



Section 75 Screening Form

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

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) (Amendment) Regulations (Northern Ireland) 2021

Is this an existing, revised or a new policy?

Revised

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

2.1. The purpose of this Statutory Rule is to add new personal allowance rates into the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006. These rates will be used to assess entitlement to Housing Benefit for people who reach state pension age on or after 1 April 2021.

2.2. The personal allowance rates used to assess entitlement to Housing Benefit (HB) for people over State Pension age currently incorporate an amount equivalent to the Savings Credit element in Pension Credit. The Savings Credit element of Pension Credit was abolished for people reaching State Pension age from 6 April 2016 when the new State Pension was introduced, but it was decided to retain the higher personal allowances in HB for a further five years. This Statutory Rule makes the changes needed to reflect that decision by introducing new personal allowance rates for people reaching State Pension age on or after 1 April 2021 that do not include the Savings Credit element.

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

No

If Yes, explain how.

Who initiated or wrote the policy?

The Department for Work and Pensions.

Who owns and who implements the policy?

The Department for Work and Pensions in Great Britain.

The Department for Communities in Northern Ireland.

The Northern Ireland Housing Executive

Implementation factors

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

If yes, are they

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 policies with a bearing on this policy

What are they and who owns them?

None.

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 **each** of the Section 75 categories.

Section 75 category	Details of evidence/information
Age	As of the 7th December there were 38,714 pensionable age claimants receiving Housing Benefit for rent and rates. Of those, 33,715 were receiving Housing Benefit for rent only. Of these, around approximately 220 claims may be affected, and may experience a notional loss of housing benefit of up to £14 per week for a single claimant, and up to £10 for a couple.

Note to reader - If you are aware of and would like the Department to take into account any further evidence or information relevant to this policy, please send this to:

Social Security Policy & Legislation Division
Department for Communities
Causeway Exchange
Level 8
1-7 Bedford Street
Belfast
BT2 7EG
E-mail: SSPLD@communities-ni.gov.uk

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	There is no evidence to suggest that people of different religious belief have different needs, experience and priorities in relation to the policy.
Political opinion	There is no evidence to suggest that people of different political opinion have different needs, experience and priorities in relation to the policy.
Racial group	There is no evidence to suggest that people of different racial or ethnic groups have different needs, experience and priorities in relation to the policy.
Age	There is no evidence to suggest that people of different ages have different needs, experience and priorities in relation to the policy.
Marital status	There is no evidence to suggest that people of different marital status have different needs, experience and priorities in relation to the policy.
Sexual orientation	There is no evidence to suggest that people of different sexual orientation have different needs, experience and priorities in relation to the policy.

Section 75 category	Details of needs/experiences/priorities
Men and women generally	There is no evidence to suggest that men and women have different needs, experience and priorities in relation to the policy.
Disability	There is no evidence to suggest that people with disabilities have different needs, experience and priorities in relation to the policy.
Dependants	There is no evidence to suggest that people with dependants have different needs, experience and priorities in relation to the policy.

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? minor/major/none

Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	We do not expect there to be any adverse impact on people of different religious belief.	None.
Political opinion	We do not expect there to be any adverse impact on people of different political opinion.	None.
Racial group	We do not expect there to be any adverse impact on people of different racial groups.	None.
Age	Some pension age claimants may experience a notional loss of housing benefit of up to £14 per week for a single claimant, and up to £10 for a couple.	Minor.
Marital status	We do not expect there to be any adverse impact on people with different marital status.	None.

Section 75 category	Details of policy impact	Level of impact? minor/major/none
Sexual orientation	We do not expect there to be any adverse impact on people of different sexual orientation.	None.
Men and women generally	We do not expect there to be any adverse impact on men and women generally.	None.
Disability	We do not expect there to be any adverse impact on people with disabilities.	None.
Dependants	We do not expect there to be any adverse impact on people with dependants.	None.

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

Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		This policy does not offer any opportunity to better promote equality of opportunity for people within any of the Section 75 categories.
Political opinion		As above.

Section 75 category	If Yes , provide details	If No , provide reasons
Racial group		As above.
Age		As above.
Marital status		As above.
Sexual orientation		As above.
Men and women generally		As above.
Disability		As above.
Dependants		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? minor/major/none

Good relations category	Details of policy impact	Level of impact minor/major/none
Religious belief	The legislation is likely to have no impact on good relations between people of different religious belief.	None.
Political opinion	The proposed legislation is likely to have no impact on good relations between people of different political opinion.	None.
Racial group	The proposed legislation is likely to have no impact on good relations between people of different racial groups.	None.

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		This policy does not offer any opportunity to better promote good relations between people of different religious belief.
Political opinion		This policy does not offer any opportunity to better promote good relations between people of different political opinions.

Good relations category	If Yes , provide details	If No , provide reasons
Racial group		This policy does not offer any opportunity to better promote good relations between people of different racial groups.

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.

Part 3. Screening decision

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

- 1. Not be subject to an EQIA**
- 2. Not be subject to an EQIA (with mitigating measures /alternative policies)**
- 3. Be subject to an EQIA**

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

The personal allowance rates for people receiving pension age Housing Benefit (HB) (used when calculating entitlement to HB for those only receiving HB) are based on the Standard Minimum Guarantee (in Pension Credit) plus the maximum amount of Savings Credit (SC). As SC is treated as income for HB purposes this prevents any SC received from reducing the HB award. The same personal allowance rates are used for all pension age claimants regardless of whether the claimant receives SC.

SC has not been available to people who reach State Pension age since 6th April 2016 but a decision was made to keep the HB personal allowances with the SC uplift for the first five cohorts of new State Pension despite removing access to the Savings Credit for that cohort.

As a consequence the HB personal allowance rates for those reaching State Pension age from 1 April 2021 will no longer include the SC element i.e. the rates will be the same as the Standard Minimum Guarantee. The change does not apply to those who reach state pension age before 1 April 2021 or to couples where one member reached state pension age before that date. These Regulations give effect to the above policy.

If 3. (i.e. to conduct an EQIA), please provide details of the reasons:

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

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 Department will monitoring statistics periodically in conjunction with the Northern Ireland Housing Executive.

Part 5 - Approval and authorisation

Screened by:	Position/Job Title	Date
Philip Cairns	Staff Officer	29 March 2021
Approved by: Anne McCleary	SRO	09/04/21

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.