



Fermanagh & Omagh  
 District Council  
 Comhairle Ceantair  
 Fhear Manach agus na hÓmaí

**Screening Matrix.**

**Statement of Intent.** The Council intends to screen its policies, in accordance with Paragraphs 5 and 6 of the Equality Scheme, to determine which would require a fuller equality analysis in the form of an impact assessment

**Part 1: Policy Scoping**

The first stage of the screening process involves scoping the policy or policy area. 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.

You 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**

**Name of the policy or policy area:**

Same Sex Marriage Motion (Raised at the Fermanagh and Omagh District Council meeting on 7 July 2015)

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

Existing	Revised	New
		X

**Brief Description**

The motion stated that Fermanagh and Omagh District Council welcomed the marriage equality referendum in the Republic of Ireland and noted that a number of parliaments across the world had embraced and legislated for marriage equality.

The motion goes further to state that the Council believes that marriage equality should be extended to all couples (regardless of sexual orientation) in Northern Ireland.

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

**The aims of the policy are:**

The motion intends to state the Council's belief that all couples (regardless of sexual orientation) across the District Council area, and indeed Northern Ireland, should:

- Should have the right to a civil marriage;
- That the rights of religious institutions to define, observe and practice marriage within their beliefs should be given legal protection;
- That faith groups which wish to marry same sex couples should not be prevented by the state from doing so;
- That all married couples of the same sex should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; and
- That this Council calls on the Executive to introduce legislation to extend civil marriage provisions to same sex couples.'

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

YES	NO	N/A
		X

**If YES, explain how.**

N/A – The Council has no mandate to extend civil marriage to same sex couples.

**Who initiated or wrote the policy?**

The motion was initiated and proposed by Councillors D Coyle, McColgan, A Feely, S Donnelly, Fitzgerald, O'Reilly, Clarke and J Feely.

At the meeting, held on 7 July 2015, it was proposed by Councillor D Coyle and seconded by Councillor J Feely.

**Who owns and who implements each element of the policy?**

The Council has no mandate to extend civil marriage to same sex couples, but calls upon the Northern Ireland Executive to introduce legislation to extend Civil Marriage to same sex couples.

Any legislative change must be passed by the Northern Ireland Assembly, with consequential amendments being implemented by the General Registration Office.

**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:** N/A

**Legislative:** N/A

**Other, please specify:** N/A

**Main stakeholders affected**

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

**Service users:** Residents within the Council District.

**Other public sector organisations:** Northern Ireland Executive.

**Voluntary/community/trade unions:** Especially those groups who deal directly with sexual orientation and gender reassignment.

**Other, please specify:**

Religious / Faith Groupings.

**Other policies with a bearing on this policy**

**What are they and who owns them?**

Corporate Plan, Equality Scheme

**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.

<b>Section 75 Category</b>	<b>Details of Evidence/Information</b>										
<b>Religious Belief</b>	<p>64.23% belong to or were brought up in the Catholic religion and 33.08% belong to or were brought up in a 'Protestant and Other Christian (including Christian related)' religion.</p> <p>There is no detailed analysis available with regards to the number of people within either the District or Northern Ireland as a whole, with regards to the number of people who would wish to avail of a Same Sex Marriage. There is also no detailed evidence to the number of civil partnerships which would be converted into Same Sex Marriages.</p> <p>There is no detailed analysis regarding the number of people who would wish to avail of a same sex marriage, rather than a civil partnership, and no detailed analysis of how many civil partnerships would be converted into same sex marriages. It is, therefore, impossible to secure evidence/information on this issue.</p> <p>It is often assumed that people of faith are less likely to wish to avail of same sex marriage. However, that assumption has not been tested.</p>										
<b>Political Opinion</b>	<p>The political opinion of the Council's elected members is as follows:</p> <table data-bbox="440 1653 796 1832"> <tr> <td>Sinn Féin</td> <td>17 Seats</td> </tr> <tr> <td>UUP</td> <td>9 Seats</td> </tr> <tr> <td>SDLP</td> <td>8</td> </tr> <tr> <td>DUP</td> <td>5</td> </tr> <tr> <td>Independent</td> <td>1</td> </tr> </table> <p>This breakdown is taken as an approximate representation of political opinion among people within the Fermanagh and Omagh District Council area.</p>	Sinn Féin	17 Seats	UUP	9 Seats	SDLP	8	DUP	5	Independent	1
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<b>Race</b>	<p>On Census day 2011, 13.4% of the population of Fermanagh and Omagh was not born in Northern Ireland.</p> <p>0.84% were from an ethnic minority population and the remaining 99.16% were white (including Irish Traveller).</p> <p>To date Council has received no requests for signage in a minority ethnic language.</p>
<b>Age</b>	<p>Below is the age profile of the Fermanagh and Omagh District Council area:</p> <p>0 – 15 yrs: 24,808          16 – 39 yrs: 35,897          40 – 64 yrs: 36,517          65 – 84 yrs: 13,972          85+ yrs: 1,967</p>
<b>Marital Status</b>	<p>On Census Day 2011 the marital status profile of the Fermanagh and Omagh District Council area was:</p> <p>Single (never married or never registered a same-sex civil partnership)- Aged 16+ yrs: 31,598</p> <p>Married- Aged 16+ yrs: 44,296</p> <p>In a registered same-sex civil partnership - Aged 16+ yrs: 48</p> <p>Separated (but still legally married or still legally in a same-sex civil partnership)- Aged 16+ yrs: 2,851</p> <p>Divorced or formerly in a same-sex civil partnership which is now legally dissolved - Aged 16+ yrs: 3,573</p> <p>Widowed or surviving partner from a same-sex civil partnership - Aged 16+ years: 5,987</p>
<b>Gender</b>	<p>On Census Day 2011 the gender breakdown of the Fermanagh and Omagh District Council area was:</p> <p>Males: 56,649 (50.06%)      Females: 56,512 (49.94%)</p>
<b>Disability</b>	<p>20.75% of residents in the Fermanagh and Omagh District Council area have a long term health problem or disability, split</p>

	<p>as follows:</p> <p>Long-term health problem or disability: Day-to-day activities limited a lot: 13, 304</p> <p>Long-term health problem or disability: Day-to-day activities limited a little: 10, 178</p> <p>Long-term health problem or disability: Day-to-day activities not limited: 89, 679</p>
<b>Dependants</b>	<p>Familles in households - No dependent children:14,962</p> <p>Familles in households - One dependent child:5,571</p> <p>Familles in households - Two dependent children:5,068</p> <p>Familles in households - Three or more dependent children:3,871</p>

**Qualitative Evidence**

**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

<b>Section 75 Category</b>	<b>Details of Needs/Experiences/Priorities</b>
Religious Belief	There are distinctly different views on Same Sex Marriage amongst people of differing religious beliefs. Any motion/decision regarding Same Sex Marriage will be of interest to this grouping.
Political Opinion	As above - there are distinctly different views on Same Sex Marriage.

<b>Section 75 Category</b>	<b>Details of Needs/Experiences/Priorities</b>
Race	As the motion refers to legislative changes in the Republic of Ireland, and with the treatment of Same Sex Marriages differing within Northern Ireland to other parts of the U.K. such as England and Wales, this motion along with any legislative change coming from the Northern Ireland Assembly is likely to be of interest to this grouping.
Disability	There is no qualitative or quantitative data to suggest that this policy would have an adverse impact on this group.
Age	There is no qualitative or quantitative data to suggest that this policy would have an adverse impact on this group.
Marital Status	There is no qualitative or quantitative data to suggest that this policy would have an adverse impact on this group.
Sexual Orientation	With the issue of Same Sex Marriage being directly related to 'sexual orientation', the motion and any legislative change coming from the Northern Ireland Assembly is likely to be of interest to this grouping.
Gender	There is no qualitative or quantitative data to suggest that this policy would have an adverse impact on this group.
Dependents	There is no qualitative or quantitative data to suggest that this policy would have an adverse impact on this group.

## 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.

### 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 hence it would be appropriate to conduct an EQIA;
- 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 among 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 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**

<b>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</b>		
<b>Section 75 Category</b>	<b>Details of Policy Impact</b>	<b>Level of Impact? Minor/Major/None</b>
<b>Religious belief</b>	<p>The motion itself has acknowledged and welcomed the marriage equality referendum which was passed in the Republic of Ireland. It also acknowledges that a number of other parliaments across the world have legislated for Same Sex Marriage.</p> <p>The motion calls on the Northern Ireland Executive to introduce legislation to extend civil marriage provisions to same sex couples.</p> <p>However, it also provides appropriate protections for persons of different religious belief:</p> <ul style="list-style-type: none"> <li>• That the rights of religious institutions to define, observe and practice marriage within their beliefs should be given legal protection;</li> <li>• That faith groups which wish to marry same sex couples should not be prevented by the state from doing</li> </ul> <p>Previously the Northern Ireland Assembly has voted against Same Sex Marriage.</p> <p>Despite the differing opinions amongst the various religious beliefs, the motion will promote equality of opportunity for all.</p>	<b>Major (Positive)</b>
<b>Political opinion</b>	The motion aspires to promote marriage equality to all.	<b>Major (Positive)</b>

<b>Section 75 Category</b>	<b>Details of Policy Impact</b>	<b>Level of Impact? Minor/Major/None</b>
<b>Racial / ethnic group</b>	The motion aspires to promote marriage equality to all.	Major (Positive)
<b>Age</b>	The motion aspires to promote marriage equality to all.	Major (Positive)
<b>Marital status</b>	The motion aspires to promote marriage equality to all.	Major (Positive)
<b>Sexual orientation</b>	The motion aspires to promote marriage equality regardless of sex/sexual orientation.	Major (Positive)
<b>Men and women generally</b>	The motion aspires to promote marriage equality to all, regardless of gender.	Major (Positive)
<b>Disability</b>	The motion aspires to promote marriage equality to all, regardless of disability.	Major (Positive)
<b>Dependants</b>	The motion aspires to promote marriage equality to all.	Major (Positive)

<b>2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories?</b>		
<b>Section 75 Category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
<b>Religious belief</b> <b>Political opinion</b> <b>Racial / ethnic group</b> <b>Marital status</b> <b>Sexual orientation</b> <b>Men and women generally</b> <b>Disability</b>	<p>Yes, the motion is designed to increase awareness of the issue of Same Sex Marriage, whilst also calling on the Northern Ireland Executive to legislate to allow the extension of civil marriage to same sex couples.</p> <p>This would represent a positive action measure which would promote equality of opportunity for all.</p>	

<b>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</b>		
<b>Good Relations Category</b>	<b>Details of policy impact</b>	<b>Level of impact Minor/Major/None</b>
<b>Religious belief</b>	<p>If the Northern Ireland Assembly introduces legislation with regards to Same Sex Marriage, members of both the Protestant and Catholic communities may be impacted upon if they believe that marriage should not be available to same sex couples.</p> <p>There may also be an effect on religious and "belief" celebrants who do not wish to solemnise a same sex marriage.</p>	<b>None:</b> The Council has no mandate to extend civil marriage to same sex couples
<b>Political opinion</b>	The Northern Ireland Assembly has already vetoed the introduction of Same Sex Marriage.	<b>None:</b> The Council has no mandate to extend civil marriage to same sex couples
<b>Racial group</b>	The Council does not have legislative powers with to offer Same Sex Marriage.	<b>None:</b> The Council has no mandate to extend civil marriage to same sex couples

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 Political opinion Racial / ethnic group Age Marital status Sexual orientation Men and women generally Disability Dependants		<b>No</b> , although the motion was passed by majority vote by Fermanagh and Omagh District Council, the Council has no mandate to extend civil marriage to same sex couples

### 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).

N/A

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

N/A

**5. Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes /No.**

As stated previously, there is no detailed data analysis regarding the number of people who would wish to avail of a Same Sex Marriage. However, it is considered that the motion (along with any future legislative change by the Northern Ireland Assembly) promotes equality of opportunity for all.

**6. Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? Yes /No.**

## Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please indicate 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. Not be subject to an EQIA at this time
4. Be subject to an EQIA

**Option 1:**

The policy should not be subject to an EQIA.

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

The Council has no mandate to extend civil marriage to same sex couples.

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 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

### Timetabling and Prioritising EQIA

If 3. or 4., 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	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

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: \_\_\_\_\_

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


## 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 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:**

The Council has no legislative powers to introduce or to amend legislation in relation to Same Sex Marriage. The Council will monitor any adverse impact arising from this motion.

## Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
MEI McManis	Head of Policy and Strategic Services	31/7/15
Approved by:		
	Chief Executive	31/7/15.