

Education Authority

Policy Title	Maternity Leave Scheme, Paternity Leave Scheme, Adoption Leave Scheme & Shared Parental Leave Scheme For Teachers.
Policy Reference Number	TNC 2015/2 TNC 2015/3 TNC 2015/4 TNC 2015/5
Policy Owner	The Teachers' Salaries & Conditions of Service Committee (TNC)
Owning Department	N/A
Policy Author	The Teachers' Salaries & Conditions of Service Committee (TNC)
Policy Aim	The implementation of these schemes will enable the employing authorities (EA, CCMS, CnaG, NICIE and the Voluntary Sector) to comply with the Work and Families Act (Northern Ireland) 2015 and associated regulations and provide detail in relation to the entitlements relating to each of the scheme.
Related Policies	Equal Opportunities Policy, Terms and Conditions of Employment, Teachers Pay Regulations (1993).
Date of Screening (Section 75)	19 th February 2016
Approved by (name of Committee)	The Teachers' Salaries & Conditions of Service Committee (TNC)
Date of Approval	November 2015
Date Approved by Board	N/A
Implementation Date	10 th November 2015
Date of Review	The TNC and appropriate Managing Authorities will monitor impact of these schemes on an ongoing basis.

PART 1 - POLICY INFORMATION

A. Policy Details

Name of Policy: Maternity Leave Scheme, Paternity Leave Scheme, Adoption Leave Scheme & Shared Parental Leave Scheme For Teachers.

Is it an existing, revised or new policy?

Revised suite of Schemes regarding Maternity, Paternity, Adopting and Shared Parental Leave. These schemes are required by the Work and Families Act (Northern Ireland) 2015 and associated regulations.

What does it seek to achieve? (Intended Aims and Outcomes)

The implementation of these schemes will enable the employing authorities (EA, CCMS, CnaG, NICIE and the Voluntary Sector) to comply with the Work and Families Act (Northern Ireland) 2015 and associated regulations and provide detail in relation to the entitlements relating to each of the schemes.

Are there any Section 75 categories which might be expected to benefit from the policy?
If so, briefly explain how:

None identified. These schemes will apply to all teachers in all schools under the management of the EA, CCMS, NICIE, CnaG and the Voluntary Sector.

Who initiated/wrote the policy?

The Teachers' Salaries & Conditions of Service Committee (TNC)

Who owns and who implements the policy?

The Teachers' Salaries & Conditions of Service Committee (TNC)

B. Implementation Factors

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

If YES, are they:

Financial

Legislative

Other, please specify N/A

C. Main Stakeholders Affected

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

Staff

Service Users

Other public sector organisations

Voluntary/community/trade unions

Other, please specify: _____

D. Other Policies with a Bearing on this Policy

What are these policies, please list:

Equal Opportunities Policy, Terms and Conditions of Employment, Teachers Pay Regulations (1993)

Who is the policy lead/owner: The Teachers' Salaries & Conditions of Service Committee (TNC)

E. Available Evidence

What evidence/information (quantitative/qualitative) have you gathered to inform this policy? Specify details for each of the Section 75 groups.

These schemes apply to all teachers in all schools irrespective of their Section 75 groups, subject to relevance e.g. Maternity Scheme will apply to female teachers, paternity scheme to male teachers.

Section 75 Category	Details of Evidence/Information
Religious belief	n/a
Political opinion	n/a
Racial group	n/a
Age	n/a
Marital status	n/a
Sexual orientation	n/a
Gender	n/a
Disability	n/a
Dependents	n/a

F. Needs, Experiences and Priorities

Based on the information in the preceding table, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy?

Specify details for each of the Section 75 groups:

See E above

Section 75 Category	Details of Needs/Experiences/Priorities
Religious belief	n/a
Political opinion	n/a
Racial group	n/a
Age	n/a
Marital status	n/a
Sexual orientation	n/a
Gender	n/a
Disability	n/a
Dependents	n/a

A. What is the likely impact on equality of opportunity for those affected by this policy, for each one of the Section 75 equality categories?

See E above

Section 75 Category	Details of Policy Impact	Level of Impact? None/Minor/Major¹
Religious belief	n/a	
Political opinion	n/a	
Racial group	n/a	
Age	n/a	
Marital status	n/a	
Sexual orientation	n/a	
Gender	n/a	
Disability	n/a	
Dependants	n/a	

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

Section 75 Category	If Yes, provide details	If No, provide details

¹ The terms 'none/minor/major' are explained at pages 9 - 12

Religious belief	n/a	
Political opinion	n/a	
Racial group	n/a	
Age	n/a	
Marital status	n/a	
Sexual orientation	n/a	
Gender	n/a	
Disability	n/a	
Dependants	n/a	

C. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Good Relations Category	Details of Policy Impact	Level of Impact? None/Minor/Major
Religious belief	n/a	
Political opinion		
Racial group		

D. 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 details
Religious belief	n/a	
Political opinion	n/a	
Racial group	n/a	

E. Multiple Identity

People can and do fall into more than one Section 75 category. Taking this into consideration are there any potential impacts of the policy on people with multiple identities? (e.g. disabled minority ethnic people, disabled women, young Protestant men and young LGBT people)

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

Section 75 Category
Details of data on the impact of the policy on people with multiple identities
n/a

F. Disability Duties

i) Does this policy provide an opportunity to promote positive attitudes towards disabled people?

Yes No

If yes, please elaborate:

ii) Are there any barriers in this policy that may discourage positive attitudes towards disabled people?

n/a

iii) Does this policy provide an opportunity to encourage disabled people to participate in public life?

Yes No

If yes, please elaborate:

iv) Are there any barriers in this policy that may discourage disabled people from participating in public life?

n/a

PART 3 - SCREENING DECISION

A. Policy does not require an EQIA (*In favour of 'None'*)

In this situation you must provide details of the reason for this decision

These schemes do not require an EQIA. They are applicable to all teachers in all schools under the management of the EA, CCMS, NICIE, CnaG and the Voluntary Sector.

B. Policy has minor equality impacts which can be mitigated/provided by an alternative policy and therefore does not require an EQIA (*In favour of 'Minor'*)

In this situation you must provide details of the reason for this decision together with the proposed changes/amendments for alternative policy to be introduced

C. Policy requires an EQIA (In favour of 'Major')

Please provide details of the reason for this decision

D. Timetabling and Prioritising

If option C has been selected under Screening Decision, then complete the following table: 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	
Social Need	
Effect on people's daily lives	

E. Is the Policy affected by the Best Value Programme?

Yes

No

If yes, please elaborate:

F. Is the policy affected by the timetable established by other relevant statutory agencies in relation to common functions?

Yes

No

If yes, please elaborate:

G. What is the scale of expenditure incurred by the policy?

All expenditure as a result of the implementation of these schemes will be considered in budget allocations to relevant management bodies on an annual basis.

PART 4 – MONITORING

Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Board to conduct an equality impact assessment, as well as help with future planning and policy development.

The ECNI recommends that where a policy has been amended or an alternative policy

introduced, the public authority should monitor more broadly for adverse impact.

See: ECNI. Monitoring Guidance for use by Public Authorities (July 2007) Pages 9 - 10, paragraphs 2.13 - 2.20

A. What data are required to ensure effective monitoring of the equality impact(s) of this policy?

The TNC and appropriate Managing authorities will monitor impact of these schemes on an ongoing basis.

B. Who is responsible for monitoring and reporting on the implementation of this policy?

Managing bodies, individual schools and TNC via Trade Union Side representation.

PART 5 - DATA PROTECTION REVIEW/SELF ASSESSMENT PROTOCOL

A. Has appropriate legal advice been given due consideration?

Yes No Not applicable

B. Has due consideration been given to information security in relation to this policy?

Yes No

PART 6 - HUMAN RIGHTS AUDIT OF POLICY

Does this policy touch on any of the European Convention on Human Rights (ECHR) as incorporated in the Human Rights Act 1998? (See 'Convention Check List' at page 26)

Yes No

If Yes: Complete ECHR Checklist/Form A and attach to this report

PART 7 - APPROVAL AND AUTHORISATION

Screened by:

Name/Job Title: Tony Carlin - INTO

Name/Job Title: Tony Wilson – Head of CMSU

Name/Job Title: Carol Johnston – Corporate Development Officer

Name/Job Title: _____

Date: 19th January 2016

Approved by:

Name/Job Title: Barry Mulholland/Chair TNC

Date: 19th January 2016

Note: The screening template, which should be completed for each policy screened, should be submitted to the Senior Management Team for ‘sign off’ and approval. (The Senior Manager, with responsibility for the specific area, will normally ‘sign off’ and approve the screening template).

A copy of the completed screening template and any other associated documentation should be forwarded to the Regional Equality Unit, in order that the process can be completed. The Regional Equality Unit will also make the completed screening template available on request and in alternative formats.

EUROPEAN CONVENTION ON HUMAN RIGHTS CHECKLIST

Policy Title: Maternity Leave Scheme, Paternity Leave Scheme, Adoption Leave Scheme, & Shared Parental Leave Scheme For Teachers

Department: _____

Policy audited by: Tony Carlin, Tony Wilson & Carol Johnston

Date audited: 19th February 2016

SECTION 1

The Screening Panel must consider the European Convention on Human Rights Checklist set out below and must be satisfied that the policy does not interfere (unless justified by a legitimate, necessary and/or proportionate aim) with any of the rights listed.

Article		Relevant Yes/No
Article 2:	Every person’s life shall be protected by law.	No
Article 3:	No one shall be subjected to torture or to inhuman or degrading treatment or punishment.	No
Article 4:	No one shall be subjected to slavery or forced labour.	No
Article 5:	Everyone shall have the right to liberty and security of person.	No

Article 6:	Everyone is entitled to a fair and public hearing when facing a criminal charge or where their civil rights are at stake.	No
Article 7:	No one shall be subject to retrospective criminal offence or penalty.	No
Article 8:	Everyone has the right to respect for their private and family life, their home and correspondence.	No
Article 9:	Everyone has the freedom of thought, conscience and religion.	No
Article 10:	Everyone has the right to freedom of expression.	No
Article 11:	Everyone has the right to freedom of peaceful assembly, to form and to join trade unions and to associate with others.	No
Article 12:	Everyone has the right to marry and to found a family.	No
Article 13:	The right to an effective remedy (not part of UK Human Rights Act).	No
Article 14:	The rights contained in the Convention shall be secured without discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.	No
Protocol 1, Article 1	Everyone is entitled to peaceful enjoyment of his or her possessions. No one shall be deprived of his or her possessions without compensation.	No
Protocol 1, Article 2	No person shall be denied the right to education. The State shall respect the right of parents to ensure the education of their children in conformity with their religious and philosophical convictions.	No
Protocol 1, Article 3	Everyone has the right to participate in free elections conducted with a secret ballot.	No

If you have answered Yes to any of the questions in Section 1, please complete Section 2

SECTION 2

A. With which Human Right(s) does the policy aim or decisions/actions taken within the policy interfere or limit?

B. Who would be a potential victim in such interference or limitation?

C. How would interference occur under this policy? (Cite action/inaction etc.)

D. Is such an action prescribed by law, bye-laws, regulations, guidance etc.? (Cite basis)

E. Does such an action pursue a legitimate aim? (Cite aim)

F. How is the interference necessary, proportionate and reasonable in pursuing the legitimate aim?

G. Could the policy result in people being treated differently in relation to any of the Convention Rights? Article 14 does not allow discrimination in the exercise of any of the other Convention Rights. (Equality issues. Cite article affected. Describe how people are treated differently? Identify is this justifiable?)

Legal Advice Sought

Yes

NO