



Department of
Justice

An Roinn Dlí agus Cirt

Männystrie o tha Laa

DOJ Section 75

EQUALITY SCREENING FORM

Title of Policy: **Police Pension (Amendment) Regulations (NI) 2025**

The Legal Background – Under section 75 of the Northern Ireland Act 1998, the Department is required **to have due regard to the need to promote equality of opportunity:**

- between person of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and,
- between persons with dependants and persons without.

Without prejudice to the obligations set out above, the Department is also required to:

- **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**
- **meet legislative obligations under the Disability Discrimination Order.**

Introduction

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.

The [flowchart](#) details the equality screening process.

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

Name of the policy:

The Police Pension (Amendment) Regulations (Northern Ireland) 2024.

Is this an existing, revised or a new policy?

Revised Policy

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

The proposed draft Regulations amend the Police Pensions Regulations Scheme (NI) 2015 (“2015 Regulations”) and are designed to improve the operation of the scheme for members.

Disability discrimination has been identified in an ongoing Tribunal case within the Police Scheme in England and Wales. The Home Secretary has conceded that the exclusion of officers from ill health benefits in the police pension scheme contravened the non-discrimination rule in s.61 Equality Act 2010. As a result the Home Secretary approved guidance for Scheme Managers in February 2023, which disapplied this exclusion to all new or appeal cases pending the resolution of the case. Similar guidance issued in Scotland.

This indirect discrimination was removed from the police scheme in Northern Ireland by the introduction of the Police Pension (Amendment) Regulations 2024 which from 1 April 2024, minimised the potential of legal challenge by the removal of restrictions surrounding eligibility for ill health retirement; all members having paid a reduced contribution rate up to that point, were required to pay a full member contribution rate from that date.

These amendments will now provide those members of the 2015 scheme (previously excluded from applying for ill health retirement until 1 April 2024) with the option to buy back the 2.5% employee contribution shortfall, for the period from which they joined the 2015 scheme until 31 March 2024 and by doing so further minimise the potential of legal challenge.

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

Persons with a Disability – These proposed regulations will seek to provide members who having joined the 2015 scheme and have previously been ineligible for ill health retirement up until 31 March 2024 with the option to access to the Ill health benefit on the same terms and conditions as all other active or deferred 2015 scheme members. Entitlement for an ill health pension is only for the period for which the member has paid contributions at the full member contribution rate. Eligibility will be restored by the payment of the outstanding shortfall in the member's employee contributions for the period from when they joined the 2015 scheme until 31 March 2024. This shortfall amounts to 2.5% of their total employee contribution rate.

DoJ sought Counsel legal advice on this issue, which advised of a risk of legal challenge to NI Police Pension, if not addressed.

Previously, following a medical assessment and GAD advice, a scheme manager may have classified a member as high risk, and would therefore have excluded access to the Ill Health Retirement benefit and as a consequence the member paid a lower contribution rate to their peers.

This exclusion of benefit is unique to Police Pension Schemes across the United Kingdom. Its removal will ensure equality for all scheme members and parity across all Public Sector Pension Schemes.

DoJ considers that these are positive equality impacts.

Who initiated or wrote the policy?

The Department of Justice wrote the policy for the Police Pension Scheme and has drafted these Regulations.

Who owns and who implements the policy?

The Department of Justice owns the policy for Police Pension Schemes.

The Northern Ireland Policing Board/ Police Service of Northern Ireland implement the policy.

The Department of Justice is required to seek the Department of Finance consent to the making of these regulations under section 3(5) of the Public Service Pension Act (Northern Ireland) 2014.

Implementation factors

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

If yes, are they (please delete as appropriate)

financial

The Department of Justice commissioned the Government Actuary Department to provide an indication of the costs to the NI Police Pension Scheme due to the removal ill-health benefit exclusions. Data provided by PSNI Pension Branch suggested that there may be at most, 90 active/deferred members who were ineligible, who could now become eligible. It should be noted that some members may decide not to take up this option.

GAD initially advised for the scheme going forward from 1 April 2024 that they would not expect the costs of removing ill health ineligibility to be more than 0.5% of pensionable pay per annum, and that costs may materialised in future Scheme Valuations. The requirement for a member to have paid for the full contributions for the period for which they claim ill health retirement will place them in an equal status to those active or deferred members within the 2015 scheme for whom this restriction does not apply. The absence of the ill health criteria may lead to an increase in the number of applicants with pre-existing conditions applying, for ill-health retirement thus inadvertently leading to an increase in costs.

legislative

Failure to implement this change might result in costly litigation. It should also be noted that Scotland are also preparing similar legislation with regard to this retrospective provision. However given the existing concession by the Home Secretary, is unlikely to succeed.

The Department of Justice is required to seek the Department of Finance consent to the making of these regulations under section 72(2a) of the Police (Northern Ireland) Act 2000 and section 3(5) of the Public Service Pension Act (Northern Ireland) 2014.

~~other, please specify:~~

Main stakeholders affected

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

staff

service users

other public sector organisations voluntary/community/trade

unions

other, please specify: - *active and deferred members of the 2015 police pension scheme who between 1 April 2015 and 31 March 2024 were, due to existing medical conditions, excluded access to the Ill Health Retirement benefit process.*

Other policies with a bearing on this policy

- what are they?

The Police Pensions Regulations (NI) 2015

Public Service Pension Act (NI) 2014

- who owns them?

Department of Justice

HM Treasury/ Department of Finance

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. The Commission has produced this guide to [signpost to S75 data](#).

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Religious belief evidence / information: [There is no statistical analysis available for this category](#)

Political Opinion evidence / information: [There is no statistical analysis available for this category](#)

Racial Group evidence / information: [There is no statistical analysis available for this category](#)

Age evidence / information: [There is no statistical analysis available for this category](#)

Marital Status evidence / information: [There is no statistical analysis available for this category](#)

Sexual Orientation evidence / information: [There is no statistical analysis available for this category](#)

Men & Women generally evidence / information: [There is no statistical analysis available for this category](#)

Disability evidence / information: [GAD analysis found 90 members of the scheme population are impacted by this. This equates to 1.3% of the active/deferred scheme population that are currently excluded.](#)

Dependants' evidence / information: [There is no statistical analysis available for this category](#)

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 of the needs, experiences and priorities for each of the Section 75 categories below:

Religious belief: These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Political Opinion:

These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Racial Group:

These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Age:

These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Marital status: These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Sexual orientation: These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Men and Women Generally:

These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Disability: It is not considered that the proposed changes will result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

Dependants:

These amendments will not result in any different needs, experiences or priorities for Police Pension Scheme members in relation to this section 75 category.

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 detailed below.

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

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

No adverse impact on equality of opportunity

Details of the likely policy impacts on **Political Opinion**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

No adverse impact on equality of opportunity

Details of the likely policy impacts on **Racial Group**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

No adverse impact on equality of opportunity

Details of the likely policy impacts on **Age**: (insert text here) What is the level of impact? Minor / Major / None (Underline as appropriate) No adverse impact on equality of opportunity

Details of the likely policy impacts on **Marital Status**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

No adverse impact on equality of opportunity

Details of the likely policy impacts on **Sexual Orientation**: What is the level of impact? Minor / Major / None (Underline as appropriate) No adverse impact on equality of opportunity

Details of the likely policy impacts on **Men and Women**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

No adverse impact on equality of opportunity

Details of the likely policy impacts on **Disability**: (insert text here)

What is the level of impact? Minor / Major / None (Underline as appropriate)

DoJ considers the approach will increase the equality of opportunity and have a beneficial impact upon scheme members; the removal of the disability based qualifying criteria; it has been conceded in Great Britain that this action has been found to be discriminatory.

The 2015 scheme rules require a member to have paid full member contributions for the period for which a claim is made for ill health benefits. This amendment provides those members previously excluded under the 2015 scheme rules, with a choice to pay back the 2.5% shortfall in their member contributions for the period from which they joined the 2015 scheme prior 1 April 2024, from which date all members of the police pension scheme (irrespective of disability) are treated equally for future service as all officers have paid the full member contribution rate from that date.

Details of the likely policy impacts on **Dependants**: What is the level of impact?

Minor / Major / None (Underline as appropriate) No adverse impact on equality of opportunity

2. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? Yes/No**

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

Religious Belief - If No, provide reasons: [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of their religious belief.](#)

Political Opinion -If No, provide reasons [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of their political opinion.](#)

Racial Group -If No, provide reasons [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of their racial group.](#)

Age -If No, provide reasons: [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of their age.](#)

Marital Status -; If No, provide reasons [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of marital status.](#)

Sexual Orientation -If No, provide reasons: [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of sexual orientation](#)

Men and Women generally -; If No, provide reasons: [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of gender](#)

Disability - If Yes, provide details: [Yes The aim of this policy change is to promote equality by offering those that had been previously been excluded access to Ill Health Benefits either from 1 April 2015 when the scheme opened or subsequently from the date they joined the 2015 scheme until 1 April 2024 from which date the ineligibility to ill health clause was removed.](#)

Dependants -; If No, provide reasons: [None, as the proposed draft Regulations will apply equally to all relevant scheme members regardless of dependants.](#)

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**: (insert text here)

What is the level of impact? Minor / Major / None as there is no impact upon such good relations

Details of the likely policy impacts on **Political Opinion**: (insert text here)

What is the level of impact? Minor / Major / None as there is no impact upon such good relations

Details of the likely policy impacts on **Racial Group**: (insert text here)

What is the level of impact? Minor / Major / None as there is no impact upon such good relations

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Religious Belief - No, the draft Regulations do not provide any opportunity to better promote good relations regarding religious belief within the proposed changes.

Political Opinion - No, the draft Regulations do not provide any opportunity to better promote good relations regarding religious belief within the proposed changes.

Racial Group - No, the draft Regulations do not provide any opportunity to better promote good relations regarding religious belief within the proposed changes.

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).

No, it is not considered that the draft Regulations would have any differential impact to the Police Pension Scheme members for those with multiple identities.

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

Part 3. Screening decision

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

These amendments are designed to remove the discriminatory elements and reduce risk of legal challenge in Northern Ireland. Any impacts should be positive and not detrimental to any member from the commencement of the 2015 scheme and improves the operation of the 2015 scheme for its active and deferred membership.

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 - please provide details.

N/A

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?

N/A

If so, **give the reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

N/A

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. **N/A**

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 [Author pick 1, 2 or 3 if a full EQIA is to take place]

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 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.

Further advice on monitoring can be found at: [ECNI Monitoring Guidance for Public Authorities](#)

Part 5 - Approval and authorisation

Screened by: [Antonia Hoskins](#)
Position/Job Title: [Police Pension Policy Lead](#)
Date: 28 May 2025

Approved by: [Lynne Curran](#)
Position/Job Title: [Deputy Director Safer Communities](#)
Date: 10 June 2025

Prior to final approval the Screening Form should be forwarded to DOJESSS@justice-ni.gov.uk for comment/quality assurance. Contact the branch should you require advice or have any queries prior to this stage.

Any NIPS forms should also be forwarded to Peter.Grant@justice-ni.gov.uk

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 DoJ website as soon as possible following completion and made available on request.

Separately from undertaking screening of the policy, consideration must also be given in respect of undertaking a Rural Needs Impact Assessment (RNIA). This is to ensure that public authorities comply with their duty under Section 1(1) of the Rural Needs Act (NI) 2016. Full information including templates and a useful checklist are available on the [DAERA website](#).

The RNIA Form should be forwarded to DOJESSS@justice-ni.gov.uk for comment/quality assurance. Contact the branch should you require advice or have any queries prior to this stage.