

Equality Screening Exercise

Summer 2020 Post Results Process in relation to Section 75 (1) categories

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Introduction

In August 2020, CCEA undertook an equality screening exercise to assess whether the implementation of the new and temporary Post Results Service process for the Summer 2020 Awarding Series could introduce new and/or additional bias to the system of awarding compared to the process used in previous typical examination series. This new and temporary process was directed by Peter Weir, Minister of Education, MLA on 20 March 2020 as an element of the COVID-19 Education system mitigations as a result of the unprecedented COVID-19 global Pandemic.

The following report has been completed using the Equality Commission’s screening template¹. Since the template also contains generic screening process information and explanations, *hereafter CCEA’s input is marked in blue italics* to distinguish between template content and *screening outcomes*.

This screening exercise focusses only on the standalone CCEA Post Results Service process. These arrangements are largely based on the guidance published by the Joint Council for Qualifications (JCQ) entitled “A guide to the awarding bodies’ appeals processes - June 2020 examination series”.

The screening exercise included:

¹ Equality Commission for Northern Ireland. Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities April 2010.
www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75GuideforPublicAuthoritiesApril2010.pdf Accessed 8 June 2020.

- A literature review and data analysis report containing an assessment of the relevant General Conditions of Recognition (GCOR) (for internal, restricted use only);
- Joint Council for Qualifications (JCQ) guidance “A guide to the awarding bodies’ appeals processes - June 2020 examination series” and feedback from members of an Equality Screening Panel to screening questions set out by the Equality Commission for NI’s Guide to Public Authorities²;
- Feedback from CCEA Regulation Consultation Exercise; and
- An Equality Screening Panel meeting, convened to agree decisions resulting from screening outcomes.

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 [*temporary process*]

<p>Name of the policy</p> <p><i>‘Summer 2020 Post Results Process’ hereafter referred to as a ‘temporary process’ instead of ‘policy’</i></p> <hr/> <p>Is this an existing, revised or a new policy?</p> <p><i>New and temporary, as directed by Peter Weir, Minister of Education, MLA (COVID-19 mitigation on 20 March 2020).</i></p> <hr/> <p>What is it trying to achieve? (intended aims/outcomes)</p>

² Ibid. Appendix 1. Ps. 66-69.

A fair and equitable Post Results/Appeals process which provides every candidate with a clear and accessible process to have their results reviewed if they have genuine concerns that an error may have been made.

Are there any Section 75 categories which might be expected to benefit from the intended temporary process?
If so, explain how.

CCEA undertook an equality screening exercise to assess whether the implementation of this new and temporary process could introduce new and/or additional bias to the system of awarding to the normal trends experienced in previous typical examination series.

*With reference to Section 75 (1) of the Northern Ireland Act 1998, it was concluded that these new arrangements are most likely to affect candidates in the same way as normal with no additional bias introduced by the temporary process. In particular, the fact that the process is open to all Candidates combined with the decision **not** to charge a fee for candidates wishing to avail of the Summer 2020 Post Results Service is likely to have a positive equality impact on candidates in the lower socio-economic groups spread across all Section 75 categories. CCEA recognises the economic hardship caused by the COVID-19 Pandemic and did not wish to risk exacerbating the apprehension felt by candidates about the Centre Assessed Grades approach for Summer 2020 by potentially placing an economic barrier in the way of a candidate's right to Appeal or have their Results reviewed.*

Who initiated or wrote the policy?

This temporary process is largely based on the guidance published by the Joint Council for Qualifications (JCQ) entitled "A guide to the awarding bodies' appeals processes - June 2020 examination series". This enables CCEA to maintain a high degree of comparability and consistency with other Awarding Bodies in England and Wales.

Who owns and who implements the policy?

Owner:

- *Joint Council for Qualifications (JCQ)*

Implementation:

- *CCEA Awarding Organisation*
- *CCEA Examination Centres*

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the process to be screened?

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 [temporary process](#) will impact upon?

- staff
- service users (*Heads of Centre, Centre Examinations Officers, Candidates*)
- other public sector organisations (*Department of Education*)
- voluntary/community/trade unions (*Teachers' unions*)
- other, please specify _____

Other policies with a bearing on this policy

- what are they?

Processes developed by other UK Awarding Bodies and Regulators to mitigate the COVID-19 pandemic impacting on Summer 2020 Awarding.

- who owns them?

UK Awarding Bodies and Regulators.

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 [temporary process](#)? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Political opinion	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>

Section 75 category	Details of evidence/information
Racial group	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Age	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Marital status	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Sexual orientation	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Men and women generally	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Disability	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>
Dependants	<i>Previous Post Results/Appeals data, CCEA General Conditions of Recognition (GCOR), JCQ Guidance, Results of CCEA Regulation Consultation Exercise</i>

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 [temporary process](#)? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of religious belief.</i>
Political opinion	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of political opinion.</i>

Section 75 category	Details of needs/experiences/priorities
Racial group	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of racial group.</i>
Age	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of age.</i>
Marital status	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of marital status.</i>
Sexual orientation	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of sexual orientation.</i>
Men and women generally	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of gender.</i>
Disability	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of disability.</i>
Dependants	<i>The right to submit a review request through the Post Results service is available free of charge to all candidates irrespective of dependency.</i>

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 (template) and feedback

The following details provide an indication of panel members' responses to the screening questions.

1 What is the likely impact on equality of opportunity for those affected by this <i>temporary process</i> , for each of the Section 75 equality categories? minor/major/none		
Section 75 category	Details of <i>temporary process</i> impact	Level of impact? minor/major/ none
Religious belief		<i>none</i>
Political opinion		<i>none</i>
Racial group		<i>none</i>
Age		<i>none</i>
Marital status		<i>none</i>
Sexual orientation		<i>none</i>
Men and women generally		<i>none</i>
Disability		<i>none</i>
Dependants		<i>none</i>

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Political opinion		<i>The right to submit a review request through the Post Results service is</i>

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes , provide details	If No , provide reasons
		<i>available free of charge to all candidates.</i>
Racial group		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Age		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Marital status		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Sexual orientation		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Men and women generally		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Disability		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Dependants		<i>The right to submit a review request through the Post Results service is</i>

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes , provide details	If No , provide reasons
		<i>available free of charge to all candidates.</i>

3 To what extent is the <i>policy temporary process</i> 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 <i>policy temporary process</i> impact	Level of impact minor/major/none
Religious belief		<i>None</i>
Political opinion		<i>None</i>
Racial group		<i>None</i>

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		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Political opinion		<i>The right to submit a review request through the Post Results service is available free of charge to all candidates.</i>
Racial group		<i>The right to submit a review request through the Post</i>

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
		<i>Results service is available free of charge to all candidates.</i>

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 *temporary process* 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 *temporary process* on people with multiple identities. Specify relevant Section 75 categories concerned.

None

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The decision reached by the Equality Screening Panel unanimously was that there were no identified negative equality impacts on any of the Section 75 categories arising from the new/temporary process and as such the process is screened out and a full Equality Impact Assessment is not deemed necessary.

In the collective view of the Screening Panel, this year’s process is not unlawfully discriminatory. A candidate’s Section 75 characteristics have no bearing on their access to the Post Results Service, which unlike previous years is free of charge. The Reviewers at all stages of the Post Results process do not have access to any Section 75 information in relation to Candidates – simply a Candidate Number is used with no linkage to the Candidate’s identity of background.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced.

As the potential equality impacts were assessed as “None”, no mitigations or alternative policies were deemed necessary.

The Panel identified that potential future opportunities may exist to support and guide Candidates (and to assist Examination Centres in supporting Candidates) whose first language is not English, to better understand the Post Results process. The Panel noted the support currently available to Candidates (detailed Candidate and Centre guidance, CCEA staff direct contact details, the CCEA Helpdesk etc) and it was agreed to consider any further support opportunities for Candidates whose first language is not English as part of the review of the entire Summer 2020 processes. It was also agreed to consider whether further support signposting could be introduced into the current system prior to the issue of results.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

N/A

All public authorities’ equality schemes must state the authority’s arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

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.

As the potential equality impacts were assessed as “None”, no mitigations were deemed necessary. As CCEA is a body receiving public funding, a Candidate also has the right to have their case externally and independently investigated through the CCEA Regulation Examinations Procedures Results Service (EPRS) and by the NI Public Service Ombudsman (NIPSO) should they remain dissatisfied with the implementation of this temporary process in their case.

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

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	N/A
Social need	N/A
Effect on people’s daily lives	N/A
Relevance to a public authority’s functions	N/A

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority’s Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details

Part 4. Monitoring

Public authorities 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, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

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

Part 5. Approval and authorisation

Screened by:	Position/Job Title	Date
D. Wilson	Business Assurance Manager, CCEA	11/8/2020
Approved by:		
L. Scott	Director of Finance and Corporate Services, CCEA	12/8/2020

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.

Appendix 1

Screening flowchart and template (*taken from Section 75 of the Northern Ireland Act 1998 – A Guide for public authorities April 2010 (Appendix 1)*).

Part 1. Policy scoping – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

A screening flowchart is provided overleaf.

