PUBLIC PROSECUTION SERVICE

Section 75

EQUALITY SCREENING FORM

FORM CONTENTS

PPS POLICY EQUALITY SCREENING FORM

Introduction

1.   This form should be read in conjunction with the Equality Commission's revised Section 75, "A Guide for Public Authorities" April 2010 and available via the following link S75 Guide for Public Authorities April 2010. **Staff should complete a form for each new or revised policy for which they are responsible (see page 6 for a definition of policy in respect of section 75).**

2.   The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations, and will help improve the organisation's service provision through a systematic review of all services, policies, procedures, practices and/or decisions. It will also help determine whether an Equality Impact Assessment (EQIA) is necessary.

[1]A list of the main groups identified as being relevant to each of the section 75 categories is at Annex A of the document.

Screening should be introduced at an early stage when developing or reviewing a policy.

3.   The lead role in the screening of a policy should be taken by the policy decision-maker who has the authority to make changes to that policy and should involve, in the screening process:

- other relevant team members;
- those who implement the policy;
- staff members from other relevant work areas; and
- key stakeholders.

4.   The first step in the screening exercise, is to gather evidence and relevant data to inform the screening decisions. Relevant data may be either quantitative or qualitative or both (this helps to indicate whether or not there are likely equality of opportunity and/or good relations impacts associated with a policy). Relevant information will help to clearly demonstrate the reasons for a policy being either 'screened in' for an equality impact assessment or 'screened out' from an equality impact assessment.

5.   Screening provides an assessment of the likely impact, whether 'minor' or 'major', of its policy on equality of opportunity and/or good relations for the relevant categories. In some instances, screening may identify the likely impact is none.

6.   The absence of evidence does not indicate that there is no likely impact but if none is available, it may be appropriate to consider subjecting the policy to an EQIA.

7.   The Equality Commission has developed a series of four questions, included in Part 3 of this screening form with supporting sub-questions, which should be applied to all policies as part of the screening process.

The questions should assist in identifying those policies that are likely to have an impact on equality of opportunity and/or good relations.

Screening decisions

8.   Completion of screening should lead to one of the following three outcomes. The policy has been:

   i.   'screened in' for equality impact assessment;
   ii. 'screened out' with mitigation or an alternative policy proposed to be adopted; or
   iii. 'screened out' without mitigation or an alternative policy proposed to be adopted.

Screening and good relations duty

9.   The Equality Commission recommends that a policy is 'screened in' for equality impact assessment if the likely impact on **good relations** is 'major'. While there is no legislative requirement to engage in an equality impact assessment in respect of good relations, this does not necessarily mean that equality impact assessments are inappropriate in this context.

Staff should complete a form for each of new or revised policy for which they are responsible (see page 6 for a definition of policy in respect of section 75).

The structure established for Section 75 implementation within the PPS is set out at Annex B. If you have any questions regarding the screening exercise or S75 in general please contact the Equality Officer in Human Resources at the address given below, or your Divisional Equality Driver (a list of contact names is attached at Annex B).

Part 1

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 any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an "overarching" policy or strategy, it will still be necessary for the policy maker to consider if further screening or an EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of Policy Proposals

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

Policy Scoping

10. The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

11. Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the Policy
Community Outreach Strategy 2012 - 2014

Is this an existing, revised or a new policy?
This document is an update on the Service's previous published strategy, 'Community Outreach Strategy 2006 – 2009' (March 2006).

What is it trying to achieve? (intended aims/outcomes)
The purpose of this document is to define a Community Outreach Strategy for the PPS which supports the achievement of strategic objectives set out in the PPS Corporate Plan for 2011-14 – specifically to engage effectively with stakeholders and the wider community.

Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.
All Section 75 categories are expected to benefit through increased opportunity to engage with the PPS.

Who initiated or wrote the policy?
The Assistant Director for Policy Section drafted the original policy. The PPS's Head of Central Management Unit produced the revised document, which has been signed off by PPS Management Board.

Who owns and who implements the policy?
The strategy is owned by the PPS Management Board and implementation will be monitored by the Board's Policy and Quality Sub-Committee.

Implementation factors

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

If yes, are they

☒   financial

☒   legislative

☒   other, please specify – Staff resources

Main stakeholders affected

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

    ☒   staff

    ☒   service users

    ☒   other public sector organisations

    ☒   voluntary/community/trade unions

    ☐   other, please specify _____

Other policies with a bearing on this policy

Code for Prosecutors / Code of Ethics

Policy for Prosecuting Cases of Domestic Violence

Victims and Witnesses Policy

Equality Scheme

Disability Action Plan

External Communications Strategy

Hate Crime Policy

PPS Policy for Prosecuting Cases of Rape

Making a Complaint about the PPS

Available evidence

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

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

Section 75 Category	Details of evidence/information
Religious belief	The Community Outreach Strategy benefits all members of the community. The PPS recognises the diversity of people and groups within the community and in order to design services it considers the particular needs of all Section 75 groups. Information events are held centrally and locally as appropriate and attendees are drawn from all sections of the community. The PPS also conducts meetings with local communities including representatives of Section 75 groups. This document will be made available in a range of alternative formats on request. There will be regular monitoring and reporting against the annual outreach programme via the Management Board's Policy and Quality Sub-Committee. An activity log is maintained by the PPS Private Office and a report is forwarded to the Policy and Quality Sub-Committee quarterly. Regular review of outreach activity will identify gaps in contact with specific Section 75 groups which can then be addressed.

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

Community Outreach Activity 2010/11

Over the course of the year there was a series of outreach events and activities cross the PPS Regions. These included:

• Presentations to local District Policing Partnerships;
• The launch of the new PPS office in Newry;
• Articles in newspapers and journals; and
• Presentations to Victims' and Voluntary Sector Groups, such
  as Victim Support and Women's Aid.

From September 2010 to March 2011 there were 160 outreach events, involving 50 PPS staff and a total staff contribution of 665 hours.

NI Omnibus Survey (February 2011)

Data derived from questions commissioned in the 2011 Northern Ireland Omnibus Survey would suggest that there are only relatively minor differences across S75 groups in terms of awareness of the PPS and the services it provides – for example:

Q1 Have you heard of the Public Prosecution Service for Northern Ireland, 'the PPS'?

(ii) Analysis by Gender

All persons aged 16 and over	Male	Female	Total
	%	%	%
Yes	81%	77%	79%
No	19%	23%	21%
Refusal	0%	0%	0%
Dont Know		0%	0%
Total	485	624	1109

(iii) Analysis by Religion

All persons aged 16 and over	Catholic	Protestant	Other	Total
	%	%	Count	%
Yes	76%	81%	[26]	79%
No	23%	19%	[5]	21%
Dont Know	0%	0%		0%
Total	502	562	31	1095

(v) Analysis by Disability Status

All persons aged 16 and over	Has disability	No disability	Total
	%	%	%
Yes	74%	80%	79%
No	26%	20%	21%
Refusal	0%	0%	0%
Dont Know		0%	0%
Total	256	853	1109

(vi) Analysis by Dependant Status

All persons aged 16 and over	Has dependants	No dependants	Total
	%	%	%
Yes	83%	76%	79%
No	16%	24%	21%
Refusal		0%	0%
Dont Know	0%	0%	0%
Total	417	692	1109

Needs, experiences and priorities

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

Section 75 Category	Details of evidence/information
Religious belief	As stated above, the Community Outreach Strategy aims to be accessible to all members of the community. In planning outreach events, consideration will be given to the needs of individual Section 75 groups to enable as wide attendance as possible from within the target audience. For example, location accessibility for people with disabilities, time of day of event, appropriateness of geographical location etc.. Following an outreach event (for example, a policy launch), efforts will be made to carry out an evaluation of the event in order to improve future participation and to learn from the experiences of particular groups. Feedback received from participants and PPS staff members will continue to be an important element in evaluation. The PPS will also examine more formal methods of data collection, such as questionnaires, taking into account the differing needs of particular groups.
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

17. **HUMAN RIGHTS IMPACT ASSESSMENT**

Articles as identified by European Convention of Human Rights.
- Article 2 - Right to life
- Article 3 - Prohibition of torture, inhuman or degrading treatment
- Article 4 - Prohibition of slavery and forced labour
- Article 5 - Right to liberty and security
- Article 6 - Right to fair and public trial
- Article 7 - Right to no punishment with law
- Article 8 - Right to respect for private and family life, home and correspondence
- Article 9 - Right to freedom of thought, conscience and religion
- Article 10 - Right to freedom of expression
- Article 11 - Rights to freedom of assembly and association
- Article 12 – Right to marry and to found a family
- Article 14 – The prohibition of discrimination
- Protocol 1 Article 1 – Protection of Property
- Protocol 1 Article 2 - Right to education

Definitions of degree of risk of infringement of each article:

High risk – It is foreseeable that this policy is very likely to breach this Article.
Medium risk – This policy is likely, in certain circumstances, to breach this Article.
Low risk – It is possible, though very unlikely, that this policy will breach this Article.

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18. **Indicate any potential Human Rights implications associated with this policy, the perceived degree of risk (see above) and who the victim may be.**

	Has this policy the potential to infringe the rights (Please Tick)		If yes indicate here the degree of risk – High, Medium or Low (See definitions above)	If yes indicate here who the potential victim(s) would be
	Yes	No		
Article 2		√		
Article 3		√		
Article 5		√		
Article 6		√		
Article 8		√		

Article 9		√		
Article 10		√		
Article 11		√		
Article 12		√		
Article 14*		√		
Article 1 of Protocol 1		√		
Article 2 of Protocol 1		√		

19**. Outline any justification for any infringements identified:**

> N/A

20**. Are any alternatives available which may not infringe Human Rights?**

Yes ☐

No ☐

If yes, and the decision has been taken NOT to pursue the alternatives, please give a rationale for this decision.

> N/A

21**. Outline any action which could be taken to reduce the level of infringement.**

> N/A

22. **Are there actions that can be taken that would promote human rights?**

Yes ☐   No ☐

Please specify:
N/A

Part 2(b)

OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER

> Under section 49A of the Disability Discrimination Act 1995, public authorities, when carrying out their functions must have due regard to the need to:
>
> ● **promote positive attitudes towards disabled people; and**
> ● **encourage participation by disabled people in public life.**
>
> Questions 5 and 6 below relate to these two areas.

Consideration of Disability Duties

23. Does this proposed policy / decision provide an opportunity for PPS to better promote positive attitudes towards disabled people?

Explain your assessment in full

Yes.
The Community Outreach Strategy aims to remove any barriers that may exist for people with disabilities in engaging with the PPS. Disabled people and representative groups will be actively encouraged to attend appropriate events in which they may have an interest.

24.   Does this proposed policy / decision provide an opportunity for PPS to actively increase the participation by disabled people in public life?

Explain your assessment in full

While outreach events do not in themselves provide any opportunity to take up public life positions, they will provide a platform through which people with disabilities and their representatives can put forward their views on aspects of PPS service provision. .

Part 3

SCREENING QUESTIONS

Introduction

25.   In making a decision as to whether or not there is a need to carry out an equality impact assessment, consider questions 1-4 listed below.

26.   If the conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the decision maybe to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, give details of the reasons for the decision taken.

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

28.   If the conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- introduce measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Factors that would indicate a conclusion in favour of a 'major' impact

29. (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.

Factors that would indicate a conclusion in favour of 'minor' impact

30. (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.

Factors that would indicate a conclusion in favour of none

31. (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.

32. Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? Minor/Major/None		
Section 75 category	**Details of policy impact**	**Level of impact? Minor/Major/None**
Religious belief		**None**
Political opinion		**None**
Racial group		**None**
Age		**None**
Marital status		**None**
Sexual orientation		**None**
Men and Women generally		**None**
Disability		**None**
Dependants		**None**

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	Yes - via the opportunities for engagement which will result from the implementation of this strategy. Feedback from outreach events will assist in the identification of unintentional adverse impact of PPS policies on any group and ensure the PPS delivers a better service.	
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? Minor/Major/None

Good relations category	Details of policy impact	Level of impact Minor/Major/None
Religious belief	No adverse impact.	
Political opinion	As above	
Racial group	As above	

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	Some events may provide a forum for positive engagement between these groups.	
Political opinion	As above	
Racial group	As above	

Additional considerations

Multiple Identity

33.   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).*

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

No potential impacts are anticipated.

Part 4

Screening decision

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

The strategy aims to extend community outreach by the PPS and provide greater opportunities for engagement with our senior staff. It is intended to have a positive impact on all S75 groups.

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

N/A

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

N/A

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

Mitigation

39.   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.

40.   Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

41.   If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

N/A

Timetabling and prioritising

42.   Factors to be considered in timetabling and prioritising policies for equality impact assessment.

43.   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.

44.   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	

45.   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.

46.   Is the policy affected by timetables established by other relevant public authorities?

47.   If yes, please provide details.

Part 5

Monitoring

48.   Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

49.   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).

50.   Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Part 6

Approval and authorisation

Screened by:	Position/Job Title	Date
Peter Grant Anna Scott	Deputy Principal, Central Management Unit Staff Officer, Central Management Unit	11/1/12
Approved by:		
Richard Scullion	Head of Central Management Unit	12/1/12
I am satisfied that this policy has been properly screened for both equality impact and human rights infringement, and I agree with the screening decision made. **Authorised by:**(Head of Division)		
Ian Hearst	Senior Assistant Director	12/1/12

Note: A copy of the Screening Template should be made easily accessible on the public authority's website as soon as possible following completion. This will be undertaken by the Equality Officer on receipt as per below. Hard copies should also be made available on request.

The screening exercise is now complete.

When you have completed the form please retain a record in your branch and send a signed copy for information to:

Equality Officer

Human Resources

12th Floor

Linum Chambers

2 Bedford Square

Bedford Street

BT2 7BS

☎ 44722

and e-mail an electronic version to moira.anderson@ppsni.gsi.gov.uk or marion.scott@ppsni.gsi.gov.uk

If any EQIA **is** required, the Equality Officer should be contacted for further advice if necessary.

Further information on equality, including a copy of the PPS Equality Scheme, yearly progress reports on equality to the Equality Commission for Northern Ireland, information on data sources and other useful links may be found on the PPS Intranet under the Equality Scheme section.

MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES

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