

# **EQUALITY AND HUMAN RIGHTS SCREENING – PUPIL RECORDS AND REPORTING REGULATIONS**

Equality Guidance and Co-Ordination Unit  
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## **(1) INFORMATION ABOUT THE POLICY/DECISION**

### **1.1 Title of policy/decision**

Pupil Records and Reporting Regulations

### **1.2 Description of policy/decision**

- **what is it trying to achieve? (aims/objectives)**
- **how will this be achieved? (key elements)**
- **what are the key constraints? (e.g. financial, legislative)**

These regulations aim to ensure that:

- pupil progress is reported each year to individual pupils' parents across the areas of learning, the cross-curricular skills, the other skills, and the outcomes of any public examinations taken by the pupil;
- assessment outcomes are reported in terms of levels to individual pupils parents in relation to the cross-curricular skills at the end of Key Stages 1-3;
- individual pupils' or their parents are provided with summative information at the end of Key Stages 2 and 4, and sixth form, relating to the end of Key Stage 2 levels, any public examinations taken, achievements across the curriculum, extra-curricular achievements, and any positions of responsibility held;
- schools are clear about the minimum requirements in relation to reporting information to parents and their responsibilities in relation to releasing/transferring pupil records and
- pupil records are effectively transferred between schools, particularly through the primary and post-primary phases

The regulations will provide a legislative base to ensure that a common approach to pupil records and reporting is in place across NI.

### **1.3 Main stakeholders affected**

**(e.g. staff, actual or potential service users, other public sector organisations, voluntary and community groups, trade unions/professional organisations or private sector organisations)**

**Parents, pupils, principals, teachers, Boards of Governors**

### **1.4 Who is responsible for (a) devising and (b) delivering the policy i.e. is it DE, a Whitehall department, EU etc**

- **What is the relationship?**
- **Have they considered this issue any equality Issues?**

The Regulations have been developed by the Curriculum and Assessment Team, Department of Education in liaison with key stakeholders. Delivery will be the responsibility of individual schools.

### **1.5 Other policies/decisions with a bearing on this policy/decision**

- **what are they?**
- **who owns them?**
- **Are there any linkages to other NI departments/NDPBs**

Finalising the draft levels of progression that will align assessment arrangements with the revised curriculum, responsibility for which lies with the Department of Education.

Revision of temporary exceptions regulations, responsibility for which lies with the Department of Education.

## 2) SCREENING THE POLICY/DECISION

2.1 In terms of groupings under Section 75, what is the make up of those affected by the policy/decision?

<b>Group</b>	<b>Please provide details</b>
Gender	All
Age	All ages – principals, teachers, parents and pupils
Religion	All religions
Political Opinion	All political opinions
Marital Status	N/A
Dependent Status	Those with parental or other responsibility for children of school age
Disability	Pupils with and without disability including pupils with special educational needs
Ethnicity	Parents and pupils with English as an Additional Language
Sexual Orientation	All

**2.2 Is there any indication or evidence of higher or lower participation or uptake by different groups?**

<b>Group</b>	<b>Yes/No/ Don't Know</b>	<b>Please provide details</b>
Gender	No	
Age	No	
Religion	No	
Political Opinion	No	
Marital Status	No	
Dependent Status	No	
Disability	No	
Ethnicity	No	
Sexual Orientation	No	

**2.3 Is there any indication or evidence that different groups have different needs, experiences, issues and priorities in relation to the policy/decision?**

<b>Group</b>	<b>Yes/No/ Don't Know</b>	<b>Please provide details</b>
Gender	No	
Age	No	
Religion	No	
Political Opinion	No	
Marital Status	No	
Dependent Status	No	
Disability	Yes	Pupils may be exempt from some areas of the curriculum and assessment arrangements which are included in the report to parents. The report may have to be in an alternative format for pupils and parents with a visual impairment.
Ethnicity	Yes	Possible for parents of pupils with English as an additional language but translation is covered in the draft regulations
Sexual Orientation	No	

## 2.4 Is it likely that the policy/decision will meet those needs?

<b>Group</b>	<b>Yes/No/ Don't Know</b>	<b>Please briefly give details</b>
Disability	Yes	The draft regulations provide that the annual report for pupils exempted from any part of the curriculum or assessment arrangements in any school year reflect this by including a statement to that effect. The report may have to be in an alternative format for pupils and parents with a visual impairment.
Ethnicity	Yes	The translation of documents into a language other than English is covered in the proposed legislation.
<i>N.B. continue as appropriate</i>		

## 2.5 What other feedback, complaints, statistics, surveys, research reports, previous consultations or additional information is available to assess and screen the impact of this policy/function.

A number of evaluation reports on the trialling of revised reporting arrangements produced during the period March 2006 to February 2007 are available at [www.nicurriculum.org.uk](http://www.nicurriculum.org.uk).

In primary schools in the 2007/08 school year, parents of pupils in Years 1 and 5 received a revised annual report. The final report by the Council for the Curriculum, Examinations and Assessment (CCEA) was based on response rates to a survey from 3631 Year 1 parents, 3586 Year 5 parents, 5,120 Year 5 pupils, 281 Year 1 teachers, 378 Year 5 teachers and 337 principals. This evaluation sought views on the annual report, and the outcomes of this have informed the procedures set out in these draft Regulations.

A research report "E-consultation with pupils – a pilot study" conducted by Queens University and the Centre for Applied Research in Educational Technologies also engaged with Year 7 pupils on the pupil profile report (as it was known at the time) through e-consultation methods and can be accessed via: [http://www.deni.gov.uk/no\\_47-2.pdf](http://www.deni.gov.uk/no_47-2.pdf).

**2.6 Is there an opportunity to better promote equality of opportunity or good relations by altering the policy/decision or working with others in government or in the larger community? YES**

<b>Group</b>	<b>Suggestions</b>
Key Stakeholders	The Department will be giving consideration to specific consultation exercises with pupils and parents who are the key stakeholders in relation to the proposed regulations. The consultation exercise would be representative of Northern Ireland as a whole in terms of geography, religion, ethnicity, social class and disability.
<i>N.B. continue as appropriate</i>	

**2.7 What changes to the policy/decision – if any – or what additional measures would you suggest to ensure that it promotes good relations?**

<b>Group</b>	<b>Suggestions</b>

**2.8 Is there any evidence or have previous consultations with relevant groups, organisations or individuals indicated that particular policies create problems that are specific to them?**

Yes – for disability and ethnic origin categories but these have been addressed – see 2.4.

**2.9 Please detail what data you will collect in the future in order to monitor the effect of the policy/decision on any of the groups under Section 75?**

Future evaluation information will be collected through the Council for the Curriculum, Examinations and Assessment as the Department's statutory advisory body on curriculum and assessment . The Department will also consider whether an ETI survey in schools, particularly in the area of the transfer of information between schools, would be appropriate.

**(3) SHOULD THE POLICY/DECISION BE SUBJECT TO EQUALITY IMPACT ASSESSMENT?**

Equality impact assessment procedures are confined to those policies/decisions considered likely to have significant/major implications for equality of opportunity.

**If your screening has indicated that a policy/decision is likely to have an adverse differential impact, how would you categorise it?**

**Please tick.**

Significant/major impact	
Low impact	X

**Do you consider that this policy/decision needs to be subjected to a full equality impact assessment?**

Yes	
No	X

Please give reasons for your decision.

Action has already taken to redress the impact on the two categories highlighted as being affected by these draft regulations. This screening will be reviewed following the general consultation exercise and any further consultation undertaken with specific groups e.g. pupils and parents.

#### **(4) DISABILITY DISCRIMINATION**

**4.1 Does the policy/decision in any way discourage disabled people from participating in public life or does it fail to promote positive attitudes towards disabled people?**

No

**4.2 Is there an opportunity to better promote positive attitudes towards disabled people or encourage their participation in public life by making changes to the policy/decision or introducing additional measures?**

No

**4.3 Please detail what data you will collect in the future in order to monitor the effect of the policy/decision with reference to the disability duties?**

See 2.9

## (5) CONSIDERATION OF HUMAN RIGHTS

### 5.1 Does the policy/decision affect anyone's Human Rights? [PLEASE COMPLETE THE TABLE BELOW]

ARTICLE	POSITIVE IMPACT	NEGATIVE IMPACT = human right interfered with or restricted	NEUTRAL IMPACT
Article 2 – Right to life			X
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			X
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			X
Article 5 – Right to liberty & security of person			X
Article 6 – Right to a fair & public trial within a reasonable time			X
Article 7 – Right to freedom from retrospective criminal law & no punishment without law.			X
Article 8 – Right to respect for private & family life, home and correspondence.			X
Article 9 – Right to freedom of thought, conscience & religion			X
Article 10 – Right to freedom of expression			X
Article 11 – Right to freedom of assembly & association			X
Article 12 – Right to marry & found a family			X
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			X

1 <sup>st</sup> protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			X
1 <sup>st</sup> protocol Article 2 – Right of access to education			X

*If the effect you have identified is positive or neutral please move on to **Question 5.3.***

**5.2 If you have identified a likely negative impact who is affected and how?**

*At this stage we would recommend that you consult with your line manager to determine whether to seek legal advice and to refer to Equality Guidance and Co-ordination Unit to consider:*

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction in order to comply with the Human Rights Act (1998).*

**5.3 Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy/decision.**

N/A
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**Policy/Decision Screened by\*:** **KATRINA GODFREY**  
**(Head of Raising Standards Division)**

**Date:** **18 November 2008**

**FOR COMPLETION BY EQUALITY GUIDANCE AND CO-ORDINATION UNIT**

Quality Assured by: **Richard Magowan** Date: **20 November 2008**

Screening Out Agreed

Comments:

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Date Division/Branch Informed: 20 November 2008

**If Screened Out:**

Start of Consultation: \_\_\_\_\_ End of Consultation: \* \_\_\_\_\_

Placed on Internet by: \_\_\_\_\_ Date: \_\_\_\_\_

**If Screened In:**

Date EQIA issued: \_\_\_\_\_

**The consultation period must be a minimum of 8/12 weeks.**

<b>Main Groups Relevant to the Section 75 Categories</b>	
<u><b>Category</b></u>	<u><b>Main Groups</b></u>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
“Men and women generally”	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians

**Please forward a copy of the completed Screening Form to:-**

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