

ULSTER UNIVERSITY POLICY SCREENING PRO-FORMA

Information about the policy

Name of the policy?

Guidance on Shared Parental Leave and Statutory Shared Parental Pay.

Is this an existing, revised or a new policy?

New

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

The purpose of the guidance document is to outline the key facts in regard to employee's rights to share maternity/adoption leave and the statutory element of maternity/adoption leave.

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

If so, explain how.

The new entitlements detailed in the guidance document will have positive consequences for working parents and their children.

Who initiated or wrote the policy?

The guidance document was drafted by the Head of HR Business Partnering Services and Policy. It is based on a new statutory entitlement.

Who owns and who implements the policy?

The Director of Human Resources.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? (Please select one answer)

Yes.

If yes, are they

Financial? (Please specify)

The uptake of Statutory Shared Parental Pay may be impacted by the statutory payment rates set by government.

Legislative? (Please specify)

The guidance is based on new legislation i.e. the Working Families (Northern Ireland) Act 2015. It is likely that the scope and boundaries of this new legislation will be tested in tribunals.

Other? (Please specify)

The new entitlements significantly increase the range of employee who can take shared parental leave. This may create issues for employers generally in terms of providing cover for those on shared parental leave and may impact on decisions in terms of agreeing to discontinuous periods of shared parental leave.

Main stakeholders affected

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

Staff - YES

Other? – YES. The new entitlement will also impact on the employer of the partner who is not employed by the University.

Part 2

Other policies with a bearing on this policy

Policy Name	Policy Owner
Maternity/Adoption Leave Policy Work-Life Balance Policy	Human Resources HR and the University Secretary's Office

The guidance document is based on the entitlements detailed in the Working Families (Northern Ireland) Act 2015. The NI government department responsible for the implementation of the legislation is the Department for Employment and Learning (DELNI). DELNI have issued a detailed technical guide to the legislation and have conducted and published a Section 75 screening of the technical guide.

This screening of the University's guidance document draws on the finds of the DELNI screening.

Part 2

Available evidence

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? (Please specify details for each of the Section 75 categories)

Note: evidence can come from many sources. Examples include the University's management information systems, internal or external research, surveys or consultation exercises. Anecdotal evidence such as feedback from service users may also be used.

Section 75 category	Details of evidence/information
Religious belief	The University's Equal Opportunities data has been reviewed. Anecdotally there is evidence to suggest that religious belief may be of some relevance in regard to this Policy.
Political opinion	The University does not collect information on Political Opinion. Anecdotally, Political Opinion is of no relevance to this policy.
Racial group	The University's Equal Opportunities data has been reviewed. Racial Group was not found to impact on, or have any relevance to this Policy.
Age	The University's Equal Opportunities data has been reviewed. Anecdotal evidence suggests that age has some relevance to this Policy.
Marital status	The University's Equal Opportunities data has been reviewed. Marital Status was not found to impact on, or have any relevance to this Policy
Sexual orientation	The University's Equal Opportunities data has been reviewed.

Part 2

Men and women generally	The University's Equal Opportunities data has been reviewed.
Disability	The University's Equal Opportunities data has been reviewed. Disability was not found to impact on, or have any relevance to this Policy
Dependants	<p>The University's Equal Opportunities data has been reviewed.</p> <p>The University's data on the uptake of paternity leave and parental leave has also been reviewed.</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? (Please specify details for each of the Section 75 categories)

Section 75 category	Details of needs/experiences/priorities
Religious belief	<p>It is recognised that certain religions may have particular views on the role of women in a family home.</p> <p>The University's guidance protects the right of the mother (or primary adopter) to make the choice on the sharing of maternity/adoption leave.</p>
Political opinion	None identified.
Racial group	None identified.
Age	<p>The guidance aims to offer choices to parents within the first year of the birth of a child (or within the first year of adoption). The majority of births/adoptions are likely to occur where the mother is in the age range 18 to 45. The new entitlements are therefore likely to have more impact on employees within this age range.</p>
Marital status	<p>The eligibility criteria within the guidance document relates to 'partners' who 'share the caring responsibility' for the child i.e. employees of whatever marital status are equally entitled to benefit from the new entitlements.</p>
Sexual orientation	<p>The eligibility criteria within the guidance document relates to 'partners' who 'share the caring responsibility' for the child i.e. employees of all sexual orientations are equally entitled to benefit from the new entitlements. It is full expected that both same sex and mixed sex partners will avail of these new entitlements.</p>
Men and women	<p>The guidance document is specifically aimed at providing choice for parents/partners in dealing with childcare responsibilities in</p>

generally	the first year following the birth of a child. This may help tackle the stereotypical view of women as the 'primary carer'. This will give women greater choices in terms of achieving work-life balance and will give men greater opportunity to more fully participate in the care of the child.
Disability	None identified.
Dependants	Only employees with children less than one year old and/or parents of adopted children in the first year following the adoption will benefit from this new entitlement.

Consultation

Consultation with relevant groups, organisations or individuals about the policy can provide useful information about issues/opportunities which are specifically related to them (i.e. evidence to inform the policy). Please indicate whether you carried out (or intend to carry out¹) any consultation exercises prior to equality screening?

The University's guidance document is derived from new legislation. The government department responsible for the legislation (DELNI) consulted widely with stakeholders across Northern Ireland (including the University) in the development of the legislation and the related technical guide. DELNI also took account of consultation conducted on the equivalent legislation in GB. The University took account of the DELNI screening in developing its guidance document.

The University also took account of consultation on the new statutory entitlement undertaken by UCEA (Universities and Colleges Employers Association).

The guidance document will be considered by appropriate University Committees.

¹ Please contact equality staff in the Policy Implementation Unit (PIU) if you intend to carry out a consultation exercise prior to equality screening your policy. The PIU will assist you to align some of the consultation questions with the screening pro-forma, so that you receive more meaningful responses.

Screening

Introduction

The answers to the following screening questions will assist the University in making a decision whether or not there is a need to carry out an equality impact assessment on the policy. The following information is provided to help you to identify and comment on the level of likely impact of the policy in questions 1-4:

Select 'major' impact if:

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there are insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- 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 amongst 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.

Select 'minor' impact if:

- 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;
- e) Differential impact observed and opportunities exist to better promote equality of opportunity and/or good relations.

Part 2

Select 'none' if:

- 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 evidence presented in Part 1, please complete the screening questions (Questions 1-4).

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? (Please provide details)		
Section 75 category	Details of policy impact	Level of impact? (minor/major/none)
Religious belief	The policy is likely to have a positive impact on equality of opportunity for this category. The University's guidance protects the right of the mother (or primary adopter) to make a choice on the sharing of maternity/adoption leave.	Minor.
Political opinion	The policy is unlikely to impact on equality of opportunity for this category.	None.
Racial group	The policy is unlikely to impact on equality of opportunity for this category.	None.
Age	The policy is likely to have a positive impact on equality of opportunity for this category. Whilst younger people are more likely to benefit from the new entitlements older employees may avail of the benefits where they are the primary carers for the child. The only reason why it is more likely to benefit younger people is because that age group is more likely to have new born children.	Minor.
Marital status	<p>The policy is likely to have a positive impact on equality of opportunity for this category. i.e. employees of every marital status are equally entitled to avail of this policy.</p> <p>In regard to lone parents the new entitlements will have no impact unless there is a sharing the care of the child with the other parent. Sharing of leave and statutory pay can only occur where there is a sharing of the childcare responsibilities.</p>	Minor

Part 2

Sexual orientation	The policy is likely to have a positive impact on equality of opportunity for this category i.e. employees of all sexual orientations are equally entitled to avail of this policy. It is fully expected that both same sex and mixed sex partners will benefit from these new entitlements. Previously statutory entitlements tended to focus on births within mixed sex partnerships The new entitlements can be equally availed of by same sex partnerships.	Minor
Men and women generally	The policy is likely to have a positive impact on equality of opportunity for this category. The guidance document is specifically aimed at providing choice for parents/partners in dealing with childcare responsibilities in the first year following the birth of a child. This may help tackle the stereotypical view of women as the 'primary carer'. This will give women greater choices in terms of achieving work-life balance and will give men greater opportunity to more fully participate in the care of the child.	Minor
Disability	The policy is unlikely to impact on equality of opportunity for this category.	None
Dependants	The policy is likely to have a positive impact on equality of opportunity for this category. There are clear benefits to children and their parents arising from the new entitlements. The close involvement of both parents in the early stages of the child's life has clear benefits.	Minor

2 <i>Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?</i>		
Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief		No, the guidance document protects the right of the mother (or primary adopter) to make the choice on sharing of maternity/adoption leave.
Political opinion		No, political opinion is of no relevance to this policy.
Racial group		No, racial group is of no relevance to this policy.
Age		No, whilst younger people are more likely to benefit from the new entitlements, older people may avail of the benefits where they are the primary carer for the child.
Marital status		No, the new rights give greater opportunities to exercise parental rights which are not dependant on marital status
Sexual orientation		<p>No, the new rights give greater opportunities to exercise parental rights which are not dependant on sexual orientation.</p> <p>It may also help breakdown the stereotypical view that childcare should be within a mixed sex partnership</p>

Part 2

Men and women generally		No, the guidance document is specifically aimed at providing choice for parents/partners in dealing with childcare responsibilities in the first year following the birth/adoption of a child. This may help tackle the stereotypical view of women as the 'primary carer'. This will give women greater choices in terms of achieving work-life balance and will give men greater opportunity to more fully participate in the care of the child.
Disability		No, disability is of no relevance to this policy.
Dependants		No, the new entitlements are specifically aimed at promoting closer involvement of both parents in the early stages of the child's life/adoption. This will facilitate a wider range of work-life balance choices for those with young/adopted children.

3 *To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? (Please provide details)*

Good relations category	Details of policy impact	Level of impact (minor/major/none)
Religious belief	The policy is unlikely to impact on good relations between people of different religious belief.	None
Political opinion	The policy is unlikely to impact on good relations between people of different political opinion.	None
Racial group	The policy is unlikely to impact on good relations between people of different racial group.	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		No, the policy has no relevance to good relations.
Political opinion		No, the policy has no relevance to good relations.
Racial group		No, the policy has no relevance to good relations.

Additional considerations

Multiple identity

<p>5 <i>Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, please provide details of 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). Please include details of any data which you have used to determine/identify this impact</i></p>	
Section 75 categories (please specify)	Details of policy impact and details of data which describes the policy impact
All	All employees with children less than one year old or with adopted children within the first year of adoption may be impacted positively by the new entitlements.

Disability Duties

<p>6. <i>Does the policy provide an opportunity to encourage disabled people to participate in University life?</i></p>	
If Yes , provide details	If No , provide reasons
	No, the new entitlements apply regardless of whether or not a person has a disability.

Part 2

7. Does the policy provide an opportunity to promote positive attitudes towards disabled people?	
If Yes, provide details	If No, provide reasons
	No, the new entitlements apply regardless of whether or not a person has a disability.

Screening decision

Based on the evidence considered and outlined in Part 1 and the responses to the screening questions (Part 2), please indicate the screening decision for this policy:

Note: The University should take particular care not to screen out policies that have a procurement aspect if there is potential to promote equality of opportunity through the procurement of services.

Screen in the policy (subject the policy to an Equality Impact Assessment)
i.e. the likely impact is 'major' in respect of one, or more of the equality of opportunity and/or good relations categories

Screen out the policy without mitigation or an alternative policy proposed to be adopted (no Equality Impact Assessment)
i.e. the likely impact is 'none' in respect of all of the equality of opportunity and/or good relations categories

YES **Screen out** the policy and **mitigate the impacts on equality by amending or changing the policy**, or by **developing an alternative policy or action** (no Equality Impact Assessment)
i.e. the likely impact is 'minor' in respect of one, or more of the equality of opportunity and/or good relations categories

Note: the minor impacts identified in the case of this policy are positive impacts i.e. the policy will have positive consequences. No further mitigation is required.

If the decision is not to conduct an equality impact assessment (i.e. 'screen out' the policy), please provide details of the reasons.

This is a policy which is specifically intended to have positive consequences for working parents and to open up new choices to partners/parents in dealing with childcare responsibilities in the first year following the birth/adoption of a child. These intended positive consequences are based on sound equality principles and may help tackle the stereotypical view of women as the 'primary carer'. The policy gives women greater choices in terms of achieving a work-life balance and will give men greater opportunity to more fully participate in the care of the child.

The new entitlements apply equally to same sex couples and mixed sex couples.

In line with University policy, the guidance will be reviewed two years after it is implemented, and if necessary amended.

Approval and authorisation

	Position/Job Title	Date
Screened by: 	Director of Human Resources.	13 May 2015
Approved by: 	University Secretary	26/6/15

Note: Following approval by Senior Executive Team/Senate, the policy owner must inform the University Secretary that the policy has been approved. Once the Council of the University has been informed of the policy (either directly or through an appropriate Committee), the policy owner can then promulgate the policy and develop appropriate training or awareness raising material in relation to the policy.

A copy of the screening pro-forma will be made available on the University's website and be made available on request.

Review

Note: Policies must be reviewed at least every two years, but sooner if changes in legislation or other variables require review.

This policy is due for review (in terms of its impact on equality of opportunity and good relations) by the policy owner two years after it is implemented.