

Equality Screening Template



The Council has a statutory duty to screen. This includes our strategies, plans, policies, legislative developments; and new ways of working such as the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help departments consider the likely equality impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed or any other queries on screening, contact the Equality and Diversity Officers (job-share) Stella Gilmartin or Lorraine Dennis on extension 6026/7 or by email equality@belfastcity.gov.uk

The accompanying **Screening Guidance** note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties and what they mean in practice is available on the Equality Commission's website¹.

The screening template has 4 sections to complete. These are:

Section A - provides details about the policy / decision that is being screened

Section B – gives information on the consultation process, supporting evidence gathered and has 4 key questions outlining the likely impacts on all equality groups.

Section C - has 4 key questions in relation to obligations under the Disability Discrimination Order

Section D - is the formal record of the screening decision.

¹ <http://www.equalityni.org/archive/pdf/S75GuideforPublicAuthoritiesApril2010.pdf>

Section A

Details about the policy / decision to be screened

1. Title of policy / decision to be screened:-

Decision to cease the practice of providing child care vouchers when an employee who is on maternity leave is receiving SMP only or no pay.

2. Brief description of policy / decision to be screened:-

(Explain - Is this a new, revised or existing policy? Are there financial / legislative / procurement implications?)

Her Majesty's Revenue and Customs (HMRC) revised their guidance regarding the payment of Childcare Vouchers during Statutory Maternity Leave. As of 14 September 2016, the following paragraph was removed from their Employer Handbook "E18: how can you help your employees with childcare": "Childcare vouchers are an employer provided non-cash benefit. Employer provided benefits provided under a contract of employment must continue to be provided whilst an employee is absent from work on maternity leave. This applies even if the employee is getting no pay or only getting Statutory Maternity Pay (SMP)." In compliance with the previous HMRC guidance, Payroll has been releasing child care voucher payments for employees on maternity leave even when employees had no pay or were only getting SMP. This cost was incurred by the Council.

The change in approach by HMRC appears to result from the decision of the Employment Appeal Tribunal in the case of *Peninsula Business Services –v- Donaldson*. Following that decision, childcare vouchers provided under a salary sacrifice scheme amount to remuneration and therefore no longer have to be provided to an employee who is on maternity leave and is receiving no pay or only receiving SMP.

In light of the above, a recommendation will be made to CMT that the Council cease providing child care vouchers when an employee who is on maternity leave is receiving SMP only or no pay. This is in line with the *Peninsula* case referred to above and accords with current HMRC guidance.

Employees currently on maternity leave, however, may have an expectation that the provision of child care vouchers will continue. In light of this, a recommendation will be made to CMT that only those officers who are currently provided with vouchers in these circumstances, continue to receive them.

HMRC set an earnings limit, below which an employee would not be eligible for child care vouchers. A recommendation will be made to Chief Management Team (CMT) that the Council continue to facilitate the deduction of payments from an employee's salary for the child care vouchers when an employee is receiving enhanced Occupational Maternity Pay (OMP) at or above the HMRC earnings limit.

There are no written references in the Council's current Child Care Voucher scheme to the above practice. It was implemented by Payroll to ensure compliance with HMRC guidance.

3. Aims and objectives of the policy / decision to be screened:-

(What is the policy trying to achieve?)

The change in practice will be proposed to CMT in order to reflect current HMRC guidance.

4. On whom will the policy / decision impact?

Consider the internal and external impacts (both actual or potential) and explain:-

Staff	YES/NO
Service users	YES/NO
Other public sector organizations	YES/NO
Voluntary / community groups / trade unions	YES/NO
Others, please specify	YES/NO

5. Are there linkages to other Agencies/ Departments?

No

Section B

Information on the consultation process, supporting evidence gathered and has 4 key questions outlining the likely impacts for equality and good relations.

6. Outline consultation process planned or achieved

JNCC were advised of the potential change and the recommendation to CMT on 19 October 2017. No comments were made.

CMT will be asked to approve the recommendations outlined above.

Staff will be advised of the change in practice through Interlink.

7. Available evidence

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below to help inform your screening assessment.

It is important to record information gathered from a variety of sources such as: monitoring information; complaints; research surveys; consultation exercises from other public authorities.

Section 75 category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	This change in practice to reflect HMRC guidance will have a minor impact on women who will be on unpaid maternity leave and continuing to receive child care vouchers during this period. BCC will no longer pay for child care vouchers in the above circumstance.	Minor

Disability	None	None
Dependants	This change in practice to reflect HMRC guidance will have a minor impact on women with dependants who will be on unpaid maternity leave and continuing to receive child care vouchers during this period. BCC will no longer pay for child care vouchers in the above circumstance.	Minor

8. What is the likely impact (indicate if the policy impact is positive or negative) on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief	None	This policy is unlikely to have any impact on any particular religious group.
Political opinion	None	This policy is unlikely to have any impact on any group of employees identified as having a particular political opinion.
Racial group	None	This policy is unlikely to have any impact on any particular racial group.
Age	None	This policy is unlikely to have any impact on any particular age group.
Marital status	None	This policy is unlikely to have any impact on any group of employees identified as having a particular marital status.
Sexual orientation	None	This policy is unlikely to have any impact on any group of employees identified as having a particular sexual orientation.
Men and women generally	Negative. This change in practice to reflect HMRC guidance will have a minor impact on women who will be on unpaid maternity leave and continuing to receive child care vouchers during this period. BCC will no longer pay for child care vouchers in the above circumstance.	

Disability	None	This policy is unlikely to have any impact on any group of employees identified as having a disability.
Dependants	Negative. This change in practice to reflect HMRC guidance will have a minor impact on women with dependants who will be on unpaid maternity leave and continuing to receive child care vouchers during this period. BCC will no longer pay for child care vouchers in the above circumstance.	

9. 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		No
Political opinion		No
Racial group		No
Age		No
Marital status		No
Sexual orientation		No
Men and women generally	Ensure all staff are made aware of the changes	No
Disability		No
Dependants		No

10. To what extent is the policy likely to impact (positive or negatively) on good relations between people of different religious belief, political opinion or racial group? What is the level of impact?

Good relations category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	None	None
Political opinion	None	None
Racial group	None	None

11. 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	None	None
Political opinion	None	None
Racial group	None	None

Section C

Belfast City Council also has legislative obligations to meet under the Disability Discrimination Order and Questions 12-13 relate to these two areas.

Consideration of Disability Duties

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

No

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

No

14. Multiple Identities

Provide details of data on the impact of the policy with multiple identities

None

Specify relevant Section 75 categories concerned.

15. Monitoring Arrangements

Section 75 places a requirement the Council to have equality monitoring arrangements in place in order to assess the impact of policies and services etc.; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy / decision on equality, good relations and disability duties.

Equality	Good Relations	Disability Duties
We will monitor all comments , queries and complaints in relation to the proposed change		

Section D

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened

Decision to cease the practice of providing child care vouchers when an employee who is on maternity leave is receiving SMP only or no pay.

I can confirm that the proposed policy / decision has been screened for –

X	equality of opportunity and good relations
X	disabilities duties

On the basis of the answers to the screening questions, I recommend that this policy / decision is – *(place an X in the appropriate box below)*

<input checked="" type="checkbox"/>	*Screened In – Necessary to conduct a full EQIA
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X	<p>*<u>Screened Out</u> – No EQIA necessary (no impacts)</p> <p>Minor impact has been identified by this screening for two of the Section 75 groups.</p>
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	<p>* <u>Screened Out - Mitigating Actions</u> (minor impacts)</p> <p>A recommendation will be made to CMT that the Council cease providing child care vouchers when an employee who is on maternity leave is receiving SMP only or no pay.</p> <p>There will be no written changes to the Child Care Voucher Scheme.</p> <p>Staff will be advised of the change in practice through Interlink.</p>
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Formal Record of Screening Decision *(cont.)*

Screening assessment completed by (Officer level) -

Name: Sharon Steele

Date: 19 October 2017

Department : Chief Executive's

Signature: please insert a scanned image of your signature below

Screening decision approved by -

Name:

Date:

Department:

Signature: please insert a scanned image of your signature below

Please save the final version of the completed screening form and forward to the Equality and Diversity Officer – equality@belfastcity.gov.uk. The screening form will be placed on the BCC website and a link provided to the Council's Section 75 consultees.

For more information about equality screening contact –

Stella Gilmartin / Lorraine Dennis
Equality & Diversity Officer (*job-share*)
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Belfast
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