

Equality Screening Template – Section 75 of Northern Ireland Act 1998

Please complete the coversheet details below:

Policy title:

The Education (Student Fees (Amounts), Loan Repayment and Support etc.) (Amendment) Regulations (Northern Ireland) 2021.

Decision (delete as appropriate)

~~Policy screened in~~

~~Policy screened out **with** mitigation or an alternative policy adopted~~

Policy screened out **without** mitigation or an alternative policy adopted

Contact:

Siobhan Martin, 02890 257469.

Date of completion:

11/05/2021

Content

Part 1. Policy scoping – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

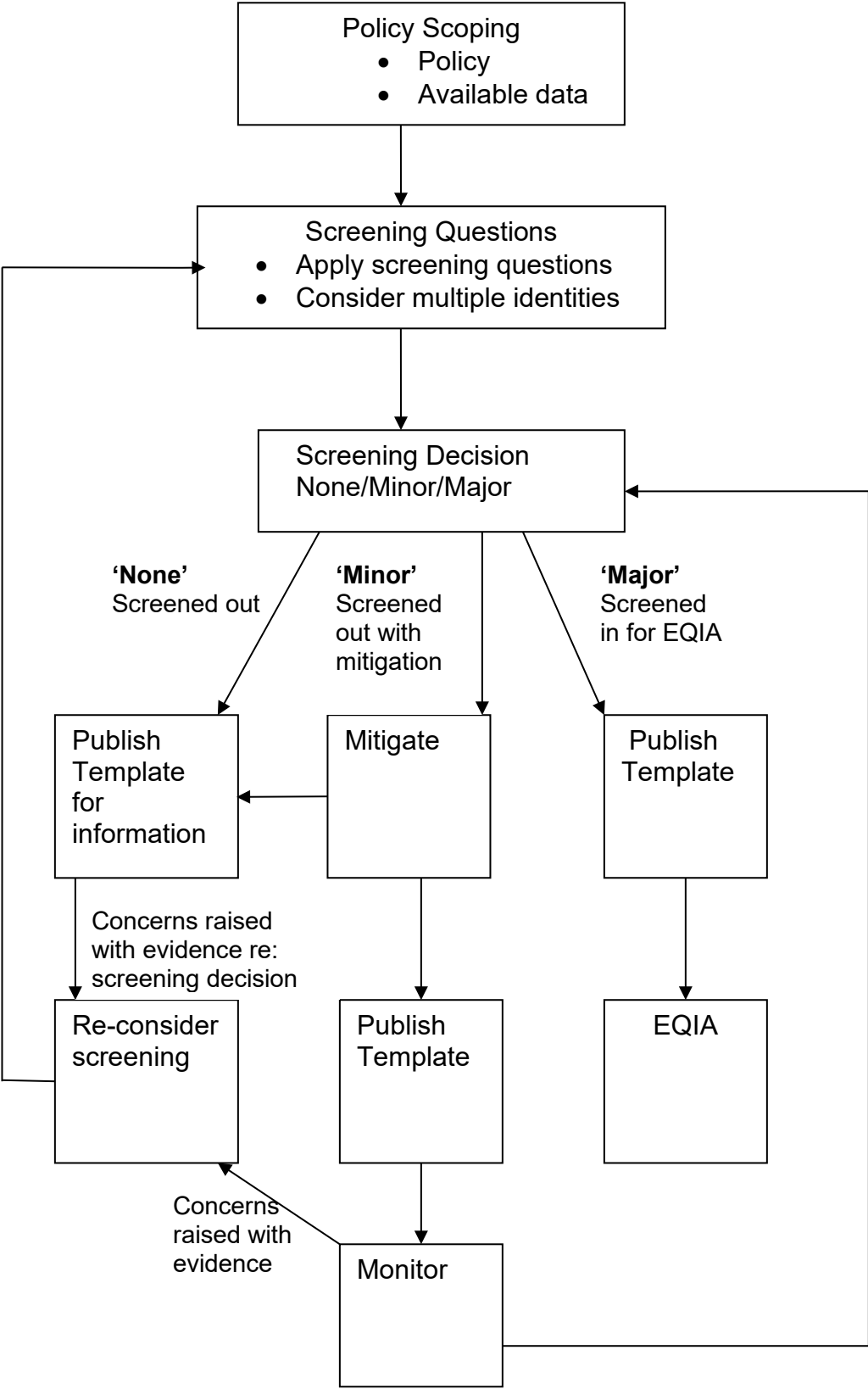
Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the

likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

Flowchart for the equality screening process and decision.



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.

Public authorities 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

The Education (Student Fees (Amounts), Loan Repayment and Support etc.) (Amendment) Regulations (Northern Ireland) 2021.

Is this an existing, revised or a new policy?

This is an amendment to existing legislation, the Student Fees (Amounts) Regulations (NI) 2005. These are amended annually in line with policy intent.

The Education (Student Support) (No. 2) Regulations (NI) 2009 are amended to allow students who moved home due to public health guidance continue to receive the higher maintenance loan rate to which they were previously entitled.

Technical amendments are also made to the Education (Student Support) (No. 2) Regulations (NI) 2009 to correct previous errors of omission in drafting.

The Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2009 are amended so that the Department has a measure of discretion in determining the applicable threshold for borrowers who reside overseas but only in cases where the Department is unable to calculate the price level index for the borrower's country of residence.

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

To make increases to the prescribed basic and higher amounts which Higher Education Institutions in Northern Ireland may charge by way of tuition fees in academic year 2022/23 to students who are ordinarily resident in Northern Ireland (and excepted others).

To allow for students who moved home due to public health guidance continue to receive the higher maintenance loan rate to which they were previously entitled.

To clarify the policy position for calculation of repayments for overseas borrowers and align the regulations with the position in other UK jurisdictions.

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

No

Who initiated or wrote the policy?

Student Support Branch, Department for the Economy.

Who owns and who implements the policy?

Department for the Economy

Implementation factors

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

No

If yes, are they (please delete as appropriate)

~~financial~~

legislative

other, please specify _____

Main stakeholders affected

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

staff

service users

other public sector organisations

voluntary/community/trade unions

other, please specify _____

Other policies with a bearing on this policy

- what are they?
- who owns them?

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. The Commission has produced this guide to [signpost to S75 data](#).

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

Religious belief evidence / information:

An Independent review of tuition fees and student finance arrangements and public consultation was carried out in 2011. The review considered how both current and prospective students would be impacted and looked at the package of student support for NI domiciles as a whole, this included tuition fees, maintenance loan and grant support, repayment terms as well as overall debt levels. Furthermore the review looked at student support in other jurisdictions, financial implications for HEIs and also any equality issues.

see link to consultation document below -

<https://dera.ioe.ac.uk/2252/1/future-policy-on-higher-education-tuition-fees-and-student-finance-arrangements-in-northern-ireland.pdf>

The Northern Ireland Executive decided in 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13. In her original report on the review of variable fees Joanne Stuart recommended that tuition fees should stay in place and that they should remain at current levels, rising in line with inflation.

Political Opinion evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Racial Group evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Age evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Marital Status evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Sexual Orientation evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Men & Women generally evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Disability evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

Dependants evidence / information:

Independent review of tuition fees and student finance arrangements and public consultation – as above.

Executive decision 2011 to freeze fees, subject only to annual inflationary increases effective from AY 2012/13

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 of the needs, experiences and priorities for each of the Section 75 categories below:

Religious belief

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Political Opinion

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Racial Group

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Age

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Marital status

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Sexual orientation

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Men and Women Generally

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Disability

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Dependants

None, this amendment makes operational and technical changes that neither challenge nor strengthen Equality as laid out in the above questions.

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the Screening Questions 1-4, which follow.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

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 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.

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 evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of 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 equality categories?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Political Opinion**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Racial Group**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Age**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Marital Status**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Sexual Orientation**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Men and Women**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Disability**:

(insert text here)

What is the level of impact? ~~Minor~~ / ~~Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Dependants**:

(insert text here)

What is the level of impact? ~~Minor / Major~~ / None (delete as appropriate)

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? Yes/No

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

Religious Belief –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Political Opinion –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Racial Group –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Age –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Marital Status –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Sexual Orientation –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Men and Women generally –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Disability –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Dependants –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

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 of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:

(insert text here)

What is the level of impact? ~~Minor / Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Political Opinion**:

(insert text here)

What is the level of impact? ~~Minor / Major~~ / None (delete as appropriate)

Details of the likely policy impacts on **Racial Group**:

(insert text here)

What is the level of impact? ~~Minor / Major~~ / None (delete as appropriate)

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Religious Belief –

If Yes, provide details:

If No, provide reasons:

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Political Opinion –

If Yes, provide details:

If No, provide reasons

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Racial Group –

If Yes, provide details:

If No, provide reasons

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

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).

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

No, the operational and technical changes in this amendment neither challenge nor strengthen equality of opportunity among Section 75 categories.

Part 3. Screening decision

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

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details.

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

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

This is an amendment to the Student Fees (Amounts) Regulations (Northern Ireland) 2005, which has the effect of increasing the prescribed basic and higher amounts which Higher Education Institutions in Northern Ireland may charge by way of tuition fees in academic year 2022/23 to students who are ordinarily resident in Northern Ireland (and excepted others).

The Department traditionally increases the maximum basic and higher tuition fee rates for students on higher education courses on an annual basis, in line with inflation rates used by the Department for Education (England) which have been provided by the Treasury. These increases do not challenge equality of opportunity among Section 75 groups.

The amendment to the student support regulations provide for a temporary easement of the regulations during the Covid pandemic and do not challenge equality of opportunity among Section 75 groups.

The amendment to the repayment regulations clarifies the position for all overseas borrowers and ensures all overseas borrowers in any country are treated equally, so the changes do not challenge equality of opportunity among Section 75 groups.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

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

If so, **give the reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

N/A

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been '**screened in**' for equality impact assessment, then please 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 -

Social need – N/A

Effect on people's daily lives –N/A

Relevance to a public authority's functions –N/A

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

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

If yes, please provide details. No

Part 4. Monitoring

Public authorities 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, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

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

Part 5 - Approval and authorisation

Screened by:	Siobhan Martin
Position/Job Title:	Deputy Principal
Business Area/ Branch:	Student Support
Date:	24.06.21

Approved by:	Ian Getgood
Position/Job Title:	Branch Manager
Business Area/Branch:	Student Support Branch
Date:	24.06.21

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 the public authority's website as soon as possible following completion and made available on request.