

# **UR's Staff Guide to Equality, Diversity and Section 75 Screening**

## Introduction

The Utility Regulator's work is built upon our Mission, Vision and Values and one of key themes underpinning all our behaviours is respect, consistency and equality.

These are the foundations for the organisation we are seeking to continuously improve. You can see UR's Mission, Vision, Values and behaviours at: <http://utilityroom/about-the-ur.aspx>

This Guide to Equality and Section 75 Screening is intended to be a resource that will assist with mainstreaming **Equality and Good Relations** in all that we do as employees and service providers.

Mainstreaming equality and good relations means making sure that equality and good relations are considered at all stages of the development and delivery of policy and public services, and by everyone involved in those services.

To demonstrate our commitment to ensuring equality and good relations is at the heart of all that we do, all staff are required to attend diversity and equality training once every 3 years.

A number of policies and procedures underpin our commitment to ensuring a diverse and non-discriminatory environment which promotes equality and good relations.

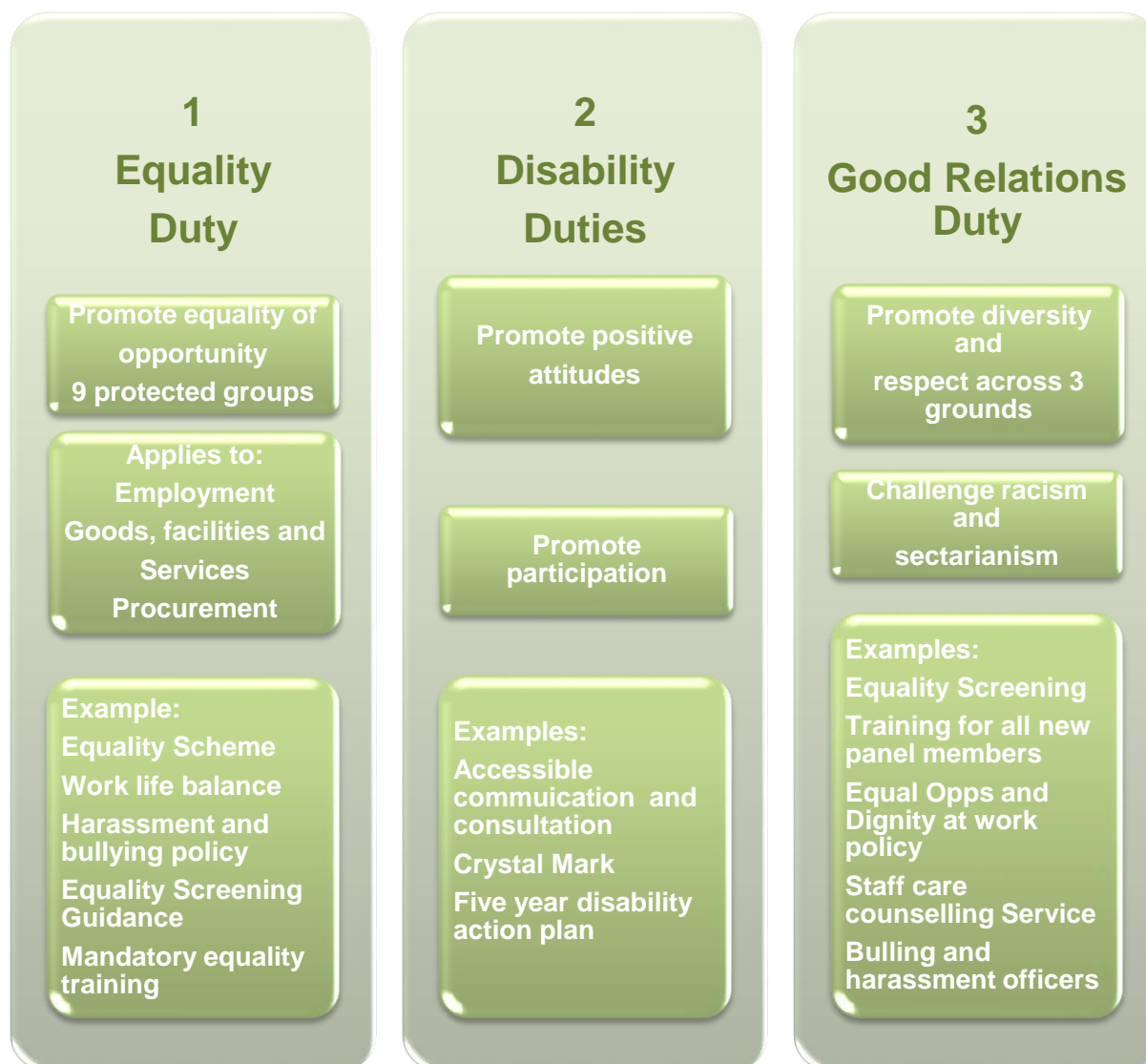
All these policies and procedures are available on the Utility Room:

- Equal Opportunities and Dignity at Work Policy (Including Bullying and Harassment)
- Code of Conduct Policy
- Staff Welfare Policy
- Employee Assistance Programme

This guide has been produced as a resource to complement the policies and mandatory training.

## 1. Overview Public sector Equality Duties

All Public Sector bodies in Northern Ireland, including the UR, have equality duties which they must carry out. These duties aim to ensure that **equality** is at the **heart** of all **decision making and planning**. Public sector equality duties include:



- **Equality Duty** - to have due regard to the promotion of equality of opportunity between persons of different:
  1. religious beliefs;
  2. political opinions;
  3. racial groups;
  4. ages;
  5. marital status;
  6. sexual orientation;
  7. between men and women generally;
  8. between persons with a disability and persons without; and
  9. between persons with dependants and persons without.

- **Disability Duties** - to promote positive attitudes and participation.
- **Good Relations Duty** - to have regard to the desirability of promoting good relations between persons of different:
  1. religious beliefs;
  2. political opinions; or
  3. racial groups.

## 2. Good Relations

### What are Good Relations?

Good Relations could be said to exist where there is:

- A high level of dignity, respect and mutual understanding
- An absence of prejudice, hatred, hostility or harassment
- A fair level of participation in society

### What is Promoting Good Relations?

Promoting Good Relations is about embracing diversity and tackling sectarianism and racism.

### What is the duty to Promote Good Relations?

The duty to promote Good Relations is specific to Northern Ireland. Section 75 of the Northern Ireland Act 1998 places a duty on public authorities to put good relations at the heart of public policy and its implementation. The law recognises that the public sector can make a real difference to the quality of the relations between all who live in Northern Ireland.

### What does this mean in practice for UR?

- Equality screen every policy, plan and project
- Record every policy in the Equality Framework
- Ensure all staff are trained and are familiar with Equality policy and procedures

## 3. How we meet the public sector equality duties:



## 4. Discrimination

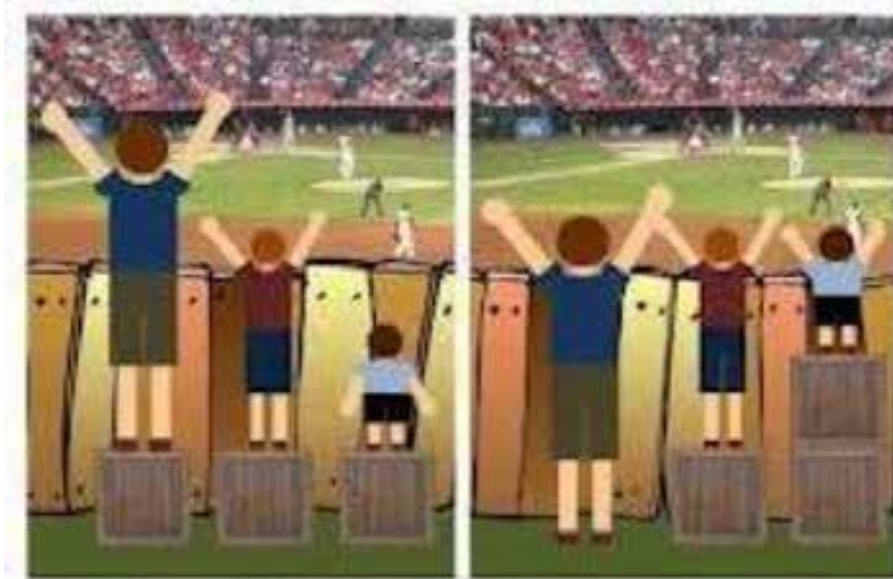
Discrimination occurs when someone is **treated unfairly** on the grounds of:

- Age
- Disability
- Religion and/or political opinion
- Sexual orientation
- Race (includes colour, race, nationality, ethnic and national origins and being a member of the Irish Traveller community)
- Sex (includes transgender, pregnant women, married people, registered civil partners).

## 5. Your roles and responsibilities – Top Tips

What should **we all do** to make that sure people we work with, and consumers we provide a service to, are treated fairly, with respect and dignity?

- Be aware of your roles and responsibilities to promote equality of opportunity for all staff and consumers you provide a service to.
- Help ensure your working environment is one in which the dignity of all staff and visitors is respected.
- Make sure that your behaviour does not cause offence and could not in any way be considered as bullying or harassment.
- Challenge or report any incidents of discrimination, bullying or harassment.
- Welcome diversity - we are all different. Recognise and respect the visible and invisible differences between people.
- Don't forget – people (consumers and staff) have diverse needs. Stereotyping is often based on assumptions which can lead to discrimination. Avoid acting on assumptions!
- Equality screen every policy, plan and project to ensure the UR's public sector equality duties are being met.
- Attend mandatory equality training once every 3 years.
- Remember - equality doesn't always mean treating everyone the same!



Courtesy of John Kremer

## 6. Policy Screening

### What is a policy?

“Policy” is a broad term covering all the ways, written and unwritten, in which UR carries out or proposes to carry out its functions relating to Northern Ireland.

It does not only refer to policies on the promotion of equality of opportunity. You must assess the likely impact on the promotion of equality of opportunity of **any** UR policy as defined above.

**A “policy” also includes anything which requires a consultation process. If a consultation is required, screening should be completed on the subject of the consultation and included in the consultation information.**

Most policies are dynamic rather than static. Policies are often reviewed and amended, or the way they are implemented changes, in response to new situations.

If a policy has been screened it does not need to be screened again. However, most policies are not static. They often need reviewed and amended or the way they are implemented changes in response to new situations. Changes likely to have an impact on access to equality of opportunity and good relations should be assessed for such impact in the same way as the original version was assessed.

### Some examples of UR policies:

HR, Governance or Finance Policies  
Individual Price Controls  
Any UR Guidance for Consumers  
Any subject of a UR consultation

### Who Screens Policies?

**You**, if you are a policy maker. If you have if you have changed, written or introduced a policy then you are responsible for screening. You are the “Lead Officer” in terms of screening.

### What is screening?

Screening will provide **tangible evidence** as to how a public authority has given ‘due regard’ to the promotion of equality of opportunity and ‘regard’ to the desirability of promoting good relations in the initial stage of policy development.

### What is a policy framework?

A policy framework is a record of all UR policy areas. All policies within the framework should be screened.

The policy framework covers the broad policy areas and who is responsible for screening and approval of the policy.

**Remember policies can also be practices that affect the business, they don’t have to be written down!**

### When do I screen a policy?

As soon as possible, the policy screening can begin as early as the development stage.

**When carrying out a consultation, screening should be carried out prior to consultation and a completed screening form should be attached to the consultation information.**

**You are not required to screen a policy if acting on a statutory instruction or applying a statutory policy that is unchanged by you. However, any Section 75 affects should be noted and it should be evidenced that you are relying on the screening of the policy by the authoring department.**

### How do I screen a policy?

See the ***How to Screen a Policy Flowchart***

**HOW TO SCREEN A POLICY FLOWCHART**





### What is scoping a policy?

Scoping is the first step in the screening exercise is to **gather evidence and relevant data** to inform the screening.

Evidence to help inform the screening process may take many forms. This may be either quantitative or qualitative or both and should help indicate whether or not there are likely equality and/or good relations impacts associated with a policy.

The absence of evidence does not indicate that there is no likely impact. You should make arrangements to obtain relevant information.

### What screening questions should I ask?

These are included on the screening form. The response to each question will allow you to consider the impacts on equality.

### How do I make a screening decision?

Based on your answers to the screening questions you will decide if there is an impact on equality and/or good relations.

The policy may have a positive impact on equality and promotion of good relations. If this is the case then decision will be “none: screen out”.

**None: screen out:** policy has no adverse effects on equality. No mitigation or alternative policy needs to be adopted.

**Minor: screen out:** policy has been screened out after dealing with an adverse effect, mitigation or an alternative policy has been proposed for adoption.

**Major: screen in:** policy is subject to a detailed screening process, looking at the section 75 groups likely to be affected, the evidence and if there is likely to be a major impact on equality. If so then an EQIA will be carried out.

### When do I monitor?

The Equality Commission recommends that where the policy has been amended or an alternative policy introduced, you should monitor more broadly than for adverse impact.

Effective monitoring will help you to identify any future adverse impact arising from the policy which may lead to completion of an equality impact assessment as well as help with future planning and policy development.

### Who approves and authorises the policy?

The **screening form**, attached at Annex A, should be completed for each policy screened and **signed off by the policy maker, approved by the manager** responsible for the policy and added to the **policy framework**. A copy of the policy should be scanned and sent to the **UR's HR Team** who will ensure that the policy is made available on request.