Screening Report
Section 75 & Schedule 9 of the Northern Ireland Act 1998

NIFRS ICT Security Policy

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Protecting Our Community

Equality screening under Section 75 of the Northern Ireland Act 1998

Background

Under Section 75 of the Northern Ireland Act 1998 (Section 75) NIFRS has a specific statutory obligation as a public authority to have regard to the need to promote equality of opportunity between the following groups:

Section 75	Categories
	• persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; • men and women generally; • persons with a disability and persons without; and • persons with dependants and persons without.

Under Schedule 9 of the Act, NIFRS must also have regard to the promotion of good relations between those of different religious belief, political opinion or racial group. Our Equality Scheme explains how we implement our Section 75 obligations. A copy of the most recent Scheme, approved by the Equality Commission, is available on our website at www.nifrs.org/equality

We are required under Section 75 to screen and, where necessary, conduct Equality Impact Assessments (EQIA) on strategies, policies, plans and key decisions. The primary function of screening is to assess whether policy proposals would have a differential impact and in particular, an adverse differential impact on the categories of persons listed in Section 75, and any sub-groups within those categories.[1] If a policy shows a possible 'adverse impact' on any group, we must consider how this might be reduced. This would include how an alternative policy or approach might lessen this effect and serve to promote equality of opportunity and good relations.

The Section 75 statutory duties apply to internal policies e.g relating to our employees and to external policies relating to the community we serve.

Equality screening involves gathering evidence on the potential impacts of the proposal, focusing on the nine Section 75 equality groups. This information is used to help inform the 'screening decision', i.e. whether a full EQIA is required where a potential for *significant* impact on equality of opportunity has been identified.

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[1] Equality Commission for Northern Ireland 'Practical Guidance on Equality Impact Assessment' April 2001 (revised 2005)

Section 75 equality screening outcomes are defined in terms of impact eg *'major'*, *'minor'* or *'none'*. Possible screening decision outcomes are as follows:

Section 75	Equality Screening Outcomes
If the conclusion is that there is a *'major'* impact for one or more of the Section 75 categories, then consideration should be given to carrying out a full EQIA *(described as 'screened in for EQIA')*. If the conclusion is *'minor'* for one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, **or** to measures/ amendments to mitigate the adverse impact; or to consider an alternative policy *(described as 'screened out for EQIA – with mitigation')*. Where the conclusion is *'none'* in that no significant impact has been identified on all of the Section 75 categories, then decision can be taken to not proceed with a full EQIA *(described as 'screened out for EQIA – no mitigation')*.	

Section 75	A conclusion in favour of a 'major' impact would arise when:-
a) The policy shows actual or potential for unlawful discrimination.	

Section 75	A conclusion in favour of a 'minor' impact would arise when:-
b) The policy is not unlawfully discriminatory and any potential impacts on people are judged to be negligible; c) 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; d) Any equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people; and e) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.	

Section 75	A conclusion in favour of 'none' eg no impact, would arise when:-
a) The policy has no relevance to equality of opportunity or good relations; and 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 Section 75 equality and good relations categories.	

The NIFRS Screening Report on the NIFRS ICT Security Policy, has indicated no significant adverse impact for any of the Section 75 groups and decision has been taken 'screen out'. A copy of the Screening Report is attached overleaf. The Screening Report will be reviewed and updated following this consultation exercise.

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. Policy scoping helps 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 note that the Section 75 statutory duties apply to internal policies (relating to people who work for NIFRS), as well as external policies (relating to those who are, or could be, served by NIFRS).

Information about the policy

Name of the policy or policy area:

ICT Security Policy

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

Existing	Revised	New
	X	

Brief Description

This policy is an update to the existing out of date policy. It seeks to incorporate industry best practice, while acknowledging advancement in technology.

The policy addresses ICT security issues with regard to the following contexts:

- Education and communication
- Prevention
- Protection

What is it trying to achieve? (Intended aims and outcomes)?

The policy seeks to establish a safe, effective, collaborative and appropriate corporate environment. This is to be achieved as follows:

- Education and communication
    - The policy is to be communicated to all staff through a process of training and mentoring. This is designed to promote awareness of acceptable behavior with regard to the NIFRS ICT environment.

- Prevention
    - The policy seeks to prevent behavior that could result in a security breach. This would include damage to systems, unauthorized access, reputational damage and loss of information.

- Protection
    - The policy seeks to protect staff from situations that may not be safe.

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

YES	NO	N/A
✔		

If YES, explain how:

NIFRS corporately promotes a work environment that is welcoming to all social identities as outlined below. The work environment and indeed the culture of NIFRS include the use of ICT. The IT Security Policy covers the safe use of ICT equipment and identifies activities such as distributing discriminatory emails for example which are a breach of the policy.

The application of this policy and its objectives aim to provide a good and harmonious work environment for NIFRS employees, temporary employees and agency staff of all social identities including:-

- Disability;
- Religious belief;
- Political opinion;
- Age;
- Racial group or national origins;
- Sexual Orientation;
- Gender; and
- Dependency.

Who initiated or wrote the policy?

The policy originated from the previous NIFRS ICT policy with revisions and new sections added by Jeff Grant, Head of IT

Who owns and who implements each element of the policy?

The policy is owned by the Head of IT, with the responsibility for implementing it being with the IT Security Manager and Accreditor.

Implementation factors

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

YES	NO	N/A

If YES, are they

Financial? YES/~~NO~~ (If YES, please detail)

Financial factors that would contribute to successful implementation of the policy

General replacement of aging IT equipment with up to date hardware and operating systems

Financial factors that would detract from successful implementation of the policy

Lack of resources to provide up to date hardware and operating systems

Legislative/best practice guidance: Y / N̶ (If YES, please detail)

<u>**Legislative factors that would contribute to successful implementation of the policy**</u>

There are a number of government Acts referred to in the policy. There is a statutory requirement to adhere to these.

Legislation listed within the policy and additional legislation applicable to the policy include:-

- Data Protection Act 1998

- Freedom of Information 2000

- Sex Discrimination (NI) Order 1976

- Sex Discrimination (Amendment of Legislation) Regulations 2008

- Disability Discrimination Act 1995

- Race Relations (NI) 1997

- Fair Employment & Treatment (NI) Order 1998

- Employment Equality (Sexual Orientation) Regulations (NI) 2003

- The Equality Act (Sexual Orientation) Regulations (NI) 2006

- Employment Equality (Age) Regulations (NI) 2006

- Northern Ireland Act 1998 (Section 75 and Schedule 9)

- The Human Rights Act 1998

<u>**Legislative factors that would detract from successful implementation of the policy:-**</u>

- If employees do not follow the provisions of the IT Security Policy this could negatively impact on the culture of NIFRS and result in complaints of discrimination, harassment etc as a consequence.

- Management and ICT Personnel need to ensure that security breaches are dealt with within the confines of the Policy and also apply other policies as required such as Data Protection Policy, Dignity at Work and when applicable Discipline Policy.

Other, please specify:

Adherence to the policy is vital in order to protect NIFRS ICT network (including our data) from internal and external threats this includes cyber-terrorism "the politically motivated use of computers and information technology to cause severe disruption or widespread fear" and the spread of viruses.

Throughout the United Kingdom, public sector bodies have been actively targeted through cyber terrorism due to the vital data they hold. As a public body this is a threat to NIFRS.

Main stakeholders affected

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

Employees:

This policy applies to all NIFRS staff, contractors, temporary employees and third party associates with privileges, regardless of religious belief, political opinion, gender, race/ethnic origin, age, sexual orientation, political opinion, disability, marital status.

Service users:

This policy applies to all NIFRS staff, contractors, temporary employees and third party associates with privileges, regardless of religious belief, political opinion, gender, race/ethnic origin, age, sexual orientation, political opinion, disability, marital status.

Other public sector organisations:

At the discretion of NIFRS, third party organisations can be given limited access to resources such as printing and email e.g. Business Services Organisation (BSO), Department of Health and PSNI.

Voluntary/community/trade unions:

At the discretion of NIFRS, third parties can be given limited access to resources such as printing and email

Other, please specify:

Volunteers when appointed within the Community Protection Directorate may be able to avail of ICT such as access to PCs.

Other policies with a bearing on this policy

What are they and who owns them?

Human Resources Directorate

- Disciplinary Policy
- Dignity at Work Policy
- Revised Joint Declaration of Protection & Good and Harmonious Working Environment Policy

Planning, Performance and Governance Directorate

- Social Media Policy

Finance Directorate

- Data protection Policy

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

All categories	NIFRS has a duty under equality legislation and under data protection to ensure that employee's do not use NIFRS ICT to undertake prohibited activity which could be deemed as a form of harassment, bullying or discrimination or infringe data protection law.
	
	The following extracts from key NIFRS policies highlight the areas where unacceptable standards of behaviour will not be tolerated.
	
	NIFRS Social Media Policy
	
	• Honest, direct and open communication is one of our core values as an organisation.
	
	• The Policy highlights (as with the ICT Security Policy) to Social Media contributors that it is inappropriate to:-
	
	   ✚ Make defamatory comments or post information contrary to the policies and values of NIFRS
	   ✚ Use social media to raise internal issues or grievances
	   ✚ Post photos of community engagement activities involving children and under 18s without appropriate permissions

Section 75 Category	Details of Evidence/Information
All categories	**Revised NIFRS Joint Declaration of Protection and Good & Harmonious Working Policy** To quote from the Policy "NIFRS must legally promote a good and harmonious working environment and atmosphere in which no worker feels under threat or intimidated because of his or her religious belief or political opinion." "Steps must be taken to ensure that employees, or those who come into contact with our organisation, do not feel threatened or intimidated on grounds of religious belief or political opinion. Importantly, the underlying principles of harassment apply to all forms of religious belief and political opinion and also to race, gender, disability, sexual orientation and age." **NIFRS Dignity at Work Policy & Procedure** The Policy and Procedure are aimed at preventing unwanted, unreasonable and offensive conduct in NIFRS. Unwanted conduct in the workplace can detract from a productive working environment and can affect an individual's confidence, morale, performance and health. Within the policy examples are listed of forms of behaviour which amount to unlawful discrimination. These are also mirrored in the revised ICT policy. Examples from the Dignity at Work Policy and Procedure include applicable to ICT include the use of NIFRS software to create and circulate offensive material such as letters, emails or download and circulate offensive material.

Section 75 Category	Details of Evidence/Information

All categories	**NIFRS Disciplinary Policy & Procedure**
	
	The policy refers to systems in place which monitor the usage of emails and internet. Information obtained from these systems may be analysed and used during investigations into allegations of misconduct.
	
	Information may be reviewed or used for other purposes including investigations into allegations of misconduct, particularly where this relates to:-
	
	    🔸 Allegations of harassment;
	    🔸 Failure to observe rules and regulations relating to health and safety at work; or
	    🔸 Allegations of misconduct which could be perceived as criminal (e.g. theft)
	
	NIFRS will adhere to all relevant legal obligations (eg Data Protection, Freedom of Information, RIPA) in relation to obtaining and utilising information obtained from monitoring or surveillance systems during disciplinary investigations.
	
	Examples of gross misconduct within the policy include gross misuse of NIFRS's Internet/email system; deliberately accessing, storing or distributing pornographic, offensive or obscene material using NIFRS facilities

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
All categories	The policy applies to all NIFRS staff, without exception, regardless of religious belief, political opinion, gender, race/ethnic origin, age, sexual orientation, disability, political opinion and marital status. If an employee breaches the security policy, action could be taken under the Dignity at Work Policy, the Disciplinary Policy or as a result of a Data Protection Issue under the Data Protection Policy. The section of the policy regarding the allocation of laptops and smartphone applies predominantly to senior NIFRS staff. Exceptions are made based on job role and the requirement for mobile computing.

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.

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 Impact on Policy**	**Level of Impact? Minor/Major/None**
All categories	The provisions of the policy are in accordance with other policies outlining standards of behaviour expected of staff such as Dignity at Work, Good and Harmonious Working Environment Policy and the Data Protection Policy. As a result the policy should have a positive impact.	Minor

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
All categories	Applies to all categories of staff and their respective social identities. This policy and (its intended actions where infringes occur) are supportive of the NIFRS Good and Harmonious Working Policy.	

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 provisions of the policy are in accordance with other policies outlining standards of behaviour expected of staff such as Dignity at Work, Good and Harmonious Working Environment Policy and the Data Protection Policy. As a result the Policy should have a positive impact.	Minor
Political opinion		
Racial group		

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	The provisions of the policy are in accordance with other policies outlining standards of behaviour expected of staff such as Dignity at Work, Good and Harmonious Working Environment Policy and the Data Protection Policy. As a result the Policy should have a positive impact.	
Political opinion		
Racial group		

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).

> The provisions of the policy are in accordance with other policies outlining standards of behaviour expected of staff such as Dignity at Work, Good and Harmonious Working Environment Policy and the Data Protection Policy. As a result the Policy should have a positive impact.

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

> The Policy clearly outlines the standards of behaviour required and provides examples of unacceptable behaviour and use of ICT, for example prohibited use of the email system includes actions to "harass or intimidate others or to interfere with the ability of others to conduct NIFRS business" and "transmit threatening material or material intended to frighten, harass or bully."

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 (with no mitigating measures required)
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:

> 1.
> Not subject to EQIA.
>
> The policy has been developed based on best practice guidance and in line with key pieces of legislation such as the Data Protection Act to clearly outline the responsibilities of both employees and management to ensure there is no breach of ICT Security.
>
> This Policy is further supported by a suite of HR Policies including the Dignity at Work Policy and Procedure, the Disciplinary Policy and Procedure and the Joint Declaration of Protection and Good & Harmonious Working Policy.
>
> Further guidance is also provided in the Social Media Policy and the Data Protection Policy.

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 YES, when & why?**

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

Timetabling and Prioritising EQIA

If 3. 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	Not applicable
Social need	Not applicable
Effect on people's daily lives	Not applicable
Relevance to a public authority's functions	Not applicable

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: Not applicable

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

(empty box)

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 Equality 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:

> This Policy will be reviewed as deemed appropriate (and when impacted by legislative and accounting best practice).
>
> A review is planned in three years.

Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
Alan Reilly	IT Security Manager and Accreditor	30 April 2016
Jeff Grant	Head of IT	10 August 2016
Caroline Smyth	HR Advisor – Equality, Inclusion & Legal	10 August 2016
Josephine Kelly	Director of Finance	10 August 2016

Note: A copy of the Screening Report for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy. The Policy Lead Officer will have involved the HR Manager (Equality, Inclusion & Legal) from the outset and will make the Report accessible on the NIFRS website following completion. This is in compliance with Equality Commission for Northern Ireland requirements.