

DRD SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM 2006

Section 1

Introduction

This form is intended to help you to consider whether a new policy (either internal or external) or legislation will require a full equality impact assessment (EQIA). Those policies identified as having significant implications for equality of opportunity must be subject to full EQIA.

The form will provide a record of the factors taken into account if a policy is screened out, or excluded for EQIA. It will provide a basis for consultation on the outcome of the screening exercise and will be referenced in the quarterly review of progress made to the Minister and in the Annual Report to the Equality Commission. Copies of completed forms should be retained on file within business areas and reference should be made to the outcome of the screening exercise and subsequent consultation in any submission made to the Minister.

Background

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 persons 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.

The main groups within each of the nine categories, highlighted above, are identified at Appendix 1.

In addition, without prejudice to its obligations above, the Department is also required, in carrying out its functions relating to Northern Ireland, to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.

Advice on Completion of the Screening Form

It is important that the screening form is completed carefully and thoughtfully. Your Divisional or Agency Equality Officer and the Department's Equality Unit in room 413A will be happy to assist with all aspects of the screening process and will help with the completion of the form, if required.

Further advice on the screening process can be accessed at Section 4 of the Equality Commission's Guide to the Statutory Duties.

Policies included for EQIA

If, after screening, it is decided that a policy will require a full EQIA, a decision will be required on the priority and timing of the assessment. The screening form should be noted accordingly, signed off and copied to the Equality Unit for inclusion in the EQIA programme.

Policies excluded for EQIA

If a decision is taken to screen out the policy or where there is ambiguity about the equality implication of the proposal, the screening form should be signed off by a senior officer responsible for the policy and a copy sent to the Equality Unit to arrange for consultation. Copies of all screening out forms will be placed on the Department's consultation website.

Section 2 – Policy to be Screened

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider changes to or any new initiatives, proposals, schemes or programmes as policies. The policies covered in the Equality Scheme EQIA programme are a reasonable guide both to the nature of external departmental policies and the level at which they should be considered.

The revised Guidance from The Equality Commission emphasises that the Statutory duties apply to internal policies (relating to people who work for the organisation) as well as external policies (relating to those who are, or could be, served by the organisations).

It is important to remember that even if a full EQIA has been carried out in respect of an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

OFMDFM Guidance on Legislative Procedures (Primary and Subordinate) sets out clearly the stages at which equality of opportunity considerations should be taken into consideration in the development of legislation.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and well defined. You must take into account any available data of evidence that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories. Evidence may be qualitative and or quantitative and may include research or internal information and or experience in relation to service and customer monitoring exercises. Where appropriate, arrangements should be made to obtain any data necessary to assist screening.

2.1 Please insert below a brief description of the policy/legislation, including the title and all the main aims and objectives

Title Residents' Parking Policy

Aims The policy sets out the way by which residents' parking schemes will be introduced throughout Northern Ireland.

Residents' parking schemes will be introduced with the support of residents to help alleviate some of the difficulties caused where long stay parking (for example from nearby businesses, sports facilities, hospitals, schools, universities, theatres, shopping areas) penetrates residential streets and prevents residents from parking in reasonably close proximity to their houses.

The hours of operation of individual schemes will be tailored to suit the nature of the problem to be addressed. This may vary from schemes that operate all day every day, to ones that operate for a few hours in the morning and afternoon during the working week. Parking within designated areas will only be permitted for vehicles displaying a valid permit.

Normally schemes will only be implemented at the request of, and with the support of, local residents. This will be determined by a survey of local residents' opinions. Where this support is not forthcoming, schemes will generally not be implemented. There will, however, be the facility to introduce schemes for transportation or environmental reasons, without the support of residents. Where such schemes are implemented they will be subject to individual EQIA screening analysis based on the specific circumstances pertaining to them.

In addition, where consultations with residents in advance of a scheme being implemented reveal equality issues unique to that scheme, then an individual EQIA screening for that scheme will be carried out.

It is essential that all the aims/objectives of the policy be clearly and fully defined.

2.2 On whom will the policies/legislation impact? Please specify

The policy will impact upon residents within (and visitors to) residents' parking scheme areas together with drivers of vehicles normally parking in the areas concerned before schemes are introduced.

2.3 Who is responsible for (a) devising and (b) delivering the policy, eg is it DRD, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?

(a) DRD Roads Service

2.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

None

2.5 What data are available to facilitate the screening of this policy/legislation?

None

2.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.

No

See Appendix 4 of the Equality Commission Practical Guidance on EQIA which provides a list of Sources of S75 data or speak to Central Statistics Research Branch, (Stephanie Harcourt ext 40878) or Equality Unit (Liz Stewart, ext 40867, or Tim Lavery ext 40850).

Section 3 – Screening Analysis

In cases where there is no available quantitative evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Branch and organisations representing the Section 75 Groups will be important and helpful at this stage in obtaining qualitative evidence of impacts. Every effort should be made to ensure that assessments are evidence based.

The following criteria must be considered when screening.

3.1 Is there any evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age	✓	
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability	✓	
Dependency	✓	

Please give details

The benefits of introducing residents' parking schemes will be potentially the same for all residents. While there is little firm evidence of higher or lower participation or uptake by the above Section 75 groups, it is possible that local residents with a disability, with dependants or who are older will be more likely to benefit from the enhanced parking facilities offered by a residents' parking scheme.

3.2 Is there evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age	✓	
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability	✓	
Dependency	✓	

Please give details

Again, while there is little firm evidence of the above Section 75 groups having different needs, experiences, issues or priorities in relation to this policy, it is likely that it will be more beneficial for those with a disability, those with dependants or older persons to be able to park closer to their homes. The introduction of a residents' parking scheme would assist such people living within the area to do so. Blue Badge holders living within a residents' parking area, or their principal transport provider, will be issued with a parking permit free of charge.

3.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability		✓
Dependants		✓

Please give details of any consultations carried out, and any problems identified.

On a number of occasions during the past few years consultations have been held with individual residents and representative Residents' Groups for areas for which requests have been received for the introduction of residents' parking schemes.

Latterly, consultations with Disability Action (DA), the Transport Advisory Committee (TAC) and the Carers National Association (CNA) have not indicated that this policy will create any problems specific to them. The proposed policy was welcomed as a positive measure by the groups consulted and a number of useful amendments were made as a result of their input.

DA and the TAC identified that a Blue Badge is registered to the disabled person and not to a specific vehicle. Consequently, there may be situations where the vehicle registered to another person residing in the same household as the non-driving Blue Badge holder, is the principal mode of transport for the disabled person. They also highlighted the need for additional permits where there is more than one vehicle owning Blue Badge holder in a residence and instances where some properties may have off-street parking that is may be unsuitable for Blue Badge holders' use.

The CNA highlighted the situation where non-resident family members and friends provide unpaid daily care for an elderly or disabled relative. The policy was subsequently amended to cater for these situations.

3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?

~~Yes~~

No

Please give details

A programme of residents' parking schemes will be developed and implemented across Northern Ireland in response to requests and subject to the availability of resources. It is not anticipated that there will be any adverse impact on any of the Section 75 groups from this programme of measures and no need has been identified to alter the policy to promote equality of opportunity or community relations.

3.5 It may be that a policy/legislation has a differential impact on a certain Section 75 group, as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:

This policy is not being developed to address an existing or historical inequality.

3.6 Please consider if there is any way of adapting the policy to promote better equality of opportunity or good relations.

Please give details

No changes have been identified that would improve the promotion of better equality of opportunity or good relations.

3.7 In relation to departmental obligations under Section 49A of the Disability Discrimination Act 1995 (DDA 1995) (as amended by the Disability Discrimination (Northern Ireland) Order 2006), please consider if there is any way of adapting the policy to show due regard to the need to promote positive attitudes towards disabled people and/or encourage participation by disabled people in public life.

Please give details

The needs of disabled people have been accommodated in the policy with residents' permits being issued free of charge to Blue Badge holders.

The policy restricts the number of permits issued to households, however this restriction does not apply to households with more than one vehicle-owning Blue Badge holder who will be entitled to one permit each.

The introduction of residents' parking scheme will not affect a Blue Badge holder's ability to apply for an accessible parking bay near to their home.

Section 4

EQIA Recommendation

You should consider carefully in this section whether full EQIA is necessary, particularly where answers to any questions in Section 3 are affirmative.

4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.

Prioritisation Factors	Significant Impact	Moderate Impact	Low Impact
Social Need.			✓
Effect on people's daily lives.		✓	
Effect on economic, social and human rights.			✓
Strategic significance			✓
Financial significance			✓

Please give details

The policy will have a moderate beneficial effect on the lives of people within a permit parking scheme area by improving their opportunities to park in relative proximity to their home.

Where residents support the introduction of a scheme, there will be an annual charge of £80 for a residents' permit. However, in Neighbourhood Renewal Areas (as defined by the Department for Social Development, web link as follows http://www.dsdni.gov.uk/index/urcdg-urban_regeneration/neighbourhood_renewal.htm) a reduced charge of £40 per year will apply. This was introduced following the full Public Consultation exercise undertaken on the policy between November 2006 and February 2007. Visitor permits will cost 50p for each day's full operation of a scheme and these will initially be limited to 100 per year, though this may be reviewed in the light of operational experience. Residents who are over 65 years of age shall be entitled to one *additional* visitor's permit free of charge with each visitor's permit purchased (equating to 50 permits per quarter year for the normal price of 25). Given the relatively low level of charge (£80 per year equates to 22p per day for a residents' permit) the financial significance,

in relation to residents' ability to pay, is considered to be low (a list of charges is given in Annex A).

The impact on social need, strategic significance and the effect on economic, social and human rights will also be low.

4.2 In view of the considerations in Section 3 and 4 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly. ~~Yes/No/Unsure~~

Reaction to consultations with Disability Action, the Transport Advisory Committee and the Carers National Association has been favourable and has also led to a number of useful improvements to the policy (see paragraph 3.3).

In addition, while there may be a greater participation in residents' parking schemes by some Section 75 groups, this will be a positive impact on those groups (without consequential negative impact on other groups) and consequently the original screening (undertaken circa September 2006) concluded that the policy should not be the subject to a full EQIA.

Following this, between November 2006 and February 2007, the policy was subject of a full public consultation exercise and the screening analysis was included in the consultation documentation. Although views were sought on any aspect of the policy, comments were specifically asked on three discrete elements of the policy, one of which was equality and in particular the content of the EQIA screening analysis. No direct comment was received and no equality issues were raised. Consequently it is considered that the original decision not to conduct a full EQIA has been vindicated.

4.3 If an EQIA is considered necessary please comment on the priority and timing in light of the factors in table 4.1.

Not applicable

4.4 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring?

Please give details

Not applicable

Section 5

Endorsement

I can confirm that the proposed policy has been screened for equality of opportunity and good relations implications and has been screened out for equality impact assessment/~~requires a full equality impact assessment.~~

Signed: Harvey Hamilton, PPTO

Agency/Division: Roads Service/Transportation & Engineering Policy Unit

Date: 23 January 2008

Section 6

Consultation – For Completion by Equality Unit

Date

Screening result recorded: 23 January 2008

Placed on website: February 2008

Issued for consultation: March 2008

Outcome of consultation: _____

Screening out completed: _____

Screening to be reconsidered: _____

Give reasons:

Agency/Division notified date: _____

PLEASE FORWARD A COPY OF THE COMPLETED FORM TO:

**DRD EQUALITY UNIT
ROOM 413A
CLARENCE COURT
10-18 ADELAIDE STREET
BELFAST
BT2 8GB**

**QUERIES TO: LIZ STEWART EXT 40867 Liz.Stewart@drdni.gov.uk
TIM LAVERTY EXT 40850 Tim.Laverty@drdni.gov.uk**

Main Groups Relevant to the Section 75 Categories	
<u>Category</u>	<u>Main Groups</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); transgendered 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

Annex A

The initial cost of residents', visitors', business and health carers' permits is set out below. These costs will be the subject of annual review in conjunction with the revision of parking tariffs: -

- resident's permit £80.00*
- resident's permit (within NRA) £40.00*
- visitors' permits £12.50 for 25 permits
- visitors' permits (resident over 65 years) £12.50 for 50 permits
- business permit £80.00*
- health carer's permit free
- special permit for weddings / funerals free
- special permit for statutory undertakers free
- special permit for builders £50 / wk per space used

**** Issued free to Blue Badge holders.***