



# 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**

Name of the policy

**Industrial Injuries Disablement Benefit Scheme: The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2022**

**Is this an existing, revised or a new policy?**

Existing

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

These Regulations will amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986 which provide the legal framework for the industrial injuries disablement benefit (“IIDB”) scheme. Claims for IIDB occur where the claimant has suffered an industrial injury or disease in the course of their employment, otherwise known as ‘prescribed diseases’. The amendments contained within these new Regulations relate to the prescribed disease ‘Dupuytren’s contracture’. The amendments reflect the latest scientific research carried out by the Industrial Injuries Advisory Council (“IIAC”). IIAC have recommended that Dupuytren’s contracture in workers exposed to hand-transmitted vibration, be prescribed as a disease which is presumed to be due to the nature of a person’s

employed earner's employment. These Regulations will help provide a fairer scheme for all potential claimants and provide further clarity of the prescribed disease.

IIAC is an independent body which advises the Secretary of State for Work and Pensions and the Department on matters relating to the IIDB Scheme and its administration. In particular, having studied the scientific evidence, IIAC advises which diseases should be prescribed (i.e. are included in the Industrial Injuries Disablement Benefit Scheme) or amended for the purpose of claims for IIDB. This includes reviewing and recommending changes to the prescription of diseases and other amendments to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (NI) 1986.

These Regulations implement the recommendations of IIAC, as set out in the Command Paper: Cm 8860 "Dupuytren's contracture due to hand – transmitted vibration" and subsequent Information Note dated 20 May 2020.

<https://www.gov.uk/government/publications/dupuytren-s-contracture-clarification-of-intention-and-amendment-of-the-prescription>

The amendments implement recommendations made by IIAC to improve the fairness and consistency of the IIDB Scheme and provide further clarity of the prescribed disease.

Having considered recent scientific evidence including a detailed review of research literature, consultation with experts in the field and new analyses of data available for experts about Dupuytren's contracture and its effects, IIAC concluded there is sufficient evidence to include the disease in the existing list of industrial diseases which are prescribed for entitlement to IIDB however they have provided further clarity of the prescribed disease.

This change ensures the list of prescribed diseases stays up to date in terms of scientific knowledge. We estimate that these changes will lead to around 4000 awards in total (UK-wide), between the introduction of Dupuytren's contracture as a prescribed disease and the end of financial year 2025/26, to both new and existing IIDB claimants.

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

Yes

### **If Yes, explain how.**

The changes are beneficial in that they will apply the best and most recent available scientific evidence in order to target payments as equitably as possible on those with the most severe disabilities.

### **Who initiated or wrote the policy?**

The Department for Work and Pensions in conjunction with IIAC.

### **Who owns and who implements the policy?**

Provision of social security in Northern Ireland is governed by the long- established principle of parity with Great Britain, as provided for under section 87 of the Northern Ireland Act 1998 and policy in relation to the IIDB Scheme is developed on this basis. Therefore the Department for Communities (in Northern Ireland) in conjunction with the Department for Work and Pensions (in Great Britain) are responsible for the delivery of the policy.

### **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?

- staff
- service users
- other public sector organisations
- voluntary/community/trade unions
- other, please specify \_\_\_\_\_

### **Other policies with a bearing on this policy**

**What are they and who owns them?**

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## 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.

<b>Section 75 category</b>	<b>Details of evidence/information</b>
<b>Religious belief</b>	IIDB legislation makes no distinction between a person's religious beliefs.
<b>Political opinion</b>	IIDB legislation makes no distinction between a person's political opinion.
<b>Racial group</b>	IIDB legislation makes no distinction between a person's ethnicity.
<b>Age</b>	The prescribed diseases that qualify for the IIDB Scheme will have occurred in the course of employment. There are no age limitations for entitlement to IIDB, beyond that the claimant must be aged 16 or over. The value of awards made, relates only to the percentage disablement of the claimant, as determined at a medical assessment, and makes no reference to their age. However medical diagnostic evidence showing that many industrial diseases can take numerous years after initial exposure to manifest themselves, means that most benefit recipients will tend to be in the upper age bracket.
<b>Marital status</b>	IIDB legislation makes no distinction between a person's marital status.
<b>Sexual orientation</b>	IIDB legislation makes no distinction between a person's sexual orientation.

<b>Section 75 category</b>	<b>Details of evidence/information</b>
<b>Men and women generally</b>	IIDB legislation makes no distinction between sexes and as such payments are made to men and women equally if they meet the conditions of entitlement. However, by the very nature of the types of exposure that are covered, particularly through working in industries such as construction, the majority of the payments are made to men. The changes in policy and legislation introduced via these Regulations will however continue to be applied equally to men and women if they meet the conditions of entitlement.
<b>Disability</b>	By the very nature of the IIDB Scheme all claimants will have some form of disability however these changes are beneficial in that they will apply the best and most recent available scientific evidence in order to target payments as equitably as possible on those with the most severe disabilities.
<b>Dependants</b>	IIDB legislation makes no distinction between a person having/not having dependants.

**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

The Department for Communities  
 Social Security Policy, Legislation and Decision Making Services  
 Causeway Exchange  
 Level 6  
 1-7 Bedford Street  
 Belfast  
 BT2 7EG  
 E-mail: [SSPLD@communities-ni.gov.uk](mailto: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

<b>Section 75 category</b>	<b>Details of needs/experiences/priorities</b>
Religious belief	As noted above, IIDB legislation makes no distinction between a person's religious beliefs.
Political opinion	As noted above, IIDB legislation makes no distinction between a person's political opinion.
Racial group	As noted above, IIDB legislation makes no distinction between a person's ethnicity.
Age	Due to the 'long-tail' nature of many of the prescribed diseases, people in the upper age bracket are more likely to require assistance if they are ill or disabled by an accident or disease caused by work.
Marital status	As noted above, IIDB legislation makes no distinction between a person's marital status.
Sexual orientation	As noted above, IIDB legislation makes no distinction between a person's sexual orientation.
Men and women generally	The majority of prescribed diseases tend to be prevalent in work environments historically more often staffed by men therefore they are more likely to require assistance if they are ill or disabled by an accident or disease caused by work. However, IIDB legislation makes no distinction between genders, treating men and women equally provided they meet the terms and conditions for eligibility.

<b>Section 75 category</b>	<b>Details of needs/experiences/priorities</b>
Disability	As noted above, by the very nature of the Scheme all claimants will have some form of disability therefore they are more likely to require assistance if they are ill or disabled by an accident or disease caused by work. These changes are wholly beneficial in that they will apply the best and most recent available scientific evidence in order to target payments as equitably as possible on those with the most severe disabilities.
Dependants	As noted above, IIDB legislation makes no distinction between a person having/not having dependants.

## **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	The Regulations are not expected to have any significant impact on equality of opportunity in relation to any of the Section 75 groups.	None
Political opinion	As above	None
Racial group	As above	None
Age	As above	None
Marital status	As above	None
Sexual orientation	As above	None
Men and women generally	As above	None
Disability	The changes are beneficial in that they are being made to apply the best and most recent available scientific evidence in order to target payments from the IIDB Scheme as equitably as possible on those with the most severe disabilities.	None

Section 75 category	Details of policy impact	Level of impact? minor/major/none
Dependants	As above	None

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

Section 75 category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief		No – this policy does not present any opportunities to better promote equality of opportunity for people within any of Section 75 categories.
Political opinion		As above
Racial group		As above
Age		As above
Marital status		As above
Sexual orientation		As above

Section 75 category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
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 Regulations are not expected to have any impact on good relations.	None
Political opinion	As above	None
Racial group	As above	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 <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief		No – the Regulations do not offer any opportunities to better promote good relations between people of different religious belief, political opinion or racial group.
Political opinion		As above
Racial group		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).*

#### **Older men with disabilities**

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

Due to the nature of many of the prescribed diseases and the relevant industries and workplaces, the majority of eligible people within the IIDB Scheme are older disabled men. However, these amendments (which will broaden and extend the conditions for eligibility), will affect such a small number of existing and new claimants it is impractical to carry out statistical analysis of the number who may be affected in the relevant groups.

These Regulations are not expected to have any significant impact on equality of opportunity for this multi identity group. IIDB legislation continues to treat men and women of all ages equally, drawing no distinction between genders and ages.

### **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 Regulations will implement IIAC recommendations which reflect current scientific evidence intended to improve the fairness and consistency of the IIDB Scheme and are not anticipated to have any significant impact on any of the Section 75 categories.

**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.

The policy cannot be amended or changed to better promote equality of opportunity and/or good relations.

## **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:**

As no potential/actual adverse impacts have been identified no monitoring will be carried out. The Regulations will implement IIAC recommendations which reflect current scientific evidence intended to improve the fairness and consistency of the IIDB Scheme and are not anticipated to have any significant impact on any of the Section 75 categories.

## **Part 5 - Approval and authorisation**

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
Patricia Quinn	Staff Officer	24.02.22
<b>Approved by:</b>		
Anne McCleary	Grade 5	14.03.22

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.