



Department of
Health

An Roinn Sláinte

Máinnystrie O Poustie

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Draft Equality Screening, Disability Duties and Human Rights Assessment

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Part 1. Policy scoping

1.1 Information about the policy / decision

1.1.1 What is the name of the policy / decision?

HSC Pension Scheme proposed amendments to scheme regulations

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

This is a revised policy.

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

The rapid increase in Consumer Price Index (CPI) inflation has shown there to be a timing mismatch between the CPI rate used to revalue accrued pension benefits in the HSC Pension Scheme and the CPI rate that is allowed for in annual allowance (AA) tax calculations. Aligning these timings will ensure that the AA measures only the pension growth that occurs above inflation ensuring AA operates as intended.

The Department have requested the Department of Finance adjust the Public Service Pensions Revaluation Order (Northern Ireland) 2015 to accommodate the move of the revaluation date for the HSC scheme to 6 April and therefore align the CPI rates. Some technical amendments are required to Regulations to facilitate the correct application of this and future Department of Finance Orders.

In a previous [Consultation on Member Contributions Structure](#) it was set out that the contribution tier thresholds will be increased annually in line with Agenda for Change (AfC) pay awards. Following details of the 2022/23 pay award, work has been carried out to accurately uplift the member contribution thresholds in line with the AfC pay award and also to update the tables with the opening position for 2023/24.

Technical updates are required to ensure that practitioners have paid the correct amount of member contributions for the 2022/23 scheme year as their contribution rate is based on in-year annualised pay.

A number of minor amendments are also included:

- Amendments are required so that references to the Health and Social Care Board will be replaced by references to the Department of Health.
- Amendments are needed to include Shared Parental Leave under reasons for absence from work to provide an entitlement for a mother/adopter and a child's father/adopter or a mother's or adopter's partner to take shared parental leave without an impact on their pension.

1.1.4 If there are any Section 75 categories which might be expected to benefit from the intended policy, please explain how.

The changes regarding Shared Parental Leave will benefit people with dependents

1.1.5 Who initiated or wrote the policy?

The policy update was developed and written by the DoH – Pension Policy.

1.1.6 Who owns and who implements the policy?

The Department of Health has the overall responsibility for the policy and its introduction. The HSC Pension Service has been delegated the responsibility for the day to day operational implementation of the provisions resulting from the legislation.

1.2 Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? If yes, are they

Financial

Legislative

Other

No

1.3 Main stakeholders affected

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

HSC Staff

Service users

Other public sector organisations

Voluntary/community/trade unions

Other, please specify

All HSC
Employers

GP
Practices

Directional
Employers

1.4 Other policies with a bearing on this policy / decision. If any:

Policy	Owner(s) of the policy

1.5 Available evidence

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 Categories	<p>The proposed changes will be applied to all members regardless of membership of S75 categories.</p> <p>The HSC employers will collect S75 characteristics on their employees but not all of their employees are members of the pension scheme. The administering authority, BSO, does not hold data on the section 75 characteristics of members.</p> <p>The consultation document will ask stakeholders the following questions in relation to equality:</p> <p>Are there any considerations and evidence that you think the Department should take into account when assessing any equality issues arising as a result of the proposed changes?</p> <p>The equality screening analysis will be reviewed based on responses received during the consultation.</p>

* **Qualitative data** – refers to the experiences of individuals related in their own terms, and based on their own experiences and attitudes. Qualitative data is often used to complement quantitative data to determine why policies are successful or unsuccessful and the reasons for this.

Quantitative data - refers to numbers (that is, quantities), typically derived from either a population in general or samples of that population. This information is often analysed either using descriptive statistics (which summarise patterns), or inferential statistics (which are used to infer from a sample about the wider population).

1.6 Needs, experiences and priorities

Taking into account the information recorded in 1.1 to 1.5, 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	There is no evidence that different religions will have any different needs, experiences, priorities or issues in relation to the proposals.
Political opinion	There is no evidence that different political opinions will have any different needs, experiences, priorities or issues in relation to the proposals.
Racial group	There is no evidence that different racial groups will have any different needs, experiences, priorities or issues in relation to the proposals.
Age	There is no evidence that different age groups will have any different needs, experiences, priorities or issues in relation to the proposals.
Marital status	There is no evidence that different age groups will have any different needs, experiences, priorities or issues in relation to the proposals.
Sexual orientation	There is no evidence that those with different sexual orientation will have any different needs, experiences, priorities or issues in relation to the proposals.
Gender (Men and women generally)	There is no evidence that different age groups will have any different needs, experiences, priorities or issues in relation to the proposals.
Disability (with or without)	There is no evidence that people with disabilities will have any different needs, experiences, priorities or issues in relation to the proposals.
Dependants (with or without)	There is no evidence that those of different dependant status will have any different needs, experiences, priorities or issues in relation to the proposals other than the proposals in relation to shared parental leave which will benefit those affected.

Part 2. Screening questions

2.1 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 impact on equality of opportunity.	None
Political opinion	No impact on equality of opportunity.	None
Racial group	No impact on equality of opportunity.	None
Age	No impact on equality of opportunity.	None
Marital status	No impact on equality of opportunity.	None
Sexual orientation	No impact on equality of opportunity.	None
Gender (Men and women generally)	No impact on equality of opportunity.	None
Disability (with or without)	No impact on equality of opportunity.	None
Dependants (with or without)	The changes in relation to shared parental leave will improve opportunity for those with children.	Minor

2.2 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	-	Religious belief has no impact on implementation of the proposals.
Political opinion	-	Political Opinion has no impact on implementation of the proposals.
Racial group	-	Racial Grouping has no impact on implementation of the proposals.
Age	-	Members' Age has no impact on implementation of the proposals.
Marital status	-	Marital status has no impact on implementation of the proposals.
Sexual orientation	-	Sexual Orientation has no impact on implementation of the proposals.
Gender (Men and women generally)	-	Gender has no impact on implementation of the proposals.
Disability (with or without)	-	Disability has no impact on implementation of the proposals.
Dependants (with or without)	-	Being a dependent has no impact on implementation of the proposals other than in relation to shared parental leave where equality of opportunity is

		being improved.
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2.3 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	The policy will not impact on good relations.	None
Political opinion	The policy will not impact on good relations.	None
Racial group	The policy will not impact on good relations.	None

2.4 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	-	The amendments apply to a timing mismatch in relation to CPI rate and to the contribution rate that will be paid by members of the HSC Pension Scheme and is unaffected by Religious Belief

Political opinion	-	The amendments apply to a timing mismatch in relation to CPI rate and to the contribution rate that will be paid by members of the HSC Pension Scheme and is unaffected by Political Opinion
Racial group	-	The amendments apply to a timing mismatch in relation to CPI rate and to the contribution rate that will be paid by members of the HSC Pension Scheme and is unaffected by Racial Grouping

2.5 Additional considerations

Multiple identity

Provide details of data on the impact of the policy on people with multiple identities (e.g. minority ethnic people with a disability, women with a disability, young protestant men, and young lesbian, gay or bisexual persons). Specify relevant Section 75 categories concerned.

There will be no impact on multiple identity

2.6 Was the original policy / decision changed in any way to address any adverse impacts identified either through the screening process or from consultation feedback? If so please provide details.

Part 3. Screening decision

3.1 How would you summarise the impact of the policy / decision?

No impact
Minor impact
Major impact

✓

Consider mitigation (3.4 – 3.5)

3.2 Do you consider that this policy / decision needs to be subjected to a full Equality Impact Assessment (EQIA)?

Yes - screened in
No - screened out

✓

3.3 Please explain your reason for making your decision at 3.2.

The HSC Pension Scheme proposed amendments to scheme regulations will not create any significant adverse impact on any of the Section 75 groups.

Mitigation

If you have concluded at 3.1 and 3.2 that the likely impact is '**minor**' and an equality impact assessment is not to be conducted, you must consider mitigation (or scope for further mitigation if some is already included as per 2.6) to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

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

Yes

No

3.5 If you responded "**Yes**", please give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

Part 4. Monitoring

Monitoring is an important part of policy development and implementation. Through monitoring it is possible to assess the impacts of the policy / decision both beneficial and adverse.

4.1 Please detail how you will monitor the effect of the policy / decision?

Information gathered from this Consultation and similar consultations being carried out for the other NHS Pension Schemes in GB will be used to monitor any potential impact. Data in relation to scheme opt-outs will also be monitored to see if the policy has any impact on scheme membership.

4.2 What data will you collect in the future in order to monitor the effect of the policy / decision?

The Department will monitor the effect of the amendments introduced and assess the impact on scheme members, paying particular attention in relation to members opting out of the scheme

Please note: - For the purposes of the annual progress report to the Equality Commission you may later be asked about the monitoring you have done in relation to this policy and whether that has identified any Equality issues.

Part 5. Disability Duties

5.1 Does the policy/decision in any way promote positive attitudes towards disabled people and/or encourage their participation in public life?

These amendments have no impact.

5.2 Is there an opportunity to better promote positive attitudes towards disabled people or encourage their participation in public life by making changes to the policy/decision or introducing additional measures?

There is no opportunity to promote positive attitudes towards disabled people or encourage their participation in public life by changing or introducing additional measures to the legislation

Part 6. Human Rights

6.1 Please complete the table below to indicate whether the policy / decision affects anyone's Human Rights?

ARTICLE	POSITIVE IMPACT	NEGATIVE IMPACT = human right interfered with or restricted	NEUTRAL IMPACT
Article 2 – Right to life			✓
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			✓
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			✓
Article 5 – Right to liberty & security of person			✓
Article 6 – Right to a fair & public trial within a reasonable time			✓
Article 7 – Right to freedom from retrospective criminal law & no punishment without law.			✓
Article 8 – Right to respect for private & family life, home and correspondence.			✓
Article 9 – Right to freedom of thought, conscience & religion			✓
Article 10 – Right to freedom of expression			✓
Article 11 – Right to freedom of assembly & association			✓
Article 12 – Right to marry & found a family			✓
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			✓
1 st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			✓
1 st protocol Article 2 – Right of access to education			✓

6.2 If you have identified a likely negative impact who is affected and how?

No negative impacts were identified.

At this stage we would recommend that you consult with your line manager to determine whether to seek legal advice and to refer to Human Rights Guidance to consider:

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction in order to comply with the Human Rights Act (1998).*

6.3 Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy/decision.

No actions can be taken to promote or raise awareness of human rights or ensure compliance with the legislation in relation to the policy

Part 7 - Approval and authorisation

	Name	Grade	Date
Screened completed by	Jenna Allen	DP	24/01/23
Approved by ¹	Siobhán McKelvey	G7	25/01/23
Forwarded to E&HR Unit ²			06/03/23

Notes:

¹ The Screening Template should be approved by a senior manager responsible for the policy this would normally be at least Grade 7.

² When the Equality and Human Rights Unit receive a copy of the final screening it will be placed on the Department's website and will be accessible to the public from that point on. In addition, consultees who elect to receive it, will be issued with a quarterly listing all screenings completed during each three month period.

ADDITIONAL INFORMATION TO INFORM THE ANNUAL PROGRESS REPORT TO THE EQUALITY COMMISSION

(PLEASE NOTE: THIS IS **NOT** PART OF THE SCREENING TEMPLATE BUT **MUST** BE COMPLETED AND RETURNED WITH THE SCREENING)

1. Please provide details of any measures taken to enhance the level of engagement with individuals and representative groups. Please include any use of the Equality Commissions guidance on consulting with and involving children and young people.

The Department has engaged with the Scheme Advisory Board – consisting of employer and staff side representatives

2. In developing this policy / decision were any changes made as a result of equality issues raised during :
 - (a) pre-consultation / engagement;
 - (b) formal consultation;
 - (c) the screening process; and/or
 - (d) monitoring / research findings.

If so, please provide a brief summary including how the issue was identified, what changes were made, and what will be the expected outcomes / impacts for those effected.

None to date

3. Does this policy / decision include any measure(s) to improve access to services including the provision of information in accessible formats? If so please provide a short summary.

No

Thank you for your co-operation.
Equality and Human Rights Unit.