

PROBATION BOARD FOR NORTHERN IRELAND

Section 75

EQUALITY SCREENING FORM

COMPLETED BY PROBATION BOARD FOR NORTHERN IRELAND

Title of Policy: **Non-English speaking service user guidelines**

The legal background – Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between person of different religious belief, political opinion, racial group, age, marital status, or sexual orientation.
- between men and women generally.
- between persons with a disability and persons without; and,
- between persons with dependants and persons without¹.

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

- have regard to the desirability of promoting good relations between persons of different religious belief, political opinion, or racial group; and
- meet legislative obligations under the Disability Discrimination Order.

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.

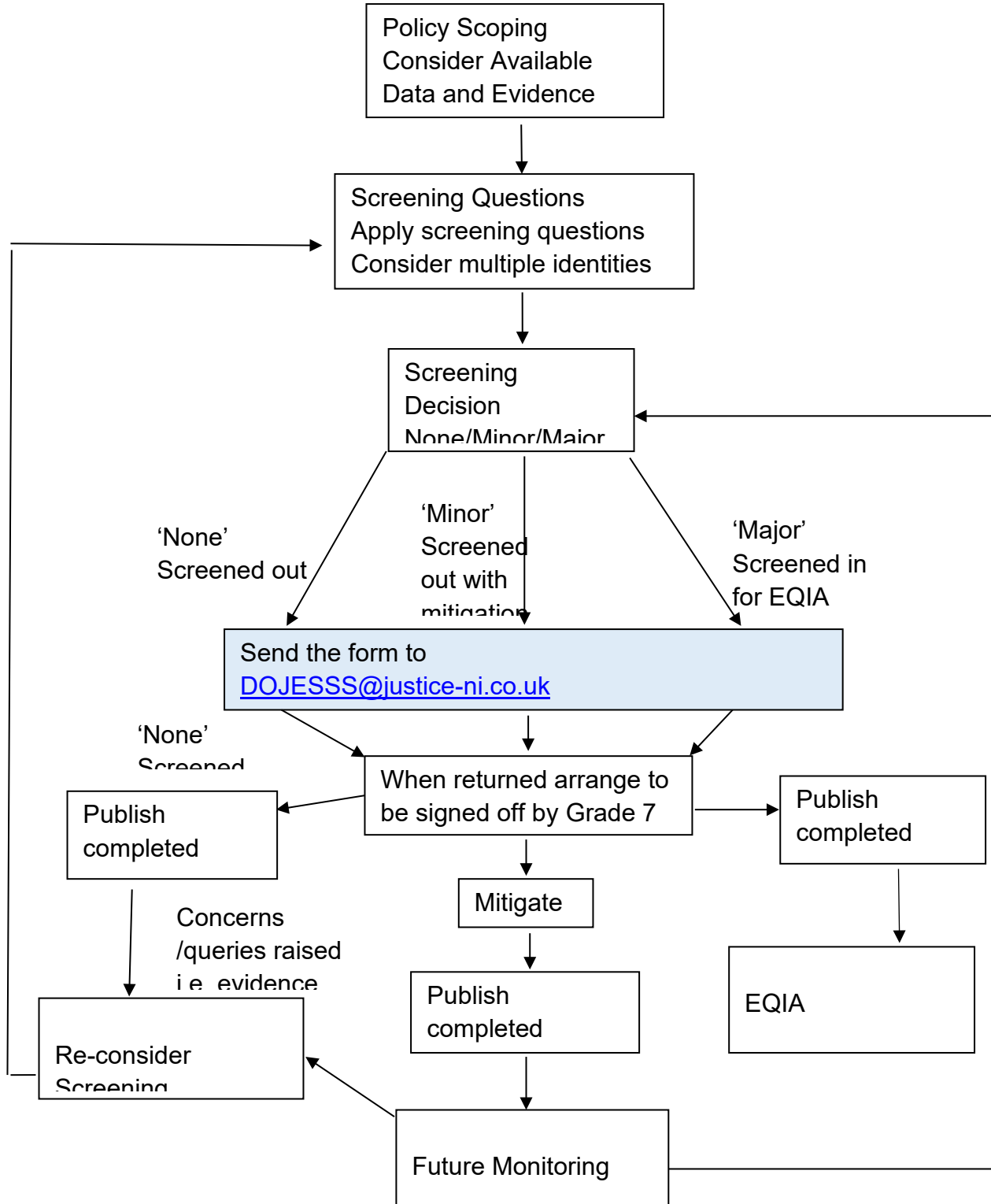
Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

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 below (DOJ).



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

[Non-English speaking service user guidelines.](#)

Is this an existing, revised or a new policy?

[New.](#)

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

[Research suggests that non- English speakers are disadvantaged within the criminal justice system generally and limited access to interpreter services can increase a sense of isolation. Moya \(2021\) goes as far to say that those with limited English language are the most vulnerable victims within the criminal justice system. Sen et al., \(2021\) conducted research in an immigration centre and found that foreign national ex-prisoners had higher levels of unmet needs and psychological distress than other detainees. After adjusting for time spent in detention, there was evidence to suggest that foreign national ex-prisoners had a higher screened prevalence of substance use disorders, autism spectrum disorders and attention-deficit hyperactivity disorder than the other detainees. There may be greater risk to the wellbeing of this group as evidenced by studies showing higher proportional rates of suicide in the UK, where this group accounted for 16% of total custody population but accounted for 28% of all recorded deaths in custody by suicide in 2007. It is possible that referrals and identification of core needs may be missed, with service users experiencing reduced access to services due to communication barriers. In addition, access to intervention and opportunities to reduce risk/need is impacted. PBNI have worked with translation and interpreter services for many years but there has been no explicit guidance issued. This](#)

policy aims to provide a consistent formalised approach within PBNI to guide staff working with this group.

Consideration of our Section 75 obligations on the impact of equality of opportunity and good relations are also being considered as part of the guidance being issued.

This Equality Screening is an assessment of any impact on equality of opportunity and / or good relations and so determine whether an Equality Impact Assessment is required, as a result of the guidance being issued.

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

If so, explain how.

No specific Section 75 categories.

Who initiated or wrote the policy?

PBNI's Senior Leadership Team have developed the guidelines.

Who owns and who implements the policy?

Department of Justice

Probation Board for Northern Ireland (PBNI)

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)

Legislative

There are no legislative issues as a result of these guidelines.

Main stakeholders affected

The stakeholders are the Service Users who do not speak English at a level which would allow them to engage with a group intervention programmes or who may not be able to communicate their needs to their Probation officer, or understand their order or licence requirements.

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

- Staff
Staff will deliver interventions services to non-English speakers through an interpreter. This will require extra time to plan and deliver services.
- Service users
Non-English service users will have consistent access to risk reducing interventions.
- Stakeholders - Other public sector organisations

There will need to be good communication with Court Service and PCNI to promote the service interventions in sentencing/post-release for non-English speakers.

Other policies with a bearing on this policy

- **what are they?**
- None
- **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:

[Service users - See Appendix 1: Section 1](#)

The majority of service users have not supplied information regarding religious belief. Of the 42.8% that have supplied information, 18.9% are Roman Catholic and 13.0% are Protestant. No other significant groups are indicated.

[Staff – See Appendix 1: Section 2](#)

51% of our staff indicate they are Protestant and 43%, Roman Catholic, with 10% citing None as their religious belief.

Political Opinion evidence / information:

[Service users - See Appendix 1: Section 1](#)

We do not hold details of political opinion of Service Users.

[Staff – See Appendix 1: Section 2](#)

40% of our staff have not disclosed their political opinion, 30% said they have no political opinion, 11% state they are nationalist and 7% are unionist.

Racial Group evidence / information:

[Service users - See Appendix 1: Section 1](#)

Of the 43% of Service users we hold monitoring information on, the majority (39.4%) have stated their racial group as White with less than 1% in any other racial group.

[Staff – See Appendix 1: Section 2](#)

98% of our staff have recorded White as their racial group.

Age evidence / information:

Service users - See Appendix 1: Section 1

The information we hold on Service Users in general is accurate as it derived from Date of Birth.

The majority of our Service users are aged 30-39 (34.8%), with less than 2% under 20; 11.4% 20-24; 15.7% are 25-29; 19.1% are 40-49; 10.8% are 50-59/ and 6.1% are over 60 years old.

Staff – See Appendix 1: Section 2

Age profile of Staff is accurate as it is derived from Date of Birth information.

Our workforce is 3% aged 18-25; 24% aged 26-35; 25% aged 36-45; 30% aged 46-55; and 18% over aged 56 years.

Marital Status evidence / information:

Service users - See Appendix 1: Section 1

Of the 42.7% of Service Users, generally, we have monitoring information from, the majority are Single – never married (30.8%) and less than 4% are in other categories, including divorced or dissolved civil partnerships, married, separated, or widowed.

Staff – See Appendix 1: Section 2

Nearly half our workforce are married or with civil partners– 47%, 34% are single; with 7% cohabiting; 9.5% divorced or separated; 2% widowed; and 0.5% not disclosed.

Sexual Orientation evidence / information:

PBNI acknowledge that the current monitoring form, has placed Transgender in the incorrect monitoring category and is working to address this.

Service users - See Appendix 1: Section 1

Of the 42.7% of Service Users, generally, who responded to this area of the monitoring record, 37.4% stated they were heterosexual.

Staff – See Appendix 1: Section 2

91% of our workforce have said they are heterosexual, 2% bisexual; 2% Gay / Lesbian; and 5% did not disclose.

Men and Women generally evidence / information:

Service users - See Appendix 1: Section 1

The majority of Service Users are male. Over 89% of our Service Users are male.

Staff – See Appendix 1: Section 2

77% of our workforce are female and 23% male.

Disability evidence / information:

Service Users - See Appendix 1: Section 1

Of the 43% of Service Users, who responded to this area of the monitoring record, 24.6% stated they had a disability. The majority of those with a disability had a mental health condition (15.7%).

Staff – See Appendix 1: Section 2

89% of our staff have indicated they are not disabled. 11% have indicated they have a disability.

Dependants' evidence / information:

Service users - See Appendix 1: Section 1

43% of service users stated their dependant responsibilities. 29.3% said they had none. 7.9% said they had care of a child and 3.4% had responsibility for care of an elderly person or a person with a disability.

Staff – See Appendix 1: Section 2

49% of our staff have not disclosed if they have dependents. 39% have said they have care of a child, 9% care for an adult; and 3% care for a person with a disability.

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:

1. Religious belief

Not applicable

2. Political Opinion

Not applicable

3. Racial Group

Not applicable

4. Age

Not applicable

5. Marital status

Not applicable

6. Sexual orientation

Not applicable

7. Men and Women Generally

Service Users – current and potential

Nearing 90% of service users generally are male that need probation support to complete their court orders. Therefore, it is expected that there will be no impact on the general Service User profile.

Staff

Women make up the majority of staff within the organisation. Therefore there will always be an impact on a greater number of women than men arising.

8. Disability

While statistically, our records show that 24.6% of our service users have a disability, feedback from Service User Groups and from our Probation Officers, indicate that the majority of our Service Users have poor mental health condition(s); and largely have experienced negative trauma in their lives. These combined needs, mean that the management of Service Users during the period of their licences is often complex due to the level of support required.

Of the Service Users who are engaged with us currently and those who might be excluded in future, we do not information which would indicate any deviance from the general service user profile.

9. Dependants

Not applicable – PBNI do not retain details of Service Users' dependents.

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.

The Non-English speaker guidelines are likely to have the following impact:

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact? Minor / Major / **None** (circle as appropriate)

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

The majority of Service Users on probation are male. The guidelines will impact this group however the proposal to have a more targeted approach to programme delivery to those people who have communication needs.

Staff

The majority of PBNI staff are female, therefore most of the work will be done by females.

What is the level of impact? **Minor** / Major / None (circle as appropriate)

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

Service Users

More likelihood of needs being identified.

Staff

There are no indications in a negative impact on staff due to disability.

What is the level of impact? **Minor** / None / Major (circle as appropriate)

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

Service Users

No identifiable impacts

Staff

There are no indications of a negative impact on staff due to having dependants or none.

What is the level of impact? Minor / **None** / Major (circle as appropriate)

Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? 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:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Political Opinion - If Yes, provide details:

If No, provide reasons

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Racial Group - If Yes, provide details:

If No, provide reasons

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Age - If Yes, provide details:

If No, provide reasons:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Marital Status - If Yes, provide details:

If No, provide reasons

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Sexual Orientation - If Yes, provide details:

If No, provide reasons:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Men and Women generally - If Yes, provide details:

If No, provide reasons:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Disability - If Yes, provide details:

If No, provide reasons:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Dependants - If Yes, provide details:

If No, provide reasons:

Service Users

These guidelines will not impact on promotion of equal opportunity for this Section 75 group.

Staff

Budget proposals will not impact on promotion of equal opportunity for this Section 75 group.

2. 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**:

None

What is the level of impact?

Minor / Major / **None** (circle as appropriate)

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

None

What is the level of impact?

Minor / Major / **None**

Details of the likely policy impacts on **Racial Group**: **None**

What is the level of impact?

Minor / Major / **None**

3. 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:

The guidelines will not provide opportunity to promote good relations for Service Users or Staff.

Political Opinion - If Yes, provide details:

If No, provide reasons:

The guidelines will not provide opportunity to promote good relations for Service Users or Staff.

Racial Group - If Yes, provide details:

If No, provide reasons:

The guidelines will not provide opportunity to promote good relations for Service Users or Staff.

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).

PBNI works with service users from all Section 75 groupings. Access to service has the potential to impact across the groupings, but as PBNI has a predominantly male service user base it has the potential to have a greater impact with this grouping.

Similarly any increases in work for staff are likely to have a greater impact among women.

Part 3. Screening decision

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

Screened Out – No EQIA

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.

Equality impacts and potential mitigations will be implemented as we implement the budgetary management reductions.

[We will continue to monitor the impacts on Section 75 groups and try to enhance our monitoring information for Service Users.](#)

[Staff who are represented in one or more Section 75 group, who are subject to redeployment, will have any needs affecting caring, disability, or general personal circumstances to be taken into consideration.](#)

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.

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?

In devising the policy, PBNI has sought to ensure that individuals who do not speak English can access a service that is appropriate to their need and to participate in interventions and with services at the earliest stage, feasible.

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

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?

No

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.

Further advice on monitoring can be found at: [ECNI Monitoring Guidance for Public Authorities](#)

Part 5 - Approval and authorisation

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Position/Job Title: Principal Psychologist
Date: November 2023 (reviewed February 2024)