**QUEEN'S
UNIVERSITY
BELFAST**

SECTION 75 POLICY SCREENING FORM

Section 75 Statutory Equality Duties
http://www.equalityni.org/S75duties

The promotion of equality of opportunity entails more than the elimination of discrimination. It may also require proactive measures to be taken to maintain and secure equality of opportunity.

Section 75 (1) requires the University in carrying out its functions, powers and duties 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
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

Without prejudice to the obligations set out above, the University is also required to:

a) have *regard to the desirability of promoting good relations* between persons of different

- religious belief
- political opinion; or
- racial group

b) meet legislative obligations under the Disability Discrimination Order.

What is a policy?

The Equality Commission for Northern Ireland state in their guidance[1] that the term 'policy' is used to denote any strategy, policy (proposed/amended/existing) or practice and/or decision, whether written or unwritten.

The University's Equality Scheme reflects the Equality Commission's definition of a policy and this should be applied in determining what needs to be screened.

If you are in doubt, please contact the Diversity and Inclusion Unit for advice. Equality screening guidance is also available at Queen's website or by contacting the Diversity and Inclusion Unit.

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.

It should be remembered that the Section 75 statutory duties apply to internal policies (relating to people who work for the University), as well as external policies (relating to those who are, or could be, served by the University).

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[1] 'Section 75 of the Northern Ireland Act 1998, A Guide for Public Authorities' (April 2010), page 30. A policy may include planning decisions, service changes, corporate strategies, policy development, practices, guidelines, procedures and protocols; board papers

A. Information about the policy

Name of the policy to be screened and description

Queen's University Belfast Trans Equality Policy

Is this an existing, revised or a new policy? (please append policy to the screening form)

Existing

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

As part of its wider Equality and Diversity Policy Queen's University ("the University") is committed to providing an inclusive and welcoming community where staff and students are enabled to meet their full potential and are treated as individuals.

This includes providing advice, support and understanding to those individuals who are considering, are taking or have taken steps to present themselves in a sex different to that assigned at birth.

This policy is designed to focus on the support and advice that the University can offer to both trans staff and students.

It also aims to offer advice and guidance to managers or others who are helping to manage the support process at an individual level.

The principles of the policy are:

- *Students will not be denied access to courses, progression to other courses, or fair and equal treatment while on courses because of their gender identity.*
- *The University will respect the confidentiality of all trans staff and students and will not disclose personal information without the prior agreement of the individual.*
- *Staff will not be excluded from employment or promotion because of their gender identity.*

- *The University will provide a supportive environment for staff and students who wish their trans status to be known.*
- *Transphobic abuse, bullying or harassment will be treated very seriously and dealt with under the appropriate procedures.*

Are there any Section 75 categories which might be expected to benefit from the policy? If so, explain how.

- *Individuals identifying with the Trans community;*
- *Individuals considering undergoing gender reassignment;*
- *Individuals who have undergone gender reassignment;*
- *Individuals who are gender fluid; individuals whose gender identity does not reflect their gender at birth;*
- *Individuals who identify as someone with a different sex from that in which they were born, but who may have decided not to undergo/not undergo medical treatment;*
- *Men and women generally.*

Who initiated or wrote the policy?

Human Resources Directorate, QUB

Directorate responsible for devising and delivering the policy?

Human Resources Directorate, QUB

Background to the Policy to be screened.
Include details of any pre-consultations/consultations which have been conducted and/or whether the policy has previously been tabled at the University's Operating Board or the Standing Committee of the Senate.

The HR Directorate consulted formally with Trade Union representatives; representatives from QUB Estates; Media and Communications Office; the Equality Commission for Northern Ireland; SAIL NI and a focus group with Trans students was held to help shape and design the policy and guidance documents.

B. Implementation factors

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

No

If yes, are they

☐ financial?

☐ legislative?

☐ other?(please specify) _____

C. 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

☒ voluntary/community/trade unions

☒ other, please specify

Individuals who identify as belonging to the Trans community

D. Other policies with a bearing on this policy

- **What are they? (please list)**

QUB *Equality and Diversity Policy; QUB Bullying and Harassment Procedure*

- **Who owns them?**
- *Human Resources Directorate, QUB*

E. 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.

This means any data or information you currently hold in relation to the policy or have gathered during policy development. Evidence to inform the screening process may take many forms and should help you to decide who the policy might affect the most. It will also help ensure that your screening decision is informed by relevant data.

Section 75 category	Details of evidence/information
Religious belief	N/a
Political opinion	N/a
Racial group	N/a
Age	N/a
Marital status	N/a
Sexual orientation	*Focus group with LGBT+ and Trans students was held; facilitated by the QUB Student's Union and QUB HR Directorate; qualitative evidence during the focus group discussion provided helped shape the policy; frequently asked questions; support for managers.*

Men and women generally	*Consultation with Estates Directorate, Media and Communications Office and Trade Union representatives helped inform our approach to changing the use of male/female toilets and bathroom facilities to All Gender facilities; group agreed on wording to be used; location of signage on campus etc.*
Disability	*Consultation with SAIL NI and Equality Commission helped inform the change of use of male/female toilets and bathroom facilities to All Gender and disability friendly/accessible use.*
Dependants	N/a

F.   Needs, experiences and priorities

Having looked at the data/information you have collected in the question above, what does this tell you are the needs, experiences and priorities for the people who fall into the groups below, in relation to your policy[2]? And what is the actual or likely impact on equality of opportunity for those affected by the policy. (See appendix 1 for information on levels of impact).

Section 75 category	Details of needs/experiences/priorities and details of policy impact	Level of Impact
Religious belief	n/a	None
Political opinion	n/a	None
Racial group	n/a	None
Age	*The new Trans Equality Policy; the provision of practical support and advice;*	Major

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[2] If you do not have enough data to tell you about potential or actual impacts you may need to generate more data to distinguish what groups are potentially affected by your policy.

	information; support for Trans friendly events/education and training; and the provision of All Gender facilities which will be available to staff and students of all ages will have a positive impact and help to demonstrate our commitment to providing a safe, inclusive campus for people of all ages.	
Marital status	n/a	None
Sexual orientation	As above – (age)	Major
Men and women generally	As above – (age)	Major
Disability	n/a	None
Dependants	n/a	None

Part 2 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?		
Section 75 category	Issue	Minor/major/none?
Religious belief	n/a	None

Political opinion	n/a	None
Racial group	n/a	None
Age	*There should be a positive impact on equality of opportunity for students and staff of all ages; this also extends to visitors, service users and prospective students and applicants for employment.*	Major
Marital status	n/a	None
Sexual orientation	*There should be a positive impact on equality of opportunity for students and staff identifying with the LGBT+ community; this also extends to visitors, services users and prospective students and applicants for employment.*	Major
Men and women generally	There should be a positive impact on equality of opportunity for men and women generally.	Major
Disability	n/a	None

Dependants	n/a	None

2 Are there any actions which could be taken to reduce any adverse impact which has been identified or opportunities to better promote equality of opportunity?		
Section 75 category	**Issue**	**Mitigating Measure**
Religious belief	*Information has been placed online; and in frequently asked questions explaining the rationale for the policy and changes to facilities; explaining the legal position (s75; anti-discrimination and equality legislation); protection of rights for people considering, or undergoing/who have undergone gender reassignment; training has also been delivered to staff to help explain the intention of the policy; etc.*	Minor
Political opinion	n/a	None
Racial group	n/a	None
Age	n/a	None

Marital status	n/a	None
Sexual orientation	n/a	None
Men and women generally	*As above (religious belief)*	Minor
Disability	*As above (religious belief)*	Minor
Dependants	n/a	None

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?		
Good relations category	Details of policy impact	Level of impact minor/major/none
Religious belief	*We are conscious that the policy; demonstration of support; delivery of training and changes to facilities may prove challenging for people of faith which is why we have developed iinformation which is readily available online; frequently asked questions explaining the rationale for the policy and changes to facilities; explaining the legal position (s75; anti-discrimination and equality legislation); protection of rights for people considering, or undergoing/who have undergone gender reassignment; training has also*	Minor

	been delivered to staff to help explain the intention of the policy; etc.	
Political opinion	n/a	None
Racial group	n/a	None

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	*Yes – we encourage all students and staff, regardless of their religious belief, to undertake the Trans Equality Awareness training and/or contact the Diversity and Inclusion Unit should they wish to learn more about this matter in a confidential setting.*	
Political opinion	N/a	N/a
Racial group	*As above – we encourage all staff, regardless of their race, ethnicity and nationality to undertake the Trans Equality Awareness training and/or contact the Diversity and Inclusion Unit should they wish*	

	to learn more about this matter in a confidential setting	

E   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*).

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

> *We do not hold any data which would indicate the potential impact of the policy on people with multiple identities; this may require further analysis as there will be groups of people for whom it may impact on an intersectional level – e.g. international students/ staff from overseas countries of particular cultures and faiths or where there is less tolerant attitudes to LGBT+ or people identifying as belonging to the Trans*

F   Disability Duties

Disability Duties
Consider whether the policy: a) Discourages disabled people from participating in public life and fails to promote positive attitudes towards disabled people.   No   b) Provides an opportunity to better positive attitudes towards disabled people or encourages their participation in public life.   No

Part 3. Screening decision

Through screening, an assessment is made of the likely impacts, either major, minor or none, of the policy on equality of opportunity and/or good relations for the relevant categories. Completion of screening should lead to one of the following three outcomes; please mark an x in the appropriate box:

☐ **'Screened out'** i.e. the likely impact is none and no further action is required

☒ **'Screened out' with mitigation** i.e. the likely impact is minor and measures will be taken to mitigate the impact or an alternative policy will be proposed

☐ **'Screened in' for an equality impact assessment (EQIA)** i.e. the likely impact is major and the policy will now be subject to an EQIA

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

Appropriate steps and mitigation have been put in place through communications; advice and support; website resources and staff training to ensure that staff understand the rationale for the policy; legal context; and clear advice on the use of All Gender facilities/ purpose behind signage on campus; a number of events have also been delivered to and supported by staff to raise awareness and demonstrate support for Trans students and staff on campus.

If the decision is not to conduct an equality impact assessment, but the policy has minor equality impacts, please provide details of the reasons for this decision and of any proposed mitigating measures or proposed alternative policy.

As above.

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

N/a

D Timetabling and prioritising

If the policy has been **'screened in'** for equality impact assessment 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	3
Social need	1
Effect on people's daily lives	1
Relevance to the University's functions	2

E Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details

No

Part 4. Monitoring

Effective monitoring will help the University identify any future adverse impact arising from the policy which may lead the University to conduct an equality impact assessment, as well as help with future planning and policy development.

Please detail how you will monitor the effect of the policy?

We will review our Equality Monitoring Form; and consult with stakeholders on changes to Gender data of our staff, expanding this to capture staff who identify as gender other than M/F; we will follow the appropriate guidance issued by the Equality Commission and Equality Challenge Unit.
We will also review the numbers of students and staff attending training and information sessions; we will capture and review the feedback at these sessions to understand if we need to make further changes to the content of the training; and/or develop clearer guidance for staff to effectively advise and support people from the Trans community who either study or work at the University;
We will review any informal or formal complaints/issues raised by staff.

What data is required in the future to ensure effective monitoring of the policy?

More detailed Equality Monitoring data on our staff (gender definition to be expanded) and students (HESA).
Quantitative and Qualitative data from Trans Equality Awareness training sessions.

Part 5 - Data Protection

If applicable, has legal advice been given due consideration?

Yes ☒ No ☐ N/A ☐

Has due consideration been given to information security in relation to this policy?

Yes ☒   No ☐

Part 6 - Approval and authorisation

Screened by:		Position/Job Title	Date
		Head of Diversity and Inclusion	9/2/18
Approved by:			
		Director of Human Resources	9/2/18
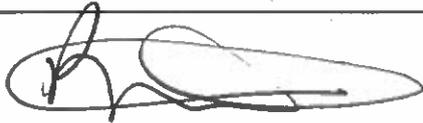
A copy of the screening form, for each policy screened, should be 'signed off' and approved by the senior manager responsible for the policy

In instances where a screening decision concludes that an EQIA is required then the screening form should be countersigned by a Director.

There may at times be policy issues which fall within the scope of being novel, contentious or politically sensitive and could only be taken forward following consultation with the University's Operating Board and/or Standing Committee of the Senate. Where a policy screening highlights such issues the screening form must be signed off by the Director prior to proceeding to the University's Operating Board and/or the Standing Committee of the Senate.

Following ratification, a copy of the approved screening form, and associated policy must be forwarded to the Diversity and Inclusion Unit for publication on the University's website.