

Invest NI Section 75 Screening

Summary of Policy Proforma Invest NI TITLE: Disciplinary Procedure

Invest NI is committed to achieving a successful economy in Northern Ireland which will provide equal opportunities for all. It is fully mindful of its responsibilities across the spectrum of Equality, Anti-Poverty and Social Inclusion Strategy and Human Rights.

Section 75 of the NI Act 1998 requires Invest NI, in carrying out all its functions, powers and duties, relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without
 - to promote positive attitudes towards disabled people,
 - to encourage participation by disabled people in public life; and
- between persons with dependents and persons without.

What does this policy/programme aim to achieve for the customer? (who does it mainly affect)?	The procedure is to provide a fair, equitable and consistent system for handling a situations where disciplinary action against a Staff Member is considered necessary.
What does this policy/programme aim to achieve for Invest NI? (provide the main objectives).	The objective is to give Staff Members opportunity to improve their conduct or behaviour.
Where did the policy/programme originate? (ie is this solely an Invest NI programme or are we working in partnership with any other department/ organisation ?)	The policy is specifically an Invest NI policy but was developed from an existing NICS policy.

<p>How is this policy /programme delivered or implemented?(ie by delivery agents, client executives, senior management, other agencies?)</p>	<p>The policy was issued following agreement with the Northern Ireland Public Service Alliance (NIPSA). It is available to all staff via the Invest NI Intranet.</p>
<p>What are the constraints on this policy/programme? (budgetary, legislative, EU directives etc).</p>	<p>Legislative requirements.</p>
<p>How does Invest NI monitor the delivery of this policy/programme?</p>	<p>Invest NI monitors the effectiveness of the policy on a case by case basis.</p>
<p>What other feedback, research, consultation or additional information is available to assess and screen the impact of this policy/programme? (ie consultative reports, evaluations, surveys, complaints ,monitoring etc).</p>	<p>The policy was produced by Invest NI after consultation with NIPSA.</p>
<p>Are any groups specifically targeted through this policy/programme? If so please detail which groups (e.g. young men, older people or people from ethnic minority backgrounds etc).</p>	<p>There are no groups specifically targeted through this policy.</p>

Equality Evidence Matrix

1. Is there any evidence of higher or lower participation or uptake by different groups?

	Yes (please specify)	No	Not known
Religious belief		X	
Political opinion		X	
Racial group		X	
Age		X	
Marital status		X	
Sexual orientation		X	
Gender		X	
Disability		X	
Dependency		X	

Please Comment: The policy applies to all members of staff fairly and consistently irrespective of which equality group(s) they belong to.

2. Is there evidence or indications that different groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes (please specify)	No	Not known
Religious belief		X	
Political opinion		X	
Racial group		X	
Age		X	
Marital status		X	
Sexual orientation		X	
Gender		X	
Disability		X	
Dependency		X	

Please Comment: There is no evidence of different groups having different needs.

3. Have consultations/research with relevant groups, organisations or individuals indicated that policies of this type create problems that are specific to them? (The user engagement guide and protocol provide useful support.)

	Yes (please specify)	No
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependency		X

Please Comment:No.

a) List the organizations/groups/individuals both internal and external, that you contacted during the development of the policy

**Northern Ireland Civil Service
NIPSA
Legislative bodies**

b) Specify how comments were incorporated into the final draft policy

The recommendations were built in to the body of the policy.

c) If ideas from groups weren't included please indicate why not

4. In relation to implementing this policy, is there an opportunity to better promote equality of opportunity or good relations by altering the policy or by working with others in Government or in the larger community?

Yes

No

If Yes, please comment: Equality is promoted by ensuring that all staff are fully aware of their entitlements and obligations.

5. Have you identified opportunities to:

a) promote positive attitudes towards disabled people;

b) encourage participation by disabled people in public life?

Please Specify: N/A

6. Monitoring Information: What data will be required to ensure effective monitoring of the policy following implementation?

The policy is reviewed on an ad hoc basis incorporating good practice guidance.

7. Have you any other comments on the policy and/or screening exercise?

Summary of Screening

Section 75 Category	Is there any evidence of potential under-representation of any Section 75 groups in this policy/programme?	Is there any evidence that people from any S75 groups have any issues / difficulties /problems with this policy/programme?	In your assessment is any further additional action required to address any under representation or problems associated with this policy/programme?	If yes, is an Equality Impact Assessment required to further assess the impact of the policy/programme on this group? Give reasons for your answer
Religion	NO	NO		
Political Opinion	NO	NO		
Age	NO	NO		
Gender	NO	NO		
Disability	NO	NO		
Sexual Orientation	NO	NO		
Dependants	NO	NO		
Marital Status	NO	NO		
Racial Group	NO	NO		

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.

1. 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		X		
Article 3		X		
Article 5		X		
Article 6		X		
Article 8		X		
Article 9		X		
Article 10		X		
Article 11		X		
Article 12		X		
Article 14*		X		
Article 1 of Protocol 1		X		
Article 2 of Protocol 1		X		

Finally are there any other ways in which Invest NI might be able to improve this policy/programme area in terms of improving the equality of opportunity? (ie conducting any further consultations, gathering monitoring data, liaising with other departments or organisations etc.)

Summary of Decision

Name(s) of Screening Personnel:	Patrick McSorley
Role:	Equality Co-ordinator
Decision to Conduct Equality Impact Assessment: YES / NO:	NO
Date:	26.05.10
Signed: (Screening Personnel):	<i>Patrick McSorley</i>
Approved: (Director):	<i>Ken Hegar</i>

