

## **Equality Screening Form**

### **Policy: Commissioners' Recruitment Code v.14 (revised June 2022)**

**Screening flowchart and template** *(taken from Section 75 of the Northern Ireland Act 1998 – A Guide for public authorities April 2010 (Appendix 1)).*

#### **Introduction**

**Part 1. Policy scoping** – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

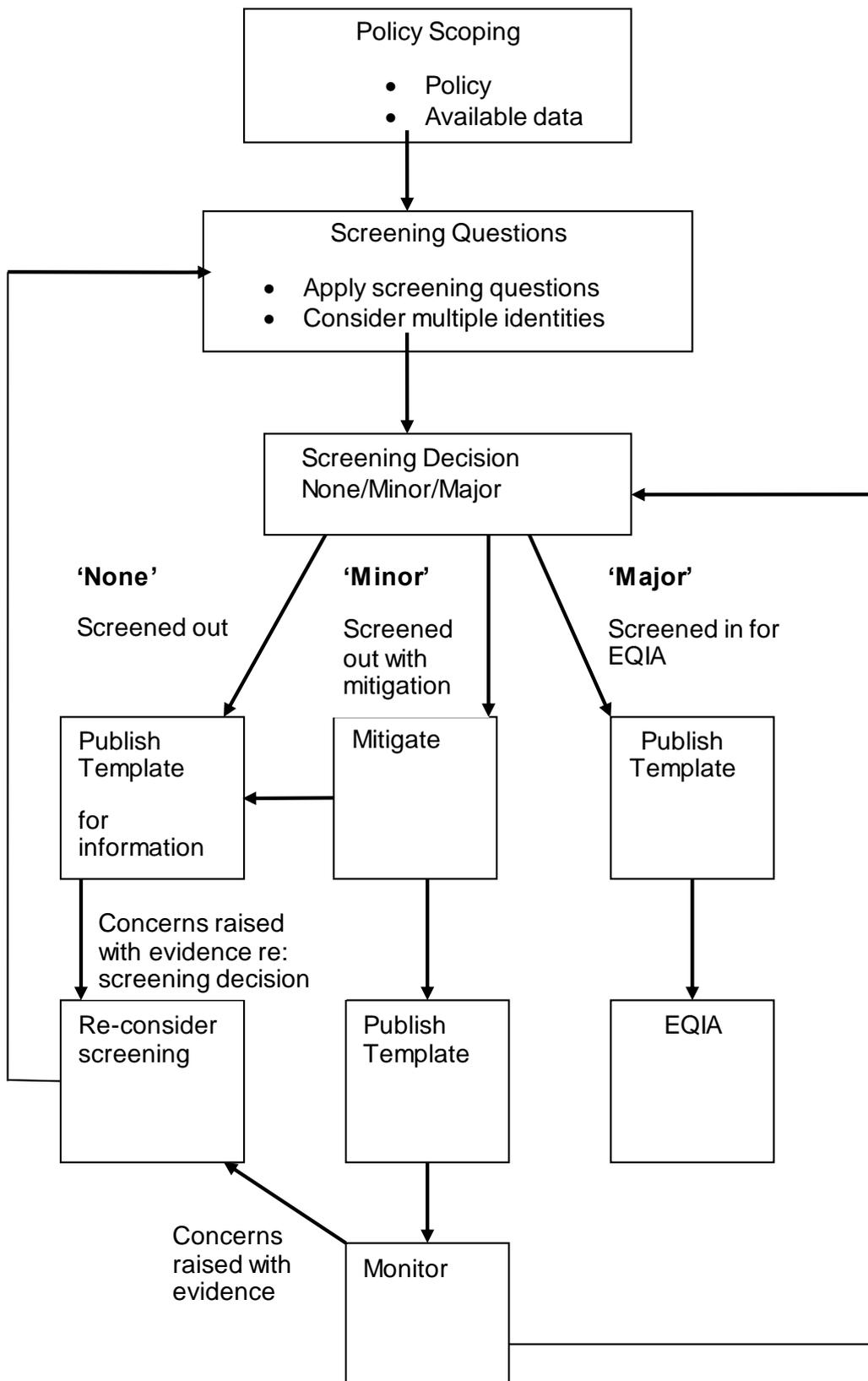
**Part 2. Screening questions** – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

**Part 3. Screening decision** – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

**Part 4. Monitoring** – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

**Part 5. Approval and authorisation** – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

A screening flowchart is provided overleaf.



## 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

- The Recruitment Code of the Civil Service Commissioners for Northern Ireland (Commissioners' Recruitment Code).

Is this an existing, revised or a new policy?

- This is an existing policy undergoing revision.

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

- Civil Service Commissioners for Northern Ireland have a statutory duty to maintain the principle of selection on merit on the basis of fair and open competition (known as the 'Merit Principle') in relation to selection for appointment to the Northern Ireland Civil Service (NICS). Commissioners also have a statutory duty to prescribe and publish a Recruitment Code on the interpretation and application of the Merit Principle. The aims of the Commissioners' Recruitment Code are to:
  - set out and explain the role of Commissioners;
  - set out the Commissioners' recruitment principles, expectations and the requirements of the Code;
  - outline the circumstances when the Merit Principle shall not apply; and
  - explain the Commissioners' approval role in relation to appointments to the Senior Civil Service (SCS).

The proposed revisions to the Recruitment Code made in June reflect:

- changes made to update the Chairperson's foreword;
- changes made to the NICS Secondment Policy with amendments made to the code to permit secondments for longer periods and provide Commissioners with the discretion to approve consecutive secondments, subject to conditions;
- clarification on Commissioners' view of apprenticeship schemes, specifically that Commissioners consider apprenticeships to be an additional method of recruitment into the NICS and that they are not considered as an Exception to the Merit Principle;
- the introduction of a positive statement to promote equality of opportunity for people with disabilities;

- changes to Regulation 3(e) - *Where the person has been selected for appointment under government programme or initiatives*. The changes aim to describe (a) the basis upon which a wide range of pathways to employment to the NICS can be accommodated and (b) Commissioners' role in approving new programmes and initiatives. The changes include the addition of an Appendix D which provides guidance on the considerations that Commissioners will take into account when processing a request to approve the introduction of a Government Programme or Initiative under the Exception to the Merit Principle Regulation 3(e).

The core principles of the Recruitment Code 2012 have not changed.

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

If so, explain how.

- This policy has the potential to benefit all Section 75 categories as it sets out Commissioners' requirements in relation to upholding the principle of selection on merit on the basis of fair and open competition (known as the 'Merit Principle') in relation to selection for appointment to the NICS. The revisions update the Code and provide clarity.

Who initiated or wrote the policy?

- The Civil Service Commissioners for Northern Ireland

Who owns and who implements the policy?

- The Civil Service Commissioners for Northern Ireland are responsible for prescribing and publishing the Recruitment Code. NICS Departments and Agencies must adhere to the requirements of the Commissioners' Recruitment Code when making appointments to the NICS.

### 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 – NICS
- voluntary/community/trade unions
- other, please specify – potential candidates, candidates and appointees to the NICS via open recruitment competition, candidates selected within a government scheme or initiative or those appointed to the NICS by exception to the Merit Principle

**Other policies with a bearing on this policy**

- what are they?
  - The NICS Recruitment Policy and Procedures Manual.
  - The NICS Secondment Policy
- who owns them?
  - NICS

**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 relevant Section 75 categories.

Section 75 category	Details of evidence/information
	<p>NICS vacancies are open to those who satisfy their nationality requirements. The population data for those whom this policy may affect is therefore broad and may extend beyond Northern Ireland.</p> <p>The Census data collected in Northern Ireland in 2021 in relation to Section 75 categories is not yet available.</p>
Religious belief	According to the 2011 Census in Northern Ireland, 40% of the economically active population declared themselves to be

	Catholic, 41% Protestant, less than 0.01% other religions, 12% no religion and 6% did not state their religion.
Political opinion	In line with Equality Commission guidance, Community Background may be taken as a proxy for political opinion.
Racial group	According to the 2011 Census in Northern Ireland, 98.2% of the economically active population declared themselves to be White, 1.1% Asian, less than 0.01% Irish Travellers, 0.2% Black, 0.2% Mixed and 0.2% Other.
Age	According to the 2011 Census in Northern Ireland, the ages the economically active population declared themselves to be were: 16-24: 15.9% 24-34: 24% 35-44: 23.9% 45-74: 36.1%
Marital Status	The 2011 Census found that 36.14% of the NI population identified as single, 47.56% as married, 0.09% as in a same sex civil partnership, 3.98% separated, 5.45% divorced or formerly in a same sex civil partnership which is now dissolved and 6.78% widowed.
Sexual orientation	There is no Census data on sexual orientation. An estimated 6% to 10% of the population identifies as lesbian, gay, bisexual and transgender. According to the statistical publication Sexual Orientation, UK: 2020, Office for National Statistics, 93.6% of the UK population identified as heterosexual or straight in 2020.
Men and women generally	According to the 2011 Census in Northern Ireland, 52.98% of the economically active population declared themselves to be male and 47.02% female.
Disability	In the 2011 Census 20.69% of the NI population reported that their day-to-day activities were limited because of a long-standing health problem or disability. The disability employment gap in Northern Ireland is 42.2% (NISRA, Disability Employment Gap Northern Ireland 2020).
Dependants	According to the 2011 Census, 33.86% of NI households have dependent children.

## Needs, experiences and priorities

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

<b>Section 75 category</b>	<b>Details of evidence/information</b>
Religious Belief	None identified or evidenced.
Political opinion	None identified or evidenced.
Racial group	People from ethnic minority groups or those whose first language is not English may have particular needs with regard to access to information e.g. translation services.
Age	None identified or evidenced.
Marital Status	None identified or evidenced.
Sexual orientation	None identified or evidenced.
Men and women generally	None identified or evidenced.
Disability	People with disabilities are more likely to encounter barriers to employment. People with disabilities may also have particular needs with regard to information and access to support e.g. alternative formats.
Dependants	None identified or evidenced.

## 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	No differential impact.	None
Political opinion	No differential impact.	None
Racial group	No differential impact.	None
Age	No differential impact.	None
Marital status	No differential impact.	None
Sexual orientation	No differential impact.	None
Men and women generally	No differential impact.	None
Disability	The policy will have a positive impact on people with a disability – it clarifies that positive actions in relation to recruitment and selection are compatible with the Recruitment Code and widens the scope for appointments to the NICS under government schemes/initiatives.	Minor (+)
Dependants	No differential impact.	None

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief	Equality and inclusion is the backbone of Commissioners' Recruitment Code. Whilst not specifically targeting this category the changes to the Recruitment Code are designed to benefit all Section 75 categories and promote equality of opportunity within a merit-based recruitment process and defined exceptions to merit.	
Political opinion	As Above	
Racial group	As Above Measures are already in place to address any particular language needs.	
Age	As Above	
Marital status	As Above	
Sexual orientation	As Above	
Men and women generally	As Above	

Disability	<p>Some of the revisions to the Code are specifically to promote and improve pathways to employment within the NICS for persons with a disability.</p> <p>Measures are already in place to address any particular needs with regard to access to information in an alternative format or support.</p>	
Dependants	<p>Equality and inclusion is the backbone of Commissioners' Recruitment Code. Whilst not specifically not targeting this category the changes to the Recruitment Code are designed to benefit all Section 75 categories and promote equality of opportunity within a merit-based recruitment process and defined exceptions to merit.</p>	

<b>3</b> 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	The policy does not impact on good relations between people of different religious belief.	None
Political opinion	The policy does not impact on good relations between people of different political opinion.	None

Racial group	The policy does not impact on good relations between people of different racial group.	None
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4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief	The policy relates to recruitment and selection to the NICS and should indirectly help promote good relations by ensuring fairness and equality of opportunity for all.	
Political opinion	The policy relates to recruitment and selection to the NICS and should indirectly help promote good relations by ensuring fairness and equality of opportunity for all.	
Racial group	The policy relates to recruitment and selection to the NICS and should indirectly help promote good relations by ensuring fairness and equality of opportunity for all.	

## **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).*

- There will be no negative impact on any people with multiple identities.

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

- Not applicable.

### Part 3. Screening decision

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

The revised Recruitment Code has been 'screened out' of an Equality Impact Assessment as this screening exercise found no differential impact in respect of all the S75 groups. The changes are designed to enhance equality of opportunity and the screening concluded there likely to be a minor positive impact in respect of people with a disability. and an indirect opportunity to promote, good relations. Therefore there is no need to introduce mitigation measures or an alternative policy to better promote equality of opportunity or good relations.

Commissioners' consider that diversity, inclusivity and equality of opportunity are central to the Merit Principle. The Commissioners' Recruitment Code sets out their requirements on the interpretation and application of the Merit Principle, including the circumstances in which any exceptions might apply. The primary purpose of the revision to the Recruitment Code in June 2022 was:

- to update the Chairperson's foreword;
- to update the code following approved changes made to the NICS Secondment Policy with amendments made to the code to permit secondments for longer periods and provide Commissioners with the discretion to approve consecutive secondments, subject to conditions;
- to provide clarification on Commissioners' view of apprenticeship schemes, specifically that Commissioners consider apprenticeships to be an additional method of recruitment into the NICS and that they are not considered as an Exception to the Merit Principle;
- to introduce a positive statement to promote equality of opportunity for people with disabilities;
- changes to Regulation 3(e) - *Where the person has been selected for appointment under government programme or initiatives*. The changes aim to describe (a) the basis upon which a wide range of pathways to employment to the NICS can be accommodated and (b) Commissioners' role in approving new programmes and initiatives. The changes include the addition of an Appendix D which provides guidance on the considerations that Commissioners will take into account when processing a request to approve the introduction of a Government Programme or Initiative under the Exception to the Merit Principle Regulation 3(e).

The core principles of the Recruitment Code 2012 have not changed.

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.

No mitigation or alternative policy required.

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

Not required.

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.

Not applicable.

### 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.

- Not applicable.

## 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

	Position/Job Title	Date
<b>Screened by:</b>		
Joanne Wray	Equality Officer	28/06/2022
<b>Approved by:</b>		
Deirdre Toner	Chairperson of the Civil Service Commissioners for Northern Ireland	20/07/2022

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.