknowledged that a small proportion of the population do not appear on Census returns; this is more prevalent among young adults in particular. In recognition of this, Census Office will for the first time be offering the general public the opportunity to complete their Census Questionnaire online – this additional mode of response is aimed at minimising any non-response. Census Office adjusted 2001 Census outputs for under enumeration to counteract this and ensure that they fully reflect all groups in the community. A similar strategy is planned for 2011.

**2.2 Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender		✓	
Sexual orientation		✓	
Religion		✓	
Political opinion		✓	
Disability (physical and learning)	✓		

Race or ethnic origin (includes Travellers)	✓		
Age		✓	
Dependant responsibilities		✓	
Marital status		✓	

Give reasons for your answer, including source:

Census outputs benefit all members of the population through informing a wide range of policies, and this applies across the Section 75 categories.

As with previous Censuses, it is recognised that different groups (e.g. those who are blind or whose first language is not English) may require some assistance to participate in the Census. Accordingly, Census Office will be taking all reasonable steps to ensure that the 2011 Census is equally accessible to everyone in Northern Ireland, irrespective of their circumstances.

In doing so, Census Office will repeat and build on the many positive initiatives that were successfully deployed in the 2001 Census. Such initiatives will be developed in conjunction with representatives of all key groups and sectors (e.g. Equality Commission, NICVA, NICEM, RNIB, RNID Help the Aged, Age Concern, Chinese Welfare Association) through a dedicated programme of Community Liaison which commenced in January 2010. In addition, cognisance will be taken of the steps that the other Census Offices take to provide assistance to ensure that the approach in Northern Ireland is comprehensive and accords with best practice.

The Census questionnaire and all accompanying information leaflets will make it clear to the general public how they can get help with the completion of their Census questionnaire, should they need to do so. For example, the general public will have access to a dedicated Contact Centre and will be able to speak directly to personnel specifically trained to assist them on Census matters and, if necessary, arrange for a member of the field staff to provide them with the assistance that they need at their own home.

Such key messages will also be echoed through a tailored publicity and media campaign in the run up to and during the Census operation.

While not intended to be exhaustive, some of the steps that will be taken to assist the general public are detailed below:-

Any additional comments:

Arrangements will be made to enable blind or partially sighted people and non-English speakers to make a census return. This includes the provision, on request, of a copy of the Census questions and the accompanying explanatory material in:

- Braille, large print and audio/visual formats, and
- A range of other language versions.

Such explanatory leaflets and translations of census questions (also available online) produced in a number of languages will assist individuals whose first language is not English or who may wish to read census questions in another language. Special assistance will be available to anyone who has difficulty completing a census questionnaire, particularly through language difficulties or infirmity.

- A language line service will be available for people who have difficulty with, or do not speak, English;
- A typetalk facility will be available for those with a hearing impairment; and
- Field staff will have access to translation services to assist those who have difficulty with, or cannot speak, English.

In addition, Census Office will arrange for a member of the field staff to visit a particular household and provide the required support on their doorstep should it be considered necessary.

### **2.3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?**

CATEGORY	YES	NO	DON'T KNOW
Gender		✓	
Sexual orientation		✓	
Religion		✓	
Political opinion		✓	
Disability (physical and learning)		✓	
Race or ethnic origin (includes Travellers)		✓	
Age		✓	
Dependant responsibilities		✓	
Marital status		✓	

**YES/NO:** Give reasons for your answer:

The Census is recognised as a key information source on the socio-economic circumstances of most of the Sections 75 categories. Indeed, it is one of the

few sources of robust information on the ethnic minority population. As mentioned above, Census Office has a dedicated Community Liaison Strategy & along with our Publicity and Advertising Strategy we will encourage participation in the Census by all sections of the community thus providing a strong evidence base for equality assessments.

It is not considered appropriate to ask about political opinion or sexual orientation in the Census.

**2.4 Equality Commission guidance states that the screening process should include pre-consultation with those that may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems, which are specific to them?**

CATEGORY	YES	NO	DON'T KNOW
Gender		✓	
Sexual orientation		✓	
Religion		✓	
Political opinion		✓	
Disability (physical and learning)		✓	
Race or ethnic origin (includes Travellers)		✓	
Age		✓	
Dependant responsibilities		✓	
Marital status		✓	

Give reasons for your answer, and details of any consultations that have taken place:

An extensive programme of consultation has taken place, as outlined below. Apart from the practicable consideration described in 2.2 and 2.3 above – that Census Office are proactively addressing – no particular problems have been identified.

The content of the Census questionnaire has been informed by extensive consultation, through international liaison, formal advisory committees, topic-related working groups and ad hoc public meetings. In December 2004, an initial Census Consultation exercise on the 2011 Census “The future provision of demographic statistics in Northern Ireland – Towards the 2011 Census” was launched. Users’ views were sought on a number of issues which, from a strategic perspective, were fundamental to the development of the 2011 Census. These included:

- The general provision of population statistics, including where improvements should be pursued and how these might be achieved;
- The high level operational implications associated with enhancing the

- population base for the 2011 Census; and
- The 2011 Census question content.

Throughout the development stages of the 2011 Census, information has been disseminated through the Northern Ireland Statistics and Research Agency website, alongside the results of the 2001 Census. Details of the initial consultation were issued to over 1,100 users. Those consulted included:

- Leaders of the main political parties in Northern Ireland, MPs, MEPs and MLAs;
- Key advisory groups such as the Northern Ireland Census Advisory Group (CAG), the Northern Ireland Statistics Advisory Committee (SAC) and the inter-departmental Statistics Co-ordinating Group (SCG);
- The Education and Library Boards, the Health and Social Services Boards, Local District Councils and Local Strategy Partnerships;
- Key officials within Government Departments in the Northern Ireland Civil Service; and
- Other census users.

The initial consultation process ran from December 2004 until March 2005. There were 50 responses to the consultation paper from a variety of users, including central government, local government, health boards, the education sector, special needs groups including Disability Action, Sign Language centre, the Equality Commission, the Electoral Office, the Northern Ireland Tourist Board and Save the Children.

The proposals were presented publicly at three Census Information Days held in March 2006 in Belfast, Enniskillen and Limavady. In June 2007, a further “User Information day” was held at the Lisburn Civic Centre, focusing on developments in the choice of topics that were proposed for inclusion in the 2011 Census questionnaire.

If the answer to **any** of the questions in respect of any of the categories is “**YES**”, you – in discussion with the Equality Unit - will have to consider whether the policy has a significant impact on equality of opportunity and, therefore, should be subject to an equality impact assessment.

If the answer to **all** the questions in section 2 is **NO** an equality impact assessment is not required.

If the answer to any of the above questions is **DON’T KNOW**, and common sense and experience indicate that a differential impact may be expected, you will need to discuss this with the Equality Unit.

**It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below and contact the Equality Unit if you are in doubt:**

--

### **3. EQUALITY IMPACT ASSESSMENT RECOMMENDATION**

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

#### **3.1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact		
Low impact	✓	

#### **3.2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

<b>YES</b>	<b>NO</b>
	✓

If NO but the policy has significant impact, please give reasons for your recommendation:

#### **3.3 What data are required to ensure effective monitoring in the future?**

Information from the Census is a key data source for Equality Impact Assessments.

#### **(4) DISABILITY DISCRIMINATION**

4.1 Does the policy/decision in any way discourage disabled people from participating in public life or does it fail to promote positive attitudes towards disabled people?

No. As noted (2.2) some disabled people may have specific requirements to enable them to participate in the Census, and Census Office has put in place a range of measures to assist such people with the completion of their census questionnaire, for example large print or a visit by a Census Enumerator. All such measures were successfully deployed in the 2001 Census and subsequently evaluated. The specific arrangements for 2011 will be informed through a programme of Community Liaison with representatives of the key groups (including the Equality Commission) to ensure that they accord with best practice.

4.2 Is there an opportunity to better promote positive attitudes towards disabled people or encourage their participation in public life by making changes to the policy/decision or introducing additional measures?

No. Indeed, through the provision of socio-economic statistical information about people with disabilities, the Census will inform other policies that promote the participation in public life of people with disabilities.

4.3 Please detail what data you will collect in the future in order to monitor the effect of the policy/decision with reference to the disability duties?

It is proposed that the 2011 Census will ask a number of questions in relation to health problems and disability. Specifically, these include “Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months”, and “Do you have any of the following conditions which have lasted, or are expected to last, at least 12 months?” – a detailed list of conditions are then provided.

Responses to these questions, in conjunction with the range of other socio-economic questions on the form, will provide a spatial and socio-economic profile of people with disability, and a comparative reference for the rest of the population, that will be used by Government Departments in order to shape future policy, in particular with reference to disability duties.

In terms of the dedicated support and assistance that Census Office will provide to the general public and specifically those with disabilities to help them take part in the Census, information will be collected on the types of calls to the contact centre, the nature of assistance required and the fulfilment action taken to ensure that the planned initiatives were effective and implemented in a manner that ensured that everyone could participate fully in the Census, irrespective of their circumstances.

## **(5) CONSIDERATION OF HUMAN RIGHTS**

5.1 Does the policy/decision affect anyone's Human Rights? [PLEASE COMPLETE THE TABLE BELOW]

ARTICLE	POSITIVE IMPACT	NEGATIVE IMPACT = human right interfered with or restricted	NEUTRAL IMPACT
Article 2 – Right to life			✓
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			✓
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			✓
Article 5 – Right to liberty & security of person			✓
Article 6 – Right to a fair & public trial within a reasonable time			✓
Article 7 – Right to freedom from retrospective criminal law & no punishment without law.			✓
Article 8 – Right to respect for private & family life, home and correspondence.			✓
Article 9 – Right to freedom of thought, conscience & religion			✓
Article 10 – Right to freedom of expression			✓
Article 11 – Right to freedom of assembly & association			✓
Article 12 – Right to marry & found a family			✓
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			✓
1 <sup>st</sup> protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			✓
1 <sup>st</sup> protocol Article 2 – Right of access to education			✓

5.2 Have identified a likely negative impact NO

If yes please give details of who is affected and how?

*At this stage we would recommend that you consult with your line manager to determine whether to seek legal advice and to refer to Human Rights Guidance to consider:*

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction in order to comply with the Human Rights Act (1998).*

- 5.3 Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy/decision.

**Signature:**



**Branch/Division: Census Office, NISRA**

**Date: March 10**

**Once the screening exercise has been completed please arrange for its publication on the DFP internet and intranet sites and forward a copy of this form to Carolyn Barr at the Equality Unit, Rathgael House, Balloo Road, Bangor.  
e-mail [carolyn.barr@dfpni.gov.uk](mailto:carolyn.barr@dfpni.gov.uk)**

## ANNEXE A

### MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES FOR NORTHERN IRELAND PURPOSES

<b>Category</b>	<b>Main Groups</b>
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
Men and women generally	Men (including boys); women (including girls); trans-gender
Marital status	Married people; unmarried people; divorced or separated people; widowed people
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
Persons with a disability	Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995
Persons with dependants	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
Sexual orientation	Heterosexuals; bisexuals; gays; lesbians