

Section 75 Policy Screening Form

Part 1. Policy scoping

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

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

Information about the policy

Name of the policy

ERDF Investment for Growth & Jobs Programme (2014-2020) – Local Economic Development (LED) Measure.

Is this an existing, revised or a new policy?

This is a revised local economic development strand (with a new focus on job creation outcome) under a new round of ERDF funding. LED was included as measure under the previous EU Sustainable Competitiveness Programme (2007-2014).

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

The objective of the overall programme is to promote smart, sustainable and inclusive growth, the achievement of economic, social and territorial cohesion, and high levels of employment and productivity.

The revised Programme is now operational with the overall objectives listed below:

- Increase NI Business Expenditure on Research and Development (BERD);
- Increase the number of companies engaged in R&D in NI;
- Increase employment within micro and small NI business;
- Increase the number of high growth SME's in NI;
- Increase the consumption of energy from renewable sources.

The Programme aims to:

The LED Measure activity falls under Priority 2 of the EU Investment for Growth & Jobs Programme which aims to enhance the competitiveness of SMEs. This will address the low levels of business growth, and comparatively few high growth companies, which will ultimately increase employment levels. Each project must demonstrate support for SMEs whilst creating new jobs through value for money programmes.

Invest NI's role is to work in partnership with the 11 Councils across Northern Ireland to support them develop LED projects that will contribute to enhancing the competitiveness of SME's through job creation. Invest NI as the Intermediate Body are responsible for the appraisal and approval of these LED projects.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

There are no exclusions from any of the Section 75 categories as the LED Measure is open to all businesses across the 11 Councils, offered on a NI wide basis.

Who initiated or wrote the policy?

The LED Measure of the overall programme has been developed by DfE (Managing Authority), with input from Invest NI.

The overall EU funded programme received approval from the European Commission.

Who owns and who implements the policy?

DfE act as the Managing Authority for the overall programme with Invest NI as the Intermediate Body to administer the funding to Councils.

Within Invest NI, the Regional Business Group are responsible for managing the LED Measure.

Invest NI, in partnership with local councils will encourage business growth programmes with significant levels of job creation through a range of business development and entrepreneurship support.

Implementation factors

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

NO

If yes, are they

- financial
- legislative
- other, please specify _____

Main stakeholders affected

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 _____ Councils and local business sector

Other policies with a bearing on this policy

- **what are they?**

The Programme has been designed to align with the Northern Ireland Economic Strategy of which are fundamental to improving the economic competitiveness of Northern Ireland.

- **who owns them?**

Department for the Economy (DfE) and NI Executive

Available evidence

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

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 |
|----------------------------|---|
| ALL | <p>The Programme has been formulated following a comprehensive assessment of NI's development needs comprising analysis of the region's strategy and policy, consultation and engagement with key stakeholders, economists, statisticians and key delivery partners, and building on the experience of managing the EU Sustainable Competitiveness Programme.</p> <p>Invest NI will remind the 11 Councils, as Public Authority Bodies that they are obliged to fulfil their responsibilities under Section 75 of the Northern Ireland Act 1998 while developing and implementing these LED projects. Under this requirement Councils must produce an Equality Scheme which sets out how it proposes to fulfil the duties imposed by S75 and Schedule 9 of the NI Act 1998. Each Councils Equality Scheme must be approved by the Equality Commission.</p> <p>During the initial development of LED programmes Invest NI will highlight the need to ensure that equality considerations are central to Council's policy development, with S75 at the core of the delivery of all LED programmes.</p> <p>Based on lessons learnt from the previous programme all LED programmes can only be provided through a procured service delivery contract that will be obtained through Councils. DfE and Invest NI have engaged the services of Central Procurement Directorate (CPD) who will work with Councils to manage the procurement for all LED projects. Whilst CPD have been contracted to manage the procurement of Council LED projects, overall responsibility in relation to the procurements rests with the relevant Councils. Therefore all CPD tenders will include a requirement to ensure Councils are carrying out equality monitoring and to provide this data on an annual basis.</p> <p>Invest NI will stress to Councils the importance of ensuring each LED programme has suitably qualified staff who are competent and have had successful track record/experience of delivering similar projects in the past , complying with all relevant legislation.</p> |

| | |
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| | <p>Invest will continually monitor the progress of LED projects, ensuring adherence to programme requirements and current legislation through formal monitoring and on-going engagement with Councils before payments can be made.</p> <p>A formal overall Evaluation of the LED 1 programme is due to take place in 2016/17 which will provide feedback on all the relevant sections of the projects. This information will be reviewed and considered in any future amendments/variations to the LED process.</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

| Section 75 category | Details of needs/experiences/priorities |
|-------------------------|---|
| Religious belief | No specific needs identified in relation to this programme |
| Political opinion | The programme will made available across all Council districts. |
| Racial group | No specific needs identified in relation to this programme |
| Age | No specific needs identified in relation to this programme |
| Marital status | No specific needs identified in relation to this programme |
| Sexual orientation | No specific needs identified in relation to this programme |
| Men and women generally | No specific needs identified in relation to this programme |

| | |
|-------------------|--|
| Disability | The Council will be aware of the need to provide reasonable adjustments and will carry out their Disability Action Plan in common with all Public Authorities. |
| Dependants | The Council will consider the timing of training events etc to accommodate those with caring responsibilities |

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 which are given on pages 66-68 of this Guide.

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

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

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

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

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;

- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of ‘minor’ impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

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

Screening questions

- 1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?
minor/major/none

| Section 75 category | Details of policy impact | Level of impact? minor/major/none |
|-------------------------|--|--------------------------------------|
| Religious belief | | |
| Political opinion | | |
| Racial group | | |
| Age | | |
| Marital status | | |
| Sexual orientation | | |
| Men and women generally | | |
| Disability | As people with a disability are amongst the highest groupings of economically inactive the LED programme will perhaps act as a means of promoting micro business and a route to self-employment. | Minor |

| | | |
|--|--|---|
| Dependants | Self-employment may also be advantageous to those with caring responsibilities and need to work from home or who require flexible working hours. | 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 | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group. |
| Political opinion | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group. |
| Racial group | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group. |
| Age | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group. |
| Marital status | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group. |
| Sexual orientation | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this |

| | | |
|-------------------------|----------------|--|
| | | group. |
| Men and women generally | | Unlikely to have a material impact on equality of opportunity as the programme has no specific allowances for this group, however Councils may consider to promote women in business via networking etc in order to improve the numbers of women in self employment. |
| Disability | Yes, see above | |
| Dependants | Yes, see 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 | | low |
| Political opinion | | low |
| Racial group | | low |

| 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 | | NO |
| Political opinion | | No |
| Racial group | | No |

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

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

No specific impact identified, but this will be monitored.

Part 3. Screening decision

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

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

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

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

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

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

No amendment is necessary at this time, however we will continue to monitor and review.

Timetabling and prioritising

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

If the policy has been '**screened in**' for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| Priority criterion | Rating (1-3) |
|--|-------------------------|
| Effect on equality of opportunity and good relations | |
| Social need | |
| Effect on people's daily lives | |
| Relevance to a public authority's functions | |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

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

If yes, please provide details

Part 4. Monitoring

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

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

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

Part 5 - Approval and authorisation

| Screened by: | Position/Job Title | Date |
|---------------------|-------------------------------|-------------|
| Patricia Copeland | Partner Delivery | 27/5/16 |
| Approved by: | | |
| Mary Gormley | Ex & Partner Delivery Manager | 27/5/16 |

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

