

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

Title THE TRUNK ROAD T15 (CARLAND BRIDGE REALIGNMENT) ORDER (NORTHERN IELAND) 2007

Aims The aims and objectives of the A29 Carland Bridge Realignment scheme are as follows:

- to remove the existing traffic bottleneck on the A29 Cookstown Road, at Carland ;
- to improve road safety along this section of trunk road;
- to reduce journey travel times along the A29 Link Corridor;
- to improve the road network between the north and south of the province;
- to relieve traffic congestion within the Carland area; and
- improve the quality of life for local residents through a significant reduction in passing traffic, thereby reducing road noise, enhancing air quality, and improving road safety.

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

All road users, including people in cars and buses, commercial vehicles, cyclists and pedestrians:

Motorists travelling along the A29 Cookstown Road must currently negotiate the sub-standard road layout at Carland Bridge. This frequently forces traffic to come to an uncontrolled stop and large vehicles must take to the opposite side of the carriageway to negotiate the right angled bend at the bridge.

Representations have been made in the past suggesting that the A29 route has a significant detrimental impact on local commerce and industry. Accordingly the removal of this bottleneck at Carland will make the route more attractive to haulage operators, bus operators, and other commercial vehicles.

There are a significant number of dwellings, a restaurant, a post office and primary school within the settlement of Carland. The local traffic generated by these facilities is at present in conflict with the movement of strategic traffic along the A29. The proposed route will significantly reduce this conflict and hence improve road safety for all road users.

The A29 also serves the wider community which is mainly dependant on agriculture, although there are some commercial and manufacturing businesses in the area.

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 is responsible for devising and delivering the policy; equality issues have been considered in the Regional Strategic Transport Network Transport Plan 2015 (RSTNTP).
- (b) Roads Service Western Division; equality issues have been considered in the Scheme proposals.
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2.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

Consultations have been held with a number of statutory consultees such as: District Councils, Department of Agriculture and Rural Development, Rivers Agency, Department of Environment, Environment and Heritage Service plus Northern Ireland Police Service, Translink and Sustrans.

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

It is envisaged that the Scheme will have a benefit for all road users.

A formal public exhibition/information day was held on 27 November 2006 to explain the Scheme in detail, and seek comments and views from all those affected.

All interested parties were given the opportunity to fill in and submit a questionnaire at the exhibition.

The network of roads in the Dungannon and Cookstown District Council Areas comprises both a strategic highway network which principally provide for longer distance traffic, and a non-strategic highway network of roads which serve residential areas, town centres and the distributor roads that link these areas to the strategic network. The Regional Strategic Transport Network Transport Plan (RSTN TP) contains a number of proposals for the strategic route network, while the Sub Regional Transport Plan (SRTP) provides for improvements to the non-strategic network.

The A29 Carland Bridge Realignment Scheme is identified in the RSTN TP as a Strategic Road Improvement (RSTN TP: Table 5.5). Issues of distribution and equity were considered throughout the preparation of the RSTN TP, in the following ways:

- Through compliance with the RTS, which was itself the subject of an EQIA.;
 - Through the preparation of a separate EQIA on the RSTN TP;
 - Through a rural proofing exercise; and
 - Through a health impact assessment
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The RSTNTP EQIA would have provided for the systematic analysis of the Plan and determination on whether it would have an adverse impact on any groups or individuals, including consideration of alternative or mitigating measures, where appropriate.

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 Laverty 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

No evidence from any element of the scheme development work carried out to date.

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

In general, road schemes will raise differing issues for those of

different age groups and persons with a disability. However the EQIAs associated with the RTS and RSTN TP would have given due consideration to these issues. The RSTNTP EQIA considered that the proposed Strategic Road Improvements will provide measures to improve safety by providing for improved pedestrian safety. These measures will benefit all highway users.

In relation to the A29 Carland Bridge scheme, the needs of all road users, including pedestrians and cyclists, have been considered throughout the design process, and further examined through the Road Safety Audit process. This has resulted in the provision of link footways and designated pedestrian crossing points.

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.

As stated under paragraph 2.5 above, a formal public exhibition/ information day was held on 27 November 2006 to explain the Scheme in detail and seek comments and views from all those affected. All interested parties were given the opportunity to fill in and submit a questionnaire. There has been no indication from any individual or group within the Section 75 categories that the scheme pose any particular problem to them. The screening analysis form will also be included in the Department's biannual consultation with S75 groups on consultations screened out.

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

The consultations referred to above illustrate that all opportunities to provide equality within the Scheme have been taken.

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:

Not applicable.

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

The consultations referred to above illustrate that all opportunities to provide equality within the Scheme have been taken.

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 information provided above illustrates that the needs of disabled people have been fully considered throughout the design process of the scheme.

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 scheme will have a moderate positive impact on people's lives, in particular those who reside in the Carland area.

The scheme will have a moderate strategic impact, in particular in relation to improved journey times for through traffic on the A29.

- 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.**

No.

It is considered that the Scheme has no adverse implications for the equality of opportunity for the various groups.

- 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: Roy Sherman

Agency/Division: Lands & Legislation Branch RSHQ

Date: 15 February 2008

Section 6

Consultation – For Completion by Equality Unit

Date

Screening result recorded: 15 February 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
CIARAN CROSBIE EXT 40824 Ciaran.Crosbie@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); 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

