

Section 75 Policy Screening Form

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. 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.

You 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 or policy area:

Discretionary Support Regulations

Is this an existing, revised or a new policy/policy area?

Existing	Revised	New
		√

Brief Description

As part of the proposed welfare reform changes, the discretionary element of financial support previously delivered through Social Fund in the form of community care grants and crisis loans will be abolished. The NI Executive's response to the abolition of this is the Discretionary Support Scheme.

Discretionary Support is a mitigation scheme. The Fresh Start Agreement provided for a Welfare Reform Mitigations Working Group to make recommendations on how best to mitigate Welfare Reform. The Group's report made provision for a range of supplementary welfare payments and a Discretionary Support scheme.

The draft Discretionary Support Regulations outlined in this screening give effect to the Discretionary Support Scheme.

Whilst the Discretionary Support Scheme is not a replacement for Social Fund, it will reflect its strengths in terms of ensuring a speedy response to emergency or crisis situations including its local accessibility, its flexibility in meeting a wide variety of needs and its independent review mechanism.

The Discretionary Support Scheme design was equality screened in January 2013 and no adverse impacts were identified. In fact, there were potentially positive impacts as eligibility to Discretionary Support will be on the grounds of low income rather than qualifying benefits, thus opening up services to additional customer groups such as working customers on a low income.

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

Discretionary Support is designed to alleviate the most exceptional, extreme or crisis situations which present a significant risk to the health, safety or wellbeing of low income and vulnerable households through the provision of practical support and financial assistance. It is designed in a way that complements and strengthens the Executive’s efforts to tackle poverty and protect those who are the most disadvantaged in our society. It will offer those who are facing the most exceptional, extreme or crisis situations, practical and/or financial support, providing a safety net for some of our most vulnerable individuals and families at some of the lowest points in their lives.

The new scheme has a number of key elements including:

- Grant awards will be capped at 1 in any rolling 12 month period: to mitigate against this, if a customer presents in the event of a disaster, a further grant award may be considered.
- The lower age limit for claiming will be 18: however, the Regulations allow that a young person who is a minimum of 16 years and who is without parental support will be considered eligible for an award.
- The maximum period for the repayment of a loan will be 52 weeks: this may be extended up to 78 weeks in exceptional circumstances e.g. a larger washing machine is required for a medical need. This will encourage greater financial responsibility, reduce long term debt levels and assist with the recycling of Discretionary Support funding essential to the sustainability of the service.

The main access channel for Discretionary Support will be via the telephone. This will ensure that all claimants can access the service on a date/time that meets their need. However, for those customers unable to access Discretionary Support via the telephone, a face to face service will continue to be available.

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

YES	NO	N/A
√		

If YES, explain how.

The policy will be beneficial to all S75 categories in that it will be open to all individuals on a low income whether in work or not.

Who initiated or wrote the policy?

Department for Communities

Who owns and who implements each element of the policy?

Department for Communities

Implementation factors

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

YES	NO	N/A
√		

If YES, are they

Financial: YES (If YES, please detail)

Discretionary Support is budget limited with the loan element of the scheme part-funded not only from the repayment of Discretionary Support loans but also from the repayment of loans paid out under Social Fund. The long term sustainability of the scheme is therefore dependent upon the effective recovery of these loans.

Legislative: Y / N (If YES, please detail)

Other, please specify:

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

Staff:

Staff who are operating the scheme.

Service users:

Those claimants who are eligible for the scheme.

Other public sector organisations:

Voluntary/community/trade unions:

Advice organisations that may have to provide advice about the scheme or who provide financial and money management assistance.

Other, please specify:

Other policies with a bearing on this policy

What are they and who owns them?

Welfare Reform – Department for Communities

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				
General Information for all S75 Groups (Social Fund statistics provided by the Department's Analytical Services Unit – 2014/2015)	Client Group	Crisis Loans		Community Care Grants	
		Freq	%	Freq	%
	Pensioner	920	2%	4,220	21%
	16/17 - exc. Lone parent	180	0%	250	1%
	Disabled - with fam. Premium	970	2%	950	5%
	Disabled - other	9,040	18%	6,740	34%
	Lone parent	8,610	18%	2,900	15%
	Unemployed - with fam. Premium	740	2%	160	1%
	Unemployed - other	20,900	43%	1,420	7%
	Others - with fam. Premium	140	0%	50	0%
	Others	5,170	11%	3,000	15%
	Disabled	810	2%	20	0%
	Unemployed	620	1%	*	0%
	In paid employment	80	0%	*	0%
	Retired	*	0%	*	0%
	Involved in a trade dispute	*	0%	*	0%
	Other	700	1%	120	1%
TOTAL	48,920	100%	19,830	100%	
Religious Belief Political Opinion Racial Group Marital Status Sexual Orientation Women & men generally	Within each of these groups, specific information on background is not collected; however, the new Discretionary Support will be open to all claimants who are on a low income and who fall within each of these groups.				

Age	<p>Social Fund statistics provided by Analytical Services Unit for 2014/2015 (above) show that the number of claimants age 16/17 (excluding lone parents) was 1% or less.</p> <p>The lower age limit for claiming Discretionary Support will be 18; however, a young person who is a minimum of 16 years and who is without parental support will be considered eligible for an award.</p>
Disability	<p>Social Fund statistics provided by Analytical Services Unit for 2014/2015 (above) show that the number of claimants classed as having a disability for crisis loans was 10,010 – 20% of the overall applications for crisis loans and 7,690 – 39% for community care grants.</p> <p>The new Discretionary Support will be open to all claimants within this group who are on a low income.</p>
People with dependants	<p>Social Fund statistics provided by Analytical Services Unit for 2014/2015 (above) show that the number of claimants classed as being a lone parent, with a dependent/s was 8610 – 18% of the overall applications for crisis loans and 2,900 – 15% for community care grants.</p> <p>The new Discretionary Support will be open to all claimants within this group who are on a low income.</p>

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 Political Opinion Marital Status Sexual Orientation Women & men generally	<p>There is no evidence of any different needs, experiences or priorities for claimants who fall within these groupings.</p> <p>Discretionary Support will be available to low income claimants regardless of which S75 category they fall into</p>
Racial group	<p>The main method of application for Discretionary Support will be via the telephone. The needs of people whose first language is not English will be addressed by the normal Departmental procedures with Discretionary Support making use of the 'Big Word' service.</p>
Age	<p>One grant may be awarded to a claimant in any rolling 12 month period – older people may have needs, experiences or priorities in relation to this element of the scheme.</p> <p>The lower age limit for claiming Discretionary Support will be 18 - however, a young person who is a minimum of 16 years and who is without parental support will be considered eligible for an award.</p> <p>The maximum period for the repayment of a loan will 52 weeks - this may be extended to up to 78 weeks in exceptional circumstances, e.g. a larger washing machine is required for a medical need. Older people may have needs, experiences or priorities in relation to this element of the policy.</p> <p>The main access channel for Discretionary Support will be via the telephone. This will ensure that all claimants can access the service on a date and time that meets their need. However, for those unable to access Discretionary Support via the telephone, a face to face service will be available.</p>

<p>People with a disability</p>	<p>One grant may be awarded to a claimant in any rolling 12 month period – people with a disability may have needs, experiences or priorities in relation to this element of the scheme.</p> <p>The maximum period for the repayment of a loan will 52 weeks - this may be extended to up to 78 weeks in exceptional circumstances, e.g. a larger washing machine is required for a medical need. People with a disability may have needs, experiences or priorities in relation to this element of the policy.</p> <p>The main access channel for Discretionary Support will be via the telephone. This will ensure that all claimants can access the service on a date and time that meets their need. However, for those unable to access Discretionary Support via the telephone, a face to face service will be available.</p>
<p>People with dependents</p>	<p>One grant may be awarded to a claimant in any rolling 12 month period –people with dependents may have needs, experiences or priorities in relation to this element of the scheme.</p> <p>The maximum period for the repayment of a loan will 52 weeks. This may be extended to up to 78 weeks in exceptional circumstances, e.g. a larger washing machine is required for a medical need. People with dependents may have needs, experiences or priorities in relation to this element of the policy.</p>

Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy **out**. If a policy is 'screened out', you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

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 hence it would be appropriate to conduct an EQIA;
- 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 among 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 earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the 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 grounds? Minor/Major/None		
Section 75 Category	Details of Policy Impact	Level of Impact? Minor/Major/None
Religious Belief Political Opinion Marital Status Sexual Orientation Women & men generally	<p>This policy is not expected to have any adverse impact on people in this grouping. Any impact is expected to be positive.</p>	<p>None</p>
Age	<p>The qualifying age for discretionary support (18) has the potential to adversely impact on 16/17 year olds. However, as detailed in the evidence section, only 1% of total applications in 2014/2015 were received from 16/17 year olds. Therefore, this element is not expected to adversely impact on this group.</p>	<p>None</p>
Disability	<p>The loan repayment period to a maximum of 52 weeks may have the potential to adversely impact on people with a disability. However, this may be extended to up to 78 weeks in exceptional circumstances, e.g. a larger washing machine is required for a medical need.</p>	<p>Minor</p>
Dependants	<p>The loan repayment period to a maximum of 52 weeks may have the potential to adversely impact on people with dependents. However, this may be extended to up to 78 weeks in exceptional circumstances, e.g. a larger washing machine is required for a medical need.</p>	<p>Minor</p>

Racial/Ethnic group	This policy is not expected to have any adverse impact on people in this group. Any impact is expected to be positive. The needs of people whose first language is not English will continue to be addressed by the normal Departmental procedures with Discretionary Support making use of the 'Big Word' service.	None

2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories?		
Section 75 Category	If Yes, provide details	If No, provide reasons
	Yes – eligibility to Discretionary Support is on the grounds of low income rather than qualifying benefits, thus opening up services to additional customer groups such as working customers on a low income.	

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		
Political opinion		
Racial group		

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
		No – Discretionary Support will focus on those most in need and will be complementary to other Executive policies to tackle poverty and disadvantage.

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).

Younger/older people/ people with and without a disability/with and without dependents.

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

Potentially there may be positive impacts as eligibility to Discretionary Support will be on the grounds of low income rather than on qualifying benefit, thus opening up services to additional customer groups such as working customers on low income, including those with multiple identities.

Potential minor adverse impacts may be felt by older/younger people with and without a disability/dependent(s). However, mitigation is provided for in the Regulations as detailed above.

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should:
(please underline one):

1. **Not be subject to an EQIA (with no mitigating measures required)**
2. **Not be subject to an EQIA (with mitigating measures /alternative policies)**
3. **Not be subject to an EQIA at this time**
4. **Be subject to an EQIA**

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

Discretionary Support is designed to assist those who find themselves in an exceptional, extreme or crisis situation which presents a significant risk to the health, safety or wellbeing of them and/or their immediate family. The scheme is available to all provided that they meet the eligibility criteria. Potential minor adverse impacts have been identified in the screening, however, where these impacts have been identified, mitigation has been provided.

S

In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? YES / NO

If YES, when & why?

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. 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 EQIA.

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 EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Any further comments on the screening process and any subsequent actions?

Part 4: Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You 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, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

Once operational through the Discretionary Support Scheme, the policy will be monitored and evaluated to determine its effectiveness in meeting its objective to provide assistance to low income claimants (Section 75 date will be collected). Should any adverse impacts come to light during the monitoring process, further equality screening will be carried out and the policy will be subject to an EQIA if necessary.

Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
Addie Lyttle	Staff Officer	21/06/2016
Approved by:		
Tommy O'Reilly	Deputy Secretary	22/06/2016

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 your website as soon as possible following completion and made available on request.