

Screening flowchart and template (taken from Section 75 of the Northern Ireland Act 1998 – A Guide for public authorities April 2010 (*Appendix 1*)).

Introduction

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.

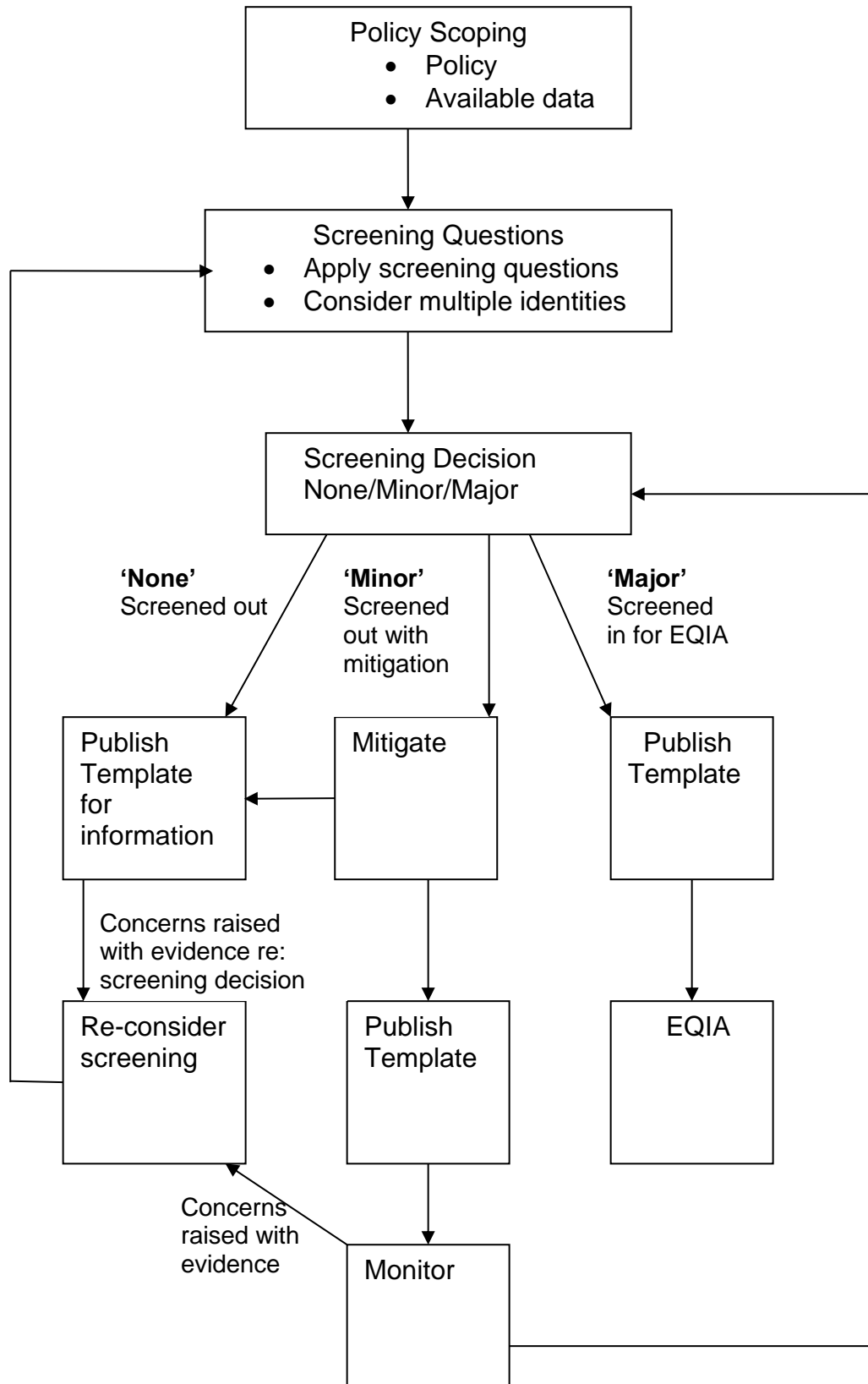
Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

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.

A screening flowchart is provided overleaf.



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

County Court Rules Committee – Scale Costs and Practice and Procedural Review

Is this an existing, revised or a new policy?

This is a review of an existing policy embodied in the County Court Rules (Northern Ireland) 1981.

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

At the time of the previous 2015/2016 review of scale costs, the Committee proposed that future reviews should take place on a three-year cycle, to run from the implementation of the previous review in 2018. The onset of the Covid-19 pandemic in 2020 and its subsequent outworkings delayed the commencement of this review beyond the agreed three-year period.

The policy proposal as outlined in the consultation document is to uplift County Court Scale Costs by reference to the rate of inflation as measured by the GDP deflator. This would increase the current scale costs, set in 2018, by 23%.

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

If so, explain how.

It is expected that the policy will benefit section 75 groups equally

Who initiated or wrote the policy?

The policy is driven by the County Court Rules Committee and as noted above this review follows the previous undertaking by it to review scale costs on a 3-year basis.

Who owns and who implements the policy?

The County Court Rules Committee by virtue of the County Courts (NI) Order 1980 and section 21 of the Interpretation Act (Northern Ireland) 1954 makes rules specifying the costs applicable to proceedings before the court and therefore owns the policy in relation to these proposals.

It is not a designated public authority for the purposes of section 75 of the Northern Ireland Act 1998 but nevertheless this policy is being screened as a matter of good practice.

Rules made by the Committee are subject to allowance by the Department of Justice after consultation with the Lord Chief Justice and therefore they both have an interest. It is proposed, depending on the outcome of the consultation exercise that the Rules Committee will make rules amending the County Court Rules (Northern Ireland) 1981 to implement these policy proposals.

Implementation factors

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

If yes, are they (please delete as appropriate)

- Financial
- Legislative

Main stakeholders affected

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

- service users
- other public sector organisations

Other policies with a bearing on this policy

None. The County Court Rules Committee is an independent body set up as noted above for the purpose of making rules governing the practices and procedures in the County Court.

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:

Previous Screening Exercise (2016); NICTS Customer Exit Survey 2011; NICTS Civil Fees Exit Survey 2018; 2021 NI Census Data

Political Opinion evidence / information: [As above](#)

Racial Group evidence / information: [As above](#)

Age evidence / information: [As above](#)

Marital Status evidence / information: [As above](#)

Sexual Orientation evidence / information: [As above](#)

Men & Women generally evidence / information: [As above](#)

Disability evidence / information: [As above](#)

Dependants evidence / information: [As above](#)

In developing the policy proposals, the Committee considered in addition to the above economic indicator data in relation to assessing the impact of scale costs changes since 2018 along with the responses to an initial targeted stakeholder consultation carried out in 2023.

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 evident

Political Opinion None evident

Racial Group None evident

Age None evident

Marital status None evident

Sexual orientation None evident

Men and Women Generally None evident

The policy will impact equally upon any party involved in paying professional legal fees in any proceedings before the County Court in Northern Ireland and there is no disproportionate impact on any of the Section 75 groups.

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 questions 1-4 which are given on pages 66-68 of this Guide.

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**: This is an uplift in scale costs and reflects an inflationary increase which is technical in nature and affects all section 75 groups equally. It has no relevance to equality of opportunity or good relations and does not have a disproportionate impact.

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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

What is the level of impact? **None**

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: [This is an uplift in scale costs and reflects an inflationary increase which is technical in nature and affects all section 75 groups equally. It has no relevance to equality of opportunity or good relations and does not have a disproportionate impact.](#)

Political Opinion - If Yes, provide details:

If No, provide reasons [As Above](#)

Racial Group - If Yes, provide details:

If No, provide reasons [As Above](#)

Age - If Yes, provide details:

If No, provide reasons: [As Above](#)

Marital Status - If Yes, provide details:

If No, provide reasons [As Above](#)

Sexual Orientation - If Yes, provide details:

If No, provide reasons: [As Above](#)

Men and Women generally - If Yes, provide details:

If No, provide reasons: [As Above](#)

Disability - If Yes, provide details:

If No, provide reasons: [As Above](#)

Dependants - If Yes, provide details:

If No, provide reasons: [As Above](#)

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**: This is an uplift in scale costs and reflects an inflationary increase which is technical in nature and affects all section 75 groups equally. It has no relevance to equality of opportunity or good relations and does not have a disproportionate impact.
What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**: As Above
What is the level of impact? None

Details of the likely policy impacts on **Racial Group**: As Above
What is the level of impact? None

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: This is an uplift in scale costs and reflects an inflationary increase which is technical in nature and affects all section 75 groups equally. It has no relevance to equality of opportunity or good relations and does not have a disproportionate impact.

Political Opinion - If Yes, provide details:

If No, provide reasons: As Above

Racial Group - If Yes, provide details:

If No, provide reasons: [As Above](#)

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).

None

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

Part 3. Screening decision

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

No impact assessment is required - as noted above this is an uplift in scale costs and reflects an inflationary increase which is technical in nature and affects all section 75 groups equally.

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.

N/A

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

N/A

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.

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	N/A
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.

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: [Debbie Maclam](#)

Position/Job Title: [Head of Judicial Support, Lady Chief Justices Office](#)

Date: [8 May 2024](#)

Approved by: [Julie McGrath](#)

Position/Job Title: [Secretary to the County Court Rules Committee](#)

Date: [8 May 2024](#)

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.