Screening Matrix.

Statement of Intent. The Council intends to screen its policies, in accordance with Paragraphs 5 and 6 of the Equality Scheme, to determine which would require a fuller equality analysis in the form of an impact assessment

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. 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.

You 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 or policy area:

Linguistic Diversity Policy 2014

Is this an existing, revised or a new policy/policy area?

Existing	Revised	New
		X

Brief Description
The Policy recognises and celebrates the rich diversity of linguistic traditions that has helped to shape the history of the District, and that continues to reflect in the variety of languages that are written, spoken, and understood by the District's residents and visitors. It will function within the broader context

of the Council's Communications Strategy, Cultural Diversity and Good Relations Strategy, and aspires to protect, promote and enhance linguistic diversity within the District.

The Policy represents a local response to various regional, national and international initiatives and programmes, along with statutory obligations falling on the Council, while also aspiring to help promote good relations within the Council and Fermanagh generally. It draws heavily on the European Charter for Regional or Minority Languages (2001), and including the status afforded within Northern Ireland to Irish (Parts II and III) and Ulster Scots (Part II).

At the same time, the Policy deliberately extends beyond Irish and Ulster Scots to all forms of linguistic diversity and including minority languages generally, sign language, braille and other language forms.

The Policy also recognises the particular needs of those with literacy problems and for whom the written word may not always be fully accessible.

What is it trying to achieve? (intended aims and outcomes)
The aims of the policy are:

1. To establish a transparent set of principles and procedures for promoting, protecting and enhancing linguistic diversity for the benefit of the District's residents and visitors.

2. To promote, protect and enhance linguistic diversity within the District through appropriate local actions that are lawful and that reflect fairly on the history and culture of the District, its residents and visitors.

3. To facilitate appropriate engagement with Council facilities and services by residents, customers and visitors, according to their linguistic needs and within available resources.

4. To develop opportunities for residents, customers and visitors to use Irish and Ulster-Scots when accessing the Council's facilities and services.

5. To respond appropriately to local language communities in the development and integration of Irish and Ulster-Scots into mainstream civic life.

6. To ensure that those who face linguistic barriers, including those from minority ethnic communities, people with a disability and people with literacy difficulties, are able to enjoy equal access to Fermanagh and Omagh District Council's goods, facilities and services.

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

YES	NO	N/A
X		

If YES, explain how.

The policy aspires to promote linguistic diversity in a fair, reasonable and proportionate manner that will ultimately enhance equality of opportunity across all Section 75 grounds by accommodating a wide range of language forms, including those attached to minority ethnic communities and people with a disability.

Who initiated or wrote the policy?
The Policy represents a locally generated response to various regional, national and international initiatives and programmes, along with statutory obligations falling on the Council.

Who owns and who implements each element of the policy?

The Council owns and will implement the Policy, acting in partnership with other bona fide groups when appropriate.

Implementation factors

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

YES	NO	N/A
X		

If YES, are they

Financial: YES

The Policy will operate within available Council resources.

Legislative: YES

The Policy will operate in accord with domestic and European legislation and including the European Charter for Regional or Minority Languages.

Other, please specify:

N/A

Main stakeholders affected

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

All Council employees are expected to follow this Policy and to take appropriate action to meet its aims and objectives.

The Chief Executive has overall responsibility for the implementation of the Policy. In addition, the following specific responsibilities will be assumed when the organisational structure has been finalised:

- the operation of the Policy.
- Chief Officers and Heads of Departments will be responsible for the implementation of the Policy within their respective departments.
- requests for the use of bi-lingual street signage.
- equality implications attaching to the Policy and its implementation.

Service users:

The Policy will impact on Fermanagh and Omagh District Council's residents, customers and visitors.

Other public sector organisations:

DCAL

Voluntary/community/trade unions:

The Policy will be delivered in partnership with other bodies whenever appropriate.

Other, please specify:

N/A

Other policies with a bearing on this policy

What are they and who owns them?

This Policy provides the framework to guide the Council's practice in relation to Linguistic Diversity and will operate in accord with both the Council's Cultural Diversity Policy and Communication and Good Relations Strategies. It will also link into the Corporate Customer Care Policy and Procedures, and the Council's Equality Scheme.

External references include the following:

- European Charter for Regional and Minority Languages 1992
- Local Government (Miscellaneous Provisions) (NI) Order 1995
- Disability Discrimination Act 1995
- Race Relations (NI) Order 1997
- Fair Employment and Treatment (NI) Order 1998
- Section 75 & Schedule 9 NI Act 1998
- Belfast / Good Friday Agreement 1998
- Human Rights Act 1998
- NI (St Andrews Agreement) Act 2006
- ECNI Guidance on Promoting a Good and Harmonious Working Environment 2009
- DCAL Consultative Documents 2012:
    - 'Draft Strategy for Protecting and Enhancing the Development of the Irish Language'
    - 'Draft Strategy for Ulster Scots: Language, Heritage and Culture'
- OFMDFM 'Together: Building a United Community' 2013

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.

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

Section 75 Category	Details of Evidence/Information

Religious Belief
 	
Political Opinion
 	
Race
 	
Disability
 	
Age
	The policy has been informed by regional and local statistics regarding language use, and including the use of Irish and Ulster Scots. It has also reflected on literacy levels across NI generally along with information relating to special linguistic needs of those people with a disability and including those with learning difficulties, or a sensory impairment. In addition, the following external guidance documents were referenced in drawing up this policy:
	• European Charter for Regional and Minority Languages 1992
	• Local Government (Miscellaneous Provisions) (NI) Order 1995
	• ECNI Guidance on Promoting a Good and Harmonious Working Environment 2009
	• DCAL Consultative Documents 2012:
	   o 'Draft Strategy for Protecting and Enhancing the Development of the Irish Language'
	   o 'Draft Strategy for Ulster Scots: Language, Heritage and Culture'
	• OFMDFM 'Together: Building a United Community' 2013

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 for each of the Section 75 categories

Section 75 Category	Details of Needs/Experiences/Priorities
Religious Belief Political Opinion Race Disability Age	The Policy acknowledges not only the special linguistic needs attaching to various Section 75 grounds (e.g. age, race, disability) but also a desire to protect and enhance minority languages in line with the European Charter, and in particular for those who may choose to use Irish or Ulster Scots (community background).

Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy out. If a policy is 'screened out', you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

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 hence it would be appropriate to conduct an EQIA;
 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 among 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 earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the 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 grounds? Minor/Major/None		
Section 75 Category	**Details of Policy Impact**	**Level of Impact? Minor/Major/None**
Religious belief	The Policy will aspire to promote minority languages including Irish and Ulster Scots in line with guidelines laid out in the European Charter. These measures will aim to protect and enhance traditions attaching to both major communities in Northern Ireland, while continuing to promote good relations in the District.	Major (+ve)

Section 75 Category	Details of Policy Impact	Level of Impact? Minor/Major/None
Political opinion	The Policy will aspire to promote minority languages including Irish and Ulster Scots in line with guidelines laid out in the European Charter. These measures will aim to protect and enhance traditions attaching to both major communities in Northern Ireland, while continuing to promote good relations in the District.	Major (+ve)
Racial / ethnic group	The Policy recognises the variety of languages routinely spoken and understood by Fermanagh's residents and visitors, and aspires to accommodate different language forms in a fair, reasonable and proportionate manner.	Major (+ve)
Age	The Policy recognises the linguistic needs of both younger and older people, and the barriers that may exist to full communication with the Council. It aspires to help remove these barriers where possible, and including for those with literacy difficulties across different ages.	Major (+ve)
Marital status	N/A	
Sexual orientation	N/A	
Men and women generally	N/A	
Disability	The Policy recognises the linguistic needs of people with a disability, and the barriers that may exist to full communication with the Council, including those with learning difficulties and/or sensory impairment. It aspires to help remove these barriers where possible, and including for those with literacy difficulties.	Major (+ve)
Dependants	N/A	

2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories?		
Section 75 Category	If **Yes**, provide details	If **No**, provide reasons
Religious Belief Political Opinion Race Disability Age	The Policy is designed to increase access by celebrating linguistic diversity. This represents a positive action measure designed to enhance equality of opportunity for all, and including those who may not be able to access material in written English. The policy also aspires to protect and enhance minority languages including Irish and Ulster Scots.	

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? Minor/Major/None		
Good Relations Category	**Details of policy impact**	**Level of impact Minor/Major/None**
Religious belief	The Policy operates in harmony with the Council's Good Relations Strategy and has been designed to further enhance good relations across Fermanagh by promoting, protecting and enhancing linguistic diversity.	Major (+ve)
Political opinion	The Policy operates in harmony with the Council's Good Relations Strategy and has been designed to further enhance good relations across Fermanagh by promoting, protecting and enhancing linguistic diversity.	Major (+ve)
Racial group	The Policy operates in harmony with the Council's Good Relations Strategy and has been designed to further enhance good relations across Fermanagh by promoting, protecting and enhancing linguistic diversity.	Major (+ve)

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If **Yes**, provide details	If **No**, provide reasons
Religious Belief Political Opinion Race	Through its implementation, the Policy will enhance good relations across the District.	

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).

N/A

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

N/A

5. Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes /~~No~~
The Policy recognises the linguistic needs of people with a disability, and the barriers that may exist to full communication with the Council, including those with learning difficulties and/or sensory impairment. It aspires to help remove these barriers where possible, and including for those with literacy difficulties.

6. Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? ? Yes /~~No~~
The Policy recognises the linguistic needs of people with a disability, and the barriers that may exist to full communication with the Council, including those with learning difficulties and/or sensory impairment. It aspires to help remove these barriers where possible, and including for those with literacy difficulties.

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please indicate one):

1. Not be subject to an EQIA (with no mitigating measures required)

2. Not be subject to an EQIA (with mitigating measures /alternative policies)

3. Not be subject to an EQIA at this time

4. Be subject to an EQIA

Option 1:
The policy should not be subject to an EQIA (with no mitigating measures required.

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

The Policy will help to promote equality of opportunity and good relations by supporting linguistic diversity in a fair, reasonable and proportionate manner. At this time there is no counter indication of an adverse impact on any Section 75 group.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? YES / NO

If 3. or 4. (i.e. <u>to conduct an EQIA</u>), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. 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 EQIA.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Any further comments on the screening process and any subsequent actions?

The Policy will, under normal circumstances, be formally reviewed every three years and will also be subject to routine scrutiny and, from time to time, updates and re-issues will be circulated.

The policy will be reviewed sooner in the event of any one or more of the following:
- A failure or weakness in the policy is highlighted.
- Changes in legislative requirements.
- Changes in Government/Council or other directives and requirements.

Part 4: Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You 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, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

The Policy will, under normal circumstances, be formally reviewed every three years and will also be subject to routine scrutiny.

Where there is an indication of adverse impact then the policy will be reviewed more frequently and necessary adjustments will be made.

Monitoring arrangements will be put in place for all events, training etc. linked directly to the Policy, and action taken where indicates potential adverse effects.

Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
	Head of Policy and Performance	
Approved by:		
	Chief Executive	