

HOUSING EXECUTIVE: POLICY SCREENING TEMPLATE AND GUIDANCE

This guidance is an integral part of the Housing Executive Policy Development guide.

INTRODUCTION:

This guidance has been developed to provide practical guidance to officers involved in equality screening in relation to Section 75 of the Northern Ireland Act 1998. It outlines the key stages of the screening process and contains the equality screening template. This guidance is supported by training and is an integral part of the overarching Policy Development guidance and training package.

EQUALITY DUTIES:

Section 75 of the Northern Ireland Act 1998 (the Act) requires the Housing Executive to comply with two statutory duties.

The first duty is the ***Equality of Opportunity*** duty, which requires the Housing Executive in carrying out its functions, to have ***due regard*** to the ***need*** to promote equality of opportunity between the nine equality categories, i.e. persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without.

The second duty, the ***Good Relations*** duty, requires that the Housing Executive, in carrying out its functions has ***regard*** to the ***desirability*** of promoting good relations between persons of different religious belief, political opinion and racial group.

This means that the Housing Executive must make all reasonable efforts to accommodate the differences that each of the section 75 groups have and to address any relative inequalities experienced by members of these groups in relation to our functions.

In addition, we must make all reasonable efforts to challenge sectarianism, racism and by implication (although not specified in the Act) other forms of alienation, negative attitudes, exclusion, etc

(e.g. homophobia and disablism), by promoting better relationships where we can influence them.

OTHER DUTIES:

DISABILITY DUTIES: Under Section 49a of the Disability Discrimination Act 1995 (DDA) the Housing Executive is required when carrying out its functions, to have due regard to the need to;

- Promote positive attitudes towards disabled people; and
- Encourage the participation of disabled people in public life.

This means that we must make all reasonable efforts to challenge negative attitudes towards disabled people (including staff), and to positively accommodate disabled people in all aspects of public life where we have influence.

HUMAN RIGHTS: Under Section 6(10) OF THE Human Rights Act 1998, *"It is unlawful for a public authority to act in a way which is incompatible with a Convention Right"*.

This means that we must be sure that our policies, strategies and functions are compliant with the range of articles in the Human Rights Act 1998 and in addition, that we have paid regard to associated international conventions such as the UN Convention on the Rights of the Child and the UN Convention on the Rights of Disabled people.

The next section deals with how **Policy Writers** can ensure that they take the above considerations into account when developing policy and how they can provide assurance to the Board or Chief Executive's Business Committee that Equality, Disability and Human Rights risks have been appropriately managed.

WHY SCREEN POLICIES

Screening allows us to consider the above duties and to accommodate them where appropriate into our policy development, implementation, monitoring and review. The screening procedures create an audit trail of policy decisions, evidence considered and principles adopted. The process identifies those policies that have the potential to have an impact

on equality of opportunity and to further the reduction of inequalities. It also acts as a filter, to identify those policies that need a more detailed scrutiny that can be conducted through equality impact assessment (EQIA).

POLICY SCREENING PROCESS

There are three important questions.

1. What do we screen?
2. When do we screen?
3. How do we screen?

1. What do we Screen?

Policy screening must be conducted for all newly introduced policies or amended policies that require a decision made by the Board or the Chief Executive's Business Committee (CXBC). This includes;

- ◆ Any policy, strategy or course of action proposed
- ◆ Any decision required e.g.: how services are provided
- ◆ Any guidelines/procedures/principles/protocols/codes of practice/systems/strategies

This does not include operational papers e.g. scheme approvals, tenders, final accounts, land acquisition or sale, individual funding approvals, training courses, conferences, purchases and contracts.

This **will** include policies that impact on (for example);

- **staff**, e.g. employment practices, workplace policies
- **Tenants**, e.g. Repairs, Maintenance and Improvements
- **Applicants**, e.g. Housing Selection Scheme, Homelessness
- **Corporate Strategy**, Organisational reviews

2. When do we screen?

The screening report should be completed prior to submission of the policy paper to the Board or CXBC and should accompany this paper.

However, it is recommended that the equality screening process is initiated as the earliest opportunity in the policy development process. There is no definitive timescale to this as policies can be developed;

Proactively, where equality screening can be integrated into the process and engagement with stakeholders can begin at an early stage.

Reactively; where external pressures require a policy response quickly and the policy making process is time limited.

In general screening is more profitable the earlier on in the process it is introduced. This allows sufficient time to sort out any potential problems and to engage effectively, allowing stakeholders to participate in an open and transparent process. Screening late in the day or after decisions have been made can be inefficient as further changes (or an equality impact assessment) may be required and may carry risks that are not fully understood or adequately managed.

3. How do we screen?

To ensure a consistent approach is adopted we have developed a Policy Screening Template (Appendix 1) which must be used for all screening exercises. This template is founded on the approach recommended by the Equality Commission but has been adapted to suit Housing Executive processes and expanded to cover the wider duties set out above i.e. Disability Duties and Human Rights. The completed template will be made available for consultation and placed on the Housing Executive's website for information. It is recommended that screening exercises are conducted by and signed off by the Equality Unit Manager or his/her nominee and a senior member of staff representing the policy owner (**Screening Team**). All staff involved in completing the screening template should have completed the Policy Development training course.

Housing Executive Equality Screening Template

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 writer** work through the screening process on a step by step basis.

Information about the policy

Name of the policy

Community Involvement Strategy

Is this an existing, revised or a new policy?

Revised

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

Vision

To work in active and meaningful partnership with our Communities, to give residents a real say in making their neighbourhoods better places in which to live.

Values

Another way of defining value is the way we work. The values within this strategy will include the values for the new landlord within NIHE but will be agreed with our central tenant forum;

They are likely to encompass values such as:

- ***We focus on our customers***
- ***We work together***
- ***We take personal responsibility***

- ***We value and develop tenants and staff***
- ***We find better ways to do things which improve value we offer***

Objectives/Aims

This strategy is developed to help deliver the Housing Executive's objective of "Building Stronger Communities". The specific aims will be;

- ***Customer Focus***
- ***Customer Support***
- ***Customer Impact***
- ***Service Improvement***

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

This policy aims to benefit communities in general. Within those communities there are families, older people, children and young people, BME and Migrant Worker families, Disabled people and people of all sexual orientations and religious beliefs. This policy aims to accommodate diversity within communities where it is important to do so; and factor those differences into the actions emerging from the strategy.

Who initiated or wrote the policy?

***Deirdré Crawford, Community Cohesion Unit Manager
Naoimh McArdle-McFall, Community Involvement Officer***

Who owns and who implements the policy?

Director of Housing Services

Implementation factors

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

If yes, are they

- Financial : **Yes budgetary constraints and grants**
 - Legislative: **The strategy pays regard to statutory duties to consult. DFC'S Tenant Participation Strategy 2015-2020, Draft PFG, TBUC/ Housing for All**
 - other, please specify
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Main stakeholders affected

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

- Staff Yes
 - Service users, customers YES
 - other public sector organisations **YES collaborative working with DOJ, Councils etc.**
 - voluntary/community/trade unions YES
 - other, please specify -
-

Other policies with a bearing on this policy

- What are they?

Most landlord policies will have a degree of impact as one of the functions of the strategy is to engage and participate with communities in the development and delivery of policies that impact on them. To name a few DOJ, TBUC, Draft PFG, DFC, Community Cohesion, Social Enterprise, Place Shaping, Rural

***Policy, Environmental Policy, Corporate Social Responsibility,
Tenancy Sustainment, Supporting people***

- Who owns them?

***Director of Housing Services and Director of Regional
Services***

Available evidence

Evidence to help inform the screening process may take many forms. Policy Writers should ensure that their screening decision is informed by relevant data.

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

Section 75 category	Details of evidence/information
Religious belief	<p><i>A cyclical Strategic Review was conducted in 2017 for the Community Involvement Strategy.</i></p> <p><i>This built on previous initiatives undertaken with Supporting Communities and the Housing Community Network in assessing the appetite and / or capacity for involvement. These initiatives produced a matrix for involvement and a training needs analysis.</i></p> <p><i>During this review extensive consultation took place with key stakeholders, both internally and externally. This includes a targeted consultation with Section 75 groups.</i></p> <p><i>Following on from Westminster research, DFC Strategy, Mapping and Segregation, BME Mapping report, Primary and secondary research on migration, Pre consultation process, consultative forum, Traveller accommodation report, inequalities in housing report.</i></p> <p><i>Over the life of the last strategy we have attempted to connect with those groups that would be considered as “hard to reach/easy to ignore”. These included our rural residents, people with disabilities, young people.</i></p>
Political opinion	
Racial group	
Age	
Marital status	
Sexual orientation	
Men and women	
Disability	
Dependants	

	<p><i>Traveller families and representatives from communities in transition and we continue to decide ourselves to ensure that these 'hard to reach/easy to ignore groups' are accounted for within our strategy.</i></p>
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Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories that are affected.

Section 75 category	Details of needs/experiences/priorities
Religious belief	<p><i>Our experience with the HCN and strategic cohesion forum identified the need to accommodate difference as set down in Section 75. Community led initiatives, managed and supported by the Housing Executive have identified and addressed challenging issues such as;</i></p> <ul style="list-style-type: none"> • <i>Segregation/Integration</i> • <i>Community Development and engagement</i> • <i>Community Empowerment</i> • <i>Flags and emblems & sectional symbols</i> • <i>Community integration</i> • <i>Race Relations and Racial Harassment</i> • <i>Sectional imagery and symbols</i>
Political opinion	
Racial group	
Age	
Marital status	
Sexual orientation	
Men and women	

Disability	<ul style="list-style-type: none">• <i>Older people issues</i>
Dependants	<ul style="list-style-type: none">• <i>Children and Young People initiatives</i>• <i>Disability representative engagement via the disability forum</i>• <i>Rural Issues via the Rural Residents Forum</i>• <i>Social enterprise</i> <p><i>The intention of the strategy would be to continue these forms of initiatives under a different framework.</i></p>

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 **Policy Writer** should consider the answers to the questions 1-4.

If the **Screening Team's** conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then it is recommended that the policy is "screened out". This means no further action is required for this policy.

If the **Screening Team's** conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration must be given to subjecting the policy to the equality impact assessment procedure.

If the **Screening Team'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.

The Screening team should consider the following issues as indicators of "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, e.g. Traveller families, Older people, Disabled 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.
- c) Equality of opportunity and good relations have been fully accommodated within the policy development process and all risks are adequately managed.

The **Screening Team** must take into account the evidence presented above and consider the questions set out below.

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		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	<p>The strategy applies to all communities across Northern Ireland. It is designed to accommodate cultural differences and the different ways communities organise.</p> <p>This strategy has the potential to impact communities across all of Northern Ireland to achieve the number of aims which has been set. Involvement will continually change and the strategy is flexible to allow adaptation and change throughout the life of the strategy. Equality issues are central to the strategy and equality and diversity will be a standing item on the performance management of the strategy to ensure we adapt and change to equality needs as they emerge.</p>	None
Political opinion		None
Racial group	The strategy aims to ensure that BME and Migrant Worker families are properly represented within the communities they live in. The strategy does this by firstly highlighting BME groups as more difficult to reach and	Minor

	<p>therefore requiring a direct approach but also by requiring local offices to ensure proper representation at local levels in areas where BME groups live. The Strategic Cohesion Forum comprises a group of individuals, some of whom represent the BME sector and are representing the BME voice through our Housing Community Network Structure.</p> <p>We have also started linking up our Good Relations Officers with the Community Grants programme to try and make this the most inclusive scheme that it could possibly be.</p> <p>Traveller Community engagement is a significant challenge. The Housing Executive's traveller Accommodation Unit will lead on this and draw on resources from this strategy as required.</p>	
Age	<p>Older people are well represented throughout the network of community and residents organisations within the span of influence of the strategy. Children and young people have been identified as a difficult to reach group and the Housing Executive is working with the Northern Ireland Youth Forum to ensure effective input and representation. Also we have now several upcoming programmes aimed at including young people into our work, particularly those programmes funded under Peace IV. This is all about sustainability and succession planning and how we can ensure that young</p>	Minor

	<p>people are being accounted for throughout our strategies and work in the housing executive. We understand that young people are not only our present, but are also our future customers and residents.</p> <p>This is an open and fluid strategy and the Housing Executive will regularly review the makeup to ensure that it is reflective of the needs for representation. Additional communities may be added to the above groups during the life of this Strategic Plan.</p> <p>An action plan has been set for the lifetime of the strategy and this will be monitored.</p> <p>We will have a standing item at the Central Housing Forum of Equality Matters.</p>	
<p>Sexual orientation</p>	<p>This is an issue that is under consideration in line with the Black and Minority Ethnic Forum. At Community level it has not had a high profile but the issue will be included in the serviced level agreement with Supporting Communities to ensure coverage. There are many projects covered through cohesion funding however we will endeavour to ensure that this is represented in the community involvement structure.</p> <p>We are hoping in the future that we will be able to get a member from the LGBT community to sit as a representative on our Housing Community Network</p>	<p>Minor</p>

	Structures.	
Men and women	Men and Women are well represented across the sector.	None
Disability	People with disabilities sit on the current Disability Forum as well as having representation on the Central Housing Forum	None
Dependants	No direct issues have been raised in relation to Carers or dependants. However in recognition of the challenges faced by Carers the Housing Executive pays an attendance allowance to members of the Housing Community network to help with expenses when they attend meetings. The Housing Executive also provides lettings to community groups that are often used to support families through child care, crèche and/or after school clubs.	Minor
2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief	The Housing Executive in reviewing this strategy has made considerable efforts to ensure that the diversity of people and families within the low-cost and social housing arena are properly represented. This new revised strategy reaches out to tenants, residents and leaseholders. Community Development and outreach does carry a cost and this is of course limited. The efforts applied are in line with the budget available. If more money was to become	
Political opinion		
Racial		

group	available greater efforts could be made to engage and ensure full participation of diverse groups. However with the funds available and the open and flexible nature of the strategy the Housing Executive is content that all opportunities to promote equality of opportunity have been availed of.
Age	
Marital status	
Sexual orientation	The strategy will investigate bringing on a voice from the LGBT Community. This would be to sit as a representative in our Housing Community Network Structure.
Men and women	
Disability	
Dependants	No active spokesperson for carers at present so we have identified this as an area for improvement

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none		
Good relations category	Details of policy impact	Level of impact minor/major/none
Religious belief	<p>The Community Involvement strategy is aligned directly with the Housing Executive's Good Relations Policy. Where community engagement, development, involvement are necessary to fostering good relations both strategically and at local project level, this is facilitated via the strategy. In support of this the strategy identifies key strands for BME and Race issues and ensures that anti-sectarianism work is represented within the Central Housing Forum both in terms of policy input and in sharing good practice.</p>	
Political opinion		
Racial group		

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes, provide details	If No, provide reasons
Religious belief	<p>The Community Involvement Strategy is open and flexible to allow opportunities in good relations to be properly exploited. Good relations policy direction comes from the Community Cohesion agenda within the Housing Executive. The Community Involvement strategy will align with this where necessary.</p>	
Political opinion		
Racial group		

Additional considerations

Multiple identities

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).*

Communities in Northern Ireland consist of people with many identities. The strategy is designed to accommodate this and utilise this diversity to ensure effective representation in housing and community matters.

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

The strategy recognises the relationships between age, gender, disability, race, religion etc. These are all components of people that make up communities in Northern Ireland.

Disability Duties:

1. Does this policy affect (or have the potential to affect) disabled people.

Yes

No.

2. If yes, how does this policy pay due regard to the promotion of positive attitudes towards disabled people?

People with disabilities are recognised and prioritised as a difficult to reach group

3. If yes, does this policy provide any opportunity for the engagement of, or participation of any stakeholder representatives, e.g. Housing Community Network.

Yes.

No.

4. If yes, what efforts have been made to encourage the participation of disabled people?

Disability Forum: hard to reach group status.

Human Rights:

The **Screening Team** must consider the Human Rights "Convention Checklist". The **Screening Team** must be satisfied that the policy does not interfere (unless justified by a legitimate, necessary and/or proportionate aim) with any of the rights listed. On occasion, the **Screening Team** may require legal advice to assure the Board/CXBC of adequate consideration of Human Rights.

There are no significant Human Rights issues.

ADDITIONAL HUMAN RIGHTS CONVENTIONS:

There are many international instruments that the UK Government have made commitments to progressively realise. Some of these impact on housing policy and it is important that when we make policy that we can assure the Board that cognisance of these instruments has been observed. This is particularly important where policies affect or have the potential to affect children and young people and disabled people. The Screening Team may wish to seek additional legal advice or views of representative groups.

Part 3. Screening Team decision

Does this policy require an equality impact assessment? Yes /


No:

Reasons for the decision:

The strategy actively considers equality issues and accommodates them. The open and flexible nature of the strategy also allows for

initiatives to engage more and different groups if and when needs are identified.

Part 5 - Approval and authorisation

Screened by:	Position/Job Title	Date
Tony Steed	Equality Unit Manager	28/03/18
Deirdre Crawford	Community Cohesion Manager	28/03/18
Naoimh McFall	Senior Officer	28/03/18
Approved by:		
Colm McQuillan 	Director of Housing Services	25/7/18

Note: A copy of the Screening Template for each policy should be placed on the website for public access.