

Strategic Investment Board Limited

Summary Screening Report: Stage 2

Consultation:

Tuesday 19 September – Friday 17 November 2006

Drawn up in accordance with Section 75 of
the Northern Ireland Act 1998

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Translations and other formats

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This document is a summary of the findings of the screening process; a copy of the full version of the report can also be accessed on the SIB website www.sibni.org

Comments on the report

Comments on the report should be sent to Julie Monahan in any appropriate format. The deadline for receipt of comments is **Friday, 17 November 2006**.

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1. Introduction

1.1 The Strategic Investment Board Limited (SIB) was established in March 2003 as a company limited by guarantee wholly owned by the Office of the First Minister and Deputy First Minister (OFMDFM). SIB's functions are defined under the legislation (The Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003). In summary, they are –

- advising the Minister/Executive in relation to the formulation and implementation of its programme of major investment proposals, including advising and assisting with the planning and prioritisation of programmes/ projects and the funding and implementation of projects
- advising and assisting bodies carrying out major investment projects including providing research, consultancy, advisory and other services and, in some cases, participating in the carrying out of the projects.

1.2 SIB has formulated 3 initial objectives in respect of these functions –

- The Investment Strategy for Northern Ireland (ISNI) – a strategy to determine the future of strategic investment in Northern Ireland and how it may be funded
- The Strategic Investment Programme (SIP) – a programme of major projects that in itself is part of the ISNI but represents those projects where SIB provides support and expertise given their critical nature to the ISNI
- Reform – SIB will work closely with existing reform initiatives and drive some specific reform agendas to ensure that the

ISNI works effectively and that public sector procuring authorities get the best out of their investment programmes.

1.3 In response to Section 75 of the Northern Ireland Act 1998, SIB developed an Equality Scheme which was approved by the Equality Commission in November 2005. The Equality Scheme includes a commitment to screening all policies by a process of systematic review to determine whether there are any implications for equality of opportunity, and, if so, whether they are significant.

1.4 By acting in accordance with this Equality Scheme, SIB will contribute to the process of ensuring that statutory equality duties are complied with when Government's programme of major investments for Northern Ireland is implemented. SIB is an advisory body that will assist Government Departments, Non-Departmental Public Bodies (NDPBs) and other agencies to make informed decisions on major investments. When formulating such advice, SIB will follow best practice as defined by the Treasury and will have due regard to the need to promote equality of opportunity in the context of major infrastructure development.

1.5 Although SIB will not be responsible for investment decisions and therefore will not be responsible for developing any policies required or assessing the equality implications, it will be in a position to pass on the lessons learned from each project to subsequent projects, including those relating to the promotion of equality of opportunity. SIB's contribution to the promotion of equality of opportunity will be drawing attention to best practice in relation to the equality implications of investment decisions.

1.6 Section 2 of this report sets out the screening process and Section 3 summarises the responses received to the Stage 1 consultation. Section 4 sets out the results of the screening process and lists the EQIA to be undertaken during 2006/07 and

2007/08. Section 5 explains the Stage 2 consultation process and contains contact information.

2. Screening process

2.1 SIB is committed to carrying out a systematic review of all its policies to determine whether there are any equality of opportunity implications. The screening process is being carried out in two stages –

Stage 1 – A report was circulated for consultation in January 2006 setting out all current policies and those being developed. Consultees were invited to comment on whether all policies had been identified, how they might affect the groups being consulted in terms of equality of opportunity and the factors to be used to determine and prioritise equality impact assessments. Comments were received from six organisations and these are summarised in Section 3 below.

Stage 2 – Taking into account the comments made, SIB has now prepared a report for consultation setting out the results of applying the screening criteria (set out in the SIB Equality Scheme) to the policies, conclusions on the policies to be subjected to equality impact assessment and the timetable for these assessments. (The full report can be accessed on the SIB website at www.sibni.org.)

2.2 In preparing this report, SIB has applied the following criteria to each policy –

- is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories as a result of the policy?

- is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
- is there an opportunity to better promote equality of opportunity and/or good relations by changing the policy or working with others in government or the community at large?
- have consultations with relevant representatives, organisations or individuals within groups indicated that particular policies create problems that are specific to them?

3. Responses to stage 1 consultation

3.1 Responses to the report circulated at Stage 1 of the screening process were received from six organisations – the Prosthetic User Forum Northern Ireland, Disability Action, NICVA, Unison, CAJ and NIC-ICTU. SIB is grateful for and has taken account of all the comments made and, in particular, has addressed three specific points made by a number of organisations –

(a) Functions of SIB

3.2 It was suggested that SIB should give a more detailed explanation of its functions and provide more information on supported projects. The full version of this report, which can be accessed on the SIB website, contains information on the SIB Operating Strategy and the projects which SIB currently supports.

(b) Advice giving

3.3 Several organisations commented on the list of policies included in the Stage 1 consultation report, highlighting the fact that there was no specific policy on the giving of advice, which is one of SIB's main functions. SIB does not have a single policy on the giving of advice but the policies on supported projects, SoPCNI and economic appraisal together direct the way in which SIB gives advice.

3.4 It was also suggested that, when giving advice, SIB should include an outline of the equality implications for the various options and should undertake an EQIA in order to determine whether the "advice given" in each instance is consistent with Section 75. SIB agrees that the equality implications of the options must be evaluated but considers that this is best carried out as part of the overall process of screening (and EQIA where necessary) of the project as whole. It is the responsibility of the contracting Department, Agency or Non-Departmental Public Body (NDPB) to evaluate the equality implications of the various options when making decisions; the options are developed by taking account of advice from various sources (including organisations concerned with Section 75 issues). SIB considers that it is more effective to assess the potential equality implications of a major project holistically rather than to evaluate each separate strand of advice.

(c) Policies to be included in the EQIA Programme

3.5 Various suggestions were made regarding policies which could have significant implications for equality of opportunity including –

- Strategic planning (ISNI)
- Supported projects
- Economic appraisal
- Procurement of services for projects
- Market making
- Promotion of shared services
- Equal opportunities
- Procurement and contracting
- Recruitment and fair employment
- Training and development.

3.6 These suggestions have been taken into account when applying the screening criteria to the policies.

4. Results of the screening process

4.1 Appendix A sets out the results of applying each screening question to each policy.

4.2 The following policies have been identified as requiring a full equality impact assessment (EQIA) for the reason given below.

1. Supported projects

4.3 It is acknowledged that a project supported by SIB is more likely to be developed and implemented within a shorter period of time than a similar project without SIB support. The selection of supported projects therefore has implications for the delivery of services which directly affect the public, some of which will have significant equality implications. Although no requests for support have yet been refused, it is possible that available resources will be insufficient to provide support to all suitable projects at the desired level in the future and the criteria for selection will have to

be applied. It would therefore be beneficial to explore the equality implications of this policy before the situation arises.

4.4 The decision to support a project and the level of support to be provided is the point at which SIB has the greatest potential to promote equality of opportunity and good relations. Once the project commences, the emphasis shifts to the procuring body in terms of responsibility for ensuring that the statutory duties are met. SIB therefore sees this policy as the most significant in terms of its contribution to the promotion of equality of opportunity and good relations.

2. Equal opportunities

4.5 SIB has an extensive list of internal policies, most of which are contained in a Staff Handbook. (The full list of policies is set out in Appendix B.) The majority of these apply to all staff without having a differential effect on any group and have no impact in terms of equality of opportunity or good relations.

4.6 However, as part of the screening process, an analysis of the current workforce was carried out, including applicants and appointees to new/vacant posts over the last three years. The analysis was based on Fair Employment monitoring returns and therefore was restricted to perceived religious belief and gender only.

4.7 The data shows that SIB has a very small workforce (11 in total on 1 January 2006, although 7 additional appointments have been made since then). There are also a small number of officers seconded from Government Departments. Such a small workforce is unlikely to reflect the working population in terms of community background and gender, but there is a significant differential in terms of the male/female ratio. 10 of the 11 staff in post on 1

January 2006 are male and 6 of the new appointments are also male. It should also be noted that 85.7% of the applicants for these posts were male.

4.8 SIB therefore considers that it would be beneficial to explore the reasons for this differential, and the steps that could be taken to influence it, through an EQIA of the Equal Opportunities Policy (which includes provision for an affirmative action programme). Consideration was given to conducting an EQIA of the Recruitment and Fair Employment policy, but SIB applies the NICS policies and procedures which were recently subjected to an EQIA (by the Department of Finance and Personnel). The results of the EQIA were published in September 2005 and can be accessed on www.dfpni.gov.uk/eqia-sep05.pdf. It therefore seems unnecessary to conduct a further EQIA of the same policy at this time.

EQIA Programme

4.9 These two policies have been prioritised in accordance with the following criteria -

- the significance of the policy in relation to the formulation and implementation of the programme of major investment proposals;
- the effect of the policy on economic, social and human rights;
- the significance of the policy in terms of targeting social need;
- the potential effects of the policy on people's daily lives.

4.10 Each policy has been assessed against these criteria as follows on the basis of High, Medium or Low impact –

	Supported projects	Equal opportunities
Significance for programme of major investment proposals	High	Low
Effect on economic, social and human rights	Medium	High
Significance for targeting social need	Medium	Medium
Effect on people's daily lives	High	Medium

4.11 Subject to the views of consultees, we suggest that the policies should be subjected to EQIA in accordance with the following programme –

2006/07	Supported projects
2007/08	Equal opportunities

5. Consultation

5.1 SIB recognises the importance of consultation in all aspects of the implementation of its statutory equality duties. All consultation will be carried out in accordance with the Equality Commission's guidance and the SIB Equality Scheme in a timely, open and inclusive way.

5.2 This report is being circulated to all consultees listed in Appendix 2 of the SIB Equality Scheme with a questionnaire requesting comments. Direct contact will also be made with organisations which may have an interest in the equality implications of SIB's work. SIB wishes to work with representative groups and individuals in the Section 75 categories in order to obtain their views in the most appropriate way. This may involve

face to face meetings at times and locations convenient to the consultees.

5.3 The language in this report has been made as clear as possible but SIB would be happy to provide any further explanations required. Copies of the report can also be made available in other accessible formats in a timely fashion, on request.

5.4 SIB would particularly welcome comments on –

- the results of the screening process
- the prioritisation process
- the draft EQIA Programme
- the consultation process.

5.5 At the end of the consultation period, SIB will evaluate the comments received and use them to assist in preparing the final EQIA Programme which will be submitted to the Equality Commission. Feedback will be provided to all organisations and individuals who made comments and the EQIA Programme will be published on the SIB website.

5.6 Comments may be made in writing by post, fax or e mail or by telephone by Friday 17 November 2006 to –

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Appendix A

RESULTS OF THE SCREENING PROCESS

	Policy	Q1	Q2	Q3	Q4	EQIA	Reasons for decision
A.	EXTERNAL POLICIES						
1	Strategic planning (ISNI)	✓	✓	x	✓	No	ISNI 2 will be screened and subjected to EQIA
2	Supported projects	✓	✓	✓	✓	Yes	See para. 4.3 above
3	SoPCNI	x	x	x	✓	No	SoPCNI consists of practical guidance for contracting authorities and, as such, has no specific implications for equality of opportunity
4	Economic appraisal	x	x	x	✓	No	SIB considers that the equality implications of procurement options must be evaluated but that this is best carried out as part of the overall process of screening (and EQIA where necessary) of the project as whole.
5	Procurement of services for projects	x	x	x	✓	No	The SIB policy reflects the NICS guidelines on procurement which have been developed by the CPD and the standard NICS procedures are followed in all cases. SIB considers that the policy has no significant implications for equality of opportunity
6	Market making	x	x	x	✓	No	The policy is designed to direct how SIB will undertake activities to draw attention to opportunities for suppliers to be involved in strategic investment projects, in terms of providing information. It does not involve any kind of evaluation of the services which the suppliers might provide at some stage in the future and SIB considers that the policy has no specific equality implications

7	Promotion of shared services	x	x	x	✓	No	SIB considers that the equality implications of individual projects must be evaluated but considers that this is best carried out by the responsible Department, Agency or NDPB at the appropriate stage.
B. INTERNAL POLICIES							
8	Standards in public life	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
9	Code of conduct	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
10	Budget procedures	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
11	Communications	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
12	Company information	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
13	Data Protection and Freedom of Information	x	x	x	x	No	The policy is based on statutory requirements and all reasonable steps have been taken to ensure that information is accessible to all. The Equality Scheme contains a commitment (in para. 7.3) to conducting a review of arrangements for providing information in alternative formats such as Braille, large print, disk, audio cassette and minority ethnic languages. The review will aim to identify improvements to the arrangements so that SIB can better ensure public access to information and will be conducted within one year of approval of the Scheme. It is therefore considered unnecessary to undertake an EQIA of this policy.

14	Declarations of interest	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
15	Disciplinary procedure and dismissal	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
16	Equal opportunities	✓	✓	x	✓	Yes	See para. 4.5 above
17	Fraud	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
18	Gifts and hospitality	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
19	Grievance procedure	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
20	Harassment procedure	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
21	Health and safety	x	x	x	x	No	The policy applies to all staff and visitors and has no impact in terms of equality of opportunity.
22	Independence and objectivity	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
23	Internet / e mail	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
24	Leave	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
25	Mobile phones	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
26	Parental leave	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
27	Official Secrets Act	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
28	Pension arrangements	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
29	Performance management	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.

30	Personal conduct	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
31	Preferential treatment	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
32	Probationary period	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
33	Protection of privacy	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
34	Private property	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
35	Procurement and contracting	x	x	x	✓	No	SIB procures only a small amount of goods and services, generally office supplies, using NICS agreed contracts.
36	Recruitment and Fair Employment	✓	✓	x	✓	No	See para 6.8 above
37	Remuneration and expenses	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
38	Requests for information	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
39	Risk management	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
40	Security	x	x	x	x	No	The policy applies to all staff and visitors and has no impact in terms of equality of opportunity.
41	Sickness and absence	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
42	Termination of employment	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
43	Training and development	x	x	x	✓	No	SIB has a very small workforce (12 people) and training opportunities are equally available to all.

44	Travel and subsistence	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
45	Use of resources	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
46	Whistle blowing	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
47	Working hours	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.
48	Working time	x	x	x	x	No	The policy applies to all staff and has no impact in terms of equality of opportunity.

Note: The full report on Stage 2 of the screening process contains more information on the reasons for screening out some of the external policies. The full report can be accessed on the SIB website at www.sibni.org