

# DRD SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM 2005

## 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**

<b>Title</b>	<b>Rationalisation of Roads Service Depots</b>
<b>Aims</b>	<b>To contribute to the overall Roads Service strategy to remain within reducing funding allocations.</b> <b>To reduce depot running costs by closing Carrickfergus, Moyle and Cookstown depots as a result of economic assessments.</b>

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**

**Industrial and non industrial staff whose posts are currently located at the three depots to be closed. All of these posts will transfer to the neighbouring depots of Larne & Sandyknowes, Ballymoney and Magherafelt. Staff will be offered the opportunity to transfer to the new location. The distance from the current depot to the relevant neighbouring depot ranges from 9.1 to 15.3 miles. Changes in home to depot travel distances range from a reduction of 9.9 miles to an increase of 15.3 miles.**

**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?**

<b>(a)</b>	<b>DRD Roads Service</b>
<b>(b)</b>	<b>DRD Roads Service</b>

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

**The policy need is being driven by Executive budget decisions to reduce admin allocations.**

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

**Age, gender and community background information for the staff whose posts are affected has been compiled.**

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

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**No.**

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**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, (Frances Curran, ext 40877) or Equality Unit (Jackie Gregg, 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	See note	No <input type="checkbox"/>
Political opinion		No <input type="checkbox"/>
Racial group		No <input type="checkbox"/>
Age		No <input type="checkbox"/>
Marital status		No <input type="checkbox"/>
Sexual orientation		No <input type="checkbox"/>
Men and Women generally		No <input type="checkbox"/>
Disability		No <input type="checkbox"/>
Dependency		No <input type="checkbox"/>

**Please give details**

**The community background and age breakdown of the small group of affected staff differs slightly from the overall workforce breakdown under these criteria. All staff are to be transferred to neighbouring depots and to mitigate any potential S75 issues consideration will be given to accommodation of individual needs and desires.**

#### **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		No <input type="checkbox"/>
Political opinion		No <input type="checkbox"/>
Racial group		No <input type="checkbox"/>
Age		No <input type="checkbox"/>
Marital status		No <input type="checkbox"/>
Sexual orientation		No <input type="checkbox"/>
Men and Women generally		No <input type="checkbox"/>
Disability		No <input type="checkbox"/>
Dependency		No <input type="checkbox"/>

**Please give details**

No evidence of different needs, experiences, issues or priorities in relation to this policy issue, but consideration will be given to accommodation of individual needs and desires.

**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		No <input type="checkbox"/>
Political opinion		No <input type="checkbox"/>
Racial group		No <input type="checkbox"/>
Age		No <input type="checkbox"/>
Marital status		No <input type="checkbox"/>
Sexual orientation		No <input type="checkbox"/>
Men and Women generally		No <input type="checkbox"/>
Disability		No <input type="checkbox"/>
Dependants		No <input type="checkbox"/>

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

**Consultations have taken place with the staff affected and their trade union representatives and no S75 issues have been raised.**

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**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**

**No opportunity to better promote equality of opportunity or community relations by altering the policy.**

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**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:**

**N/A**

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**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 way of adapting the policy to promote better equality of opportunity or good relations.**

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**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**

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**No way of adapting the policy to promote positive attitudes towards disabled people – this policy will impact only on Roads Service staff based in the depots specified. Consultation has shown no S75 issues arising from the proposals.**

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## 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.

<b>Prioritisation Factors</b>	<b>Significant Impact</b>	<b>Moderate Impact</b>	<b>Low Impact</b>
Social Need.			None
Effect on people's daily lives.		Travelling distance to work for some staff will increase, whilst decreasing for others.	
Effect on economic, social and human rights.			Closure of a small depot will have minimal impact on the local area.
Strategic significance			None
Financial significance			None

#### **Please give details**

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Staff who are required to travel further to their new depot are entitled to the normal NICS compensatory benefits which apply. Whilst keeping within these guidelines consideration will be given to individual wishes.

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Transferring approximately 10 staff per depot will have minimal impact on the economic and social wellbeing of the local community. The only contracts affected are for cleaning and security services and the maximum annual value is less than £3000 so it is unlikely to have a major effect on any local business.

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Roads Service will continue to deliver services to the local areas from the neighbouring depots. Average distances from these depots to villages previously serviced by the closed depots are still within norms applying elsewhere in Northern Ireland and standards of service will be maintained.

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**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**

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**No. The screening shows that there are no differential impacts on any S75 group as a result of these proposed depot closures. In mitigation of the limited potential for impact due to the slight imbalances in age and community background between the affected staff and the overall workforce consideration will be given to individual wishes in relation to transferring to the neighbouring depots.**

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

N/A

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

**Please give details**

N/A

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## **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:** Ken Hutton

**Agency/Division:** Roads Service Direct

**Date:** 21 December 2009

## **Section 6**

### **Consultation – For Completion by Equality Unit**

#### **Date**

**Screening result recorded:** 21 December 2009

**Placed on website:** January 2010

**Issued for consultation:** January 2010

**Outcome of consultation:** \_\_\_\_\_

**Screening out completed:** \_\_\_\_\_

**Screening to be reconsidered:** \_\_\_\_\_

**Give reasons:**

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\_\_\_\_\_

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**PLEASE FORWARD A COPY OF THE COMPLETED FORM TO:**

**DRD EQUALITY UNIT  
ROOM 413C  
CLARENCE COURT  
10-18 ADELAIDE STREET  
BELFAST**

**BT2 8GB**

**QUERIES TO:      JACKIE GREGG EXT 40867 [Jackie.Gregg@drdni.gov.uk](mailto:Jackie.Gregg@drdni.gov.uk)**  
**TIM LAVERTY EXT 40850 [Tim.Laverty@drdni.gov.uk](mailto:Tim.Laverty@drdni.gov.uk)**

<b>Main Groups Relevant to the Section 75 Categories</b>	
<b><u>Category</u></b>	<b><u>Main Groups</u></b>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
“Men and women generally”	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians