



# 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**

The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021

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

Revised

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

The Statutory Rule places administration and governance requirements on trustees of occupational defined contribution pension schemes, in particular to require trustees of certain DC pension schemes to disclose their investment returns and demonstrate that they are providing value for their members. It also

increases flexibility for DC schemes to take account of performance fees payable to fund managers when calculating the cap on charges that applies to default investment arrangements. It makes other minor technical changes, including to the ways in which specific types of pension schemes must comply with the requirements to produce a statement of investment principles. It also includes provision in consequence of the Assembly Pension Schemes Bill to control the level and range of charges.

These Regulations amend a number of sets of existing Regulations relating to the administration and governance of occupational pension schemes, namely:

- The Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997
- The Register of Occupational and Personal Pension Schemes Regulations (Northern Ireland) 2005
- The Occupational Pension Schemes (Investment) Regulations (Northern Ireland) 2005
- The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014
- The Occupational Pension Schemes (Charges and Governance) Regulations (Northern Ireland) 2015

The aim is to ensure that occupational DC pension scheme members benefit from efficient and operationally resilient administration, sound investment governance, and access to innovative and diversified investment strategies.

In complying with the requirements to assess the value for members that their scheme provides, to report net investment returns, and to report on costs and charges, trustees or managers must have regard to any guidance issued by the Department.

The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 will come into operation on 1 October 2021. They make in relation to Northern Ireland only, provision corresponding to provision contained in regulations which were made

by the Secretary of State for Work and Pensions in relation to GB and which will come into operation on 1 October 2021.

**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 initiated the policy.

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

The Department for Communities owns and implements each element of the proposals.

**Implementation factors**

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? **No**

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 Those involved in the management and running of Pension Schemes.

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

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

The existing overarching UK-wide policy in relation to occupational pension schemes. Governed in NI by the Pensions Schemes (NI) Act 1993, the Pensions (Northern Ireland) Order 1995, the Pensions (Northern Ireland) Order 2005 and the Pensions Act (Northern Ireland) 2015.

The Department for Communities owns the policy in Northern Ireland

## 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 categories</b>	<b>Details of evidence/information</b>
<b>All categories</b>	<p>The aim of the Statutory Rule is to ensure that occupational DC pension scheme members benefit from efficient and operationally resilient administration, sound investment governance, and access to innovative and diversified investment strategies.</p> <p>There is no relevant Section 75 evidence or information available to help inform this policy. The Regulations have no implication for equality of opportunity.</p>

**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: [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>
<b>All categories</b>	There is no evidence of any different needs, experiences and priorities for people within any of the Section 75 categories in relation to this 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
All categories	No impact identified	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
All categories		<p>No - this policy does not offer any opportunity for people within any of the section 75 categories.</p> <p>The aim is to ensure that occupational DC pension scheme members benefit from efficient and operationally resilient administration, sound investment governance, and access to innovative and diversified investment strategies.</p>

**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	No impact identified.	None
Political opinion	No impact identified.	None
Racial group	No impact identified.	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
All categories		<p>No – this policy does not offer any opportunity to better promote good relations between people of different religious beliefs.</p> <p>The aim of the Statutory Rule is to ensure that occupational DC pension scheme members benefit from efficient and operationally resilient administration, sound investment governance, and access to innovative and diversified investment strategies.</p> <p>No – this policy does not offer any opportunity to better promote good relations between people of different political opinions.</p> <p>No – this policy does not offer any opportunity to better promote good relations between people of different race.</p>

## **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.

**N/A**

### **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:**

These Regulations ensure that occupational DC pension scheme members benefit from efficient and operationally resilient administration, sound investment governance, and access to innovative and diversified investment strategies. This policy is not expected to have any significant impact on Equality of Opportunity or Good Relations for any of the Section 75 Groups, therefore an EQIA is not required

**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:**

As no adverse impacts have been identified, no section 75 monitoring arrangements will be put in place.

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

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
Richard Jordan	DP	11/09/21
<b>Approved by:</b>		
Anne McCleary	Grade 5	29/09/21

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.