



Department of  
**Education**  
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**Lear**

# EQUALITY AND HUMAN RIGHTS SCREENING TEMPLATE

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## SCREENING TEMPLATE

See the Screening Template Guidance Notes for further information on the 'why' 'what' 'when', and 'who' in relation screening, for background information on the relevant legislation and for help in answering the questions on this template (follow the links).

### (1) INFORMATION ABOUT THE POLICY/DECISION

#### 1.1 Title of policy/decision

The Education (School Development Plans) Regulations (Northern Ireland) 2010

#### 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)**

Self-evaluation leading to sustained self-improvement is at the core of Every School a Good School – a policy for school improvement. Self-evaluation should be an integral part of the school development planning process and the school's development plan should be the focal point of its strategies to bring about self-improvement and the raising of standards.

Article 13(3) of the Education (NI) Order 1998 places a duty on Boards of Governors, through the scheme of management, to prepare, and periodically revise, a school development plan. The Order also gives the Department the power to make regulations setting out the matters to be included in a school development plan, the time period a plan should cover, the arrangements for publishing the plan and also for revising the plan.

The regulations aim to bring consistency to the content of school development plans and to provide a framework for schools to monitor, evaluate and improve their curricular and other provision and the standards achieved by its pupils. The regulations are now being revised to take account of the revised school improvement policy, along with the Department's commitment to include Education for Sustainable Development in SDPs and to encourage schools to make more effective use of ICT. The overall aim is to promote effective development planning to bring about improvement in standards. We want to ensure that:

- the focus of school development planning is on raising standards;
- planning for improvement is supported by planning for the effective use of financial and other resources; and
- the process of self-evaluation and development planning is manageable and provides flexibility for schools to determine their own priorities.

Schools are supported in their development planning by the ELBs and CCMS. The Department also plans to produce revised guidance materials to support schools in their development planning.

The regulations will be amended to require schools to forward their SDPs to ESA, once the Education Bill is approved by the Assembly and ESA is established.

### **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)**

School principals and governors.

Board and CCMS advisors.

### **1.4 Who is responsible for (a) devising and (b) delivering the policy ie 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 Standards & Improvement Team, Department of Education.

Delivery will be the responsibility of individual schools, with support from the Boards (and, in the case of catholic maintained schools, CCMS)/ESA.

### **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**
- The Department's school improvement policy, Every School a Good School, which includes a commitment to review the requirements for school development planning.
- PRSD arrangements in schools.
- The agreed Teacher Attendance Procedure.
- The review of the Department's ICT strategy.
- The Executive's Sustainable Development Strategy (linkages to the Sustainable Development Commission).

## 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	<p>Principals and governors are required to develop school development plans.</p> <p>Pupils, teachers, parents and the community should be consulted in the development of SDPs.</p> <p>Pupils and teachers will be involved in and should benefit from the actions resulting from SDPs.</p>
Age	
Religion	
Political Opinion	
Marital Status	
Dependent Status	
Disability	
Ethnicity	
Sexual Orientation	

### 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	<p>The regulations apply to all grant-aided schools but schools have flexibility to develop plans to meet their individual needs.</p> <p>It will be for schools, on the basis of self-evaluation and consultation with pupils, parents, staff and other relevant individuals or organisations, to determine their own priorities in relation to provision to address the personal, emotional, social, educational or other individual needs of pupils. This reflects the priority of child-centred provision and tackling barriers to learning.</p> <p>The issues that might be addressed include promoting pupil attendance, good behaviour and discipline; tackling bullying; supporting pupils with special educational needs or coping with other barriers to learning, such as socio-economic background, family circumstances or emotional problems; meeting the needs of newcomer, Traveller or Roma pupils; supporting the health and emotional well-being of pupils; and arrangements for pastoral care and child protection.</p>
Age		
Religion		
Political Opinion		
Marital Status		
Dependent Status		
Disability		
Ethnicity		
Sexual Orientation		

## 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>
<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.

- The Department will issue the draft regulations for consultation with schools, the education support organisations, the Education Committee and equality interests. When the Department previously consulted on school development planning regulations, the regulations now being amended by these regulations, 92% of respondents agreed that they would not have any adverse equality impacts.
- The Department's consultation on its revised school improvement policy – the analysis of consultation responses and EQIA results are available at: [http://www.deni.gov.uk/index/85-schools/03-schools\\_impvt\\_prog\\_pg/03-every-school-a-good-school-a-policy-for-school-improvement.htm](http://www.deni.gov.uk/index/85-schools/03-schools_impvt_prog_pg/03-every-school-a-good-school-a-policy-for-school-improvement.htm).
- The Chief Inspector's Report 2006-8 and the ETI Evaluation of School Development Planning 2007-08 have informed the review of the regulations.
- The Department's monitoring of compliance by schools with the school development plans regulations, including the progress made by the ELBs in meeting the targets set in Section 2 of their Resource Allocation Plans 2008/09 in relation to school development plans.

## 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?

The school development plans regulations require schools to address the development of strong links with their local community, including parents, the business community, other schools and voluntary and statutory agencies.

**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>
Religion	N/A
Political Opinion	N/A
Ethnicity	N/A

**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 but the school development plans regulations require schools to specifically address their provision for such pupils (see 2.3)

The ETI report on school development planning found common issues to be addressed by both primary and post-primary schools to improve the quality of school development plans. The Department wrote to all schools and Boards to draw these recommendations to their attention.

**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?**

The Department will continue to collect data on schools' compliance with the SDP regulations through monitoring of Boards' performance compared to the targets set in Resource Allocation Plans.

The Education & Training Inspectorate (ETI) will continue to evaluate the quality of SDPs as part of their school inspection programme. The Department has introduced procedures to follow up on school inspection reports, which will ensure that any issues identified are addressed by schools, with support from the Boards (and CCMS where appropriate)/ESA.

The Department has set out arrangements to monitor and evaluate the effectiveness of the school improvement policy in terms of raising standards at pages 30-43 of the ESaGS policy document.

**(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	N/A
Low impact	N/A

**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.

The draft regulations amend existing requirements for all grant-aided schools to prepare and revise a school development plan. The regulations set out common requirements to be met by all schools but provide flexibility so that schools can do so in a way that suits the ethos of the school and the particular needs of their pupils and the community they serve. Schools are specifically required to address their provision to meet the individual needs pupils may have, such as special educational needs or any other barriers to learning pupils may face, e.g. their socio-economic background, emotional well-being, having English as an Additional Language. Schools are also required to address the promotion of the professional development and health and well-being of their staff. Schools are required to consult with pupils, parents and staff in preparing the SDP. Therefore the regulations should not have any adverse impacts but instead should help to further promote equality and the raising of standards for all learners.

#### **(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?**

N/A

*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

**Policy/Decision Screened by\*:** Lisa Boal

**Date:** 18<sup>th</sup> January 2010

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

Quality Assured by: Richard Magowan Date: 19/01/10

Screening Out Agreed

Date Division/Branch Informed: 19/01/10

**If Screened Out:**

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

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

**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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