

2017 REVIEW OF BATHING WATERS IN NORTHERN IRELAND

EQUALITY AND HUMAN RIGHTS SCREENING



Department of
**Agriculture, Environment
and Rural Affairs**

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Section A

Details about the policy / decision to be screened

Title of policy / decision to be screened:-

2017 Review of Bathing Waters in Northern Ireland.

Brief description of policy / decision to be screened:-

This review reflects a continuation of existing policy, which is to undertake six-yearly reviews of bathing waters in Northern Ireland.

There would be a financial cost of £15,000-£20,000 per annum to monitor water quality at the three candidate sites of Cloughey, Kilclief and Ballyhorman; some minimal costs associated with a review of any discharge consents at those locations and with assessing compliance; and some minimal costs for the bathing water operators, who would be required to provide signage. There could also be financial implications for Northern Ireland Water (NIW) should it have to provide improved waste water treatment in the vicinity of these locations. Any such costs would be identified in the course of discussions with NIW.

Identification of the candidate sites as bathing waters would be achieved through amending Schedule 1 to The Quality of Bathing Waters Regulations (NI) 2008, so that they are added to the list of bathing waters in Northern Ireland.

Aims and objectives of the policy / decision to be screened:-

The policy objective is to preserve, protect and improve the quality of the environment and to protect public health.

On whom will the policy / decision impact?

Consider the internal and external impacts (both actual or potential)

- staff - there would be additional monitoring, public information and management requirements should the candidate sites be identified; also, staff would have to review discharge consents and assess compliance.
- service users – there would be a positive impact insofar as the water quality would be monitored regularly and assessed annually; information would be made available to the public; and measures would be taken should there be any pollution incidents.
- rural community – each of the candidate sites under consideration has a rural setting. Identification as bathing waters should raise their profiles and have a positive impact on the local economy.
- other public sector organizations – the candidate sites have been nominated by local authorities. Identification as bathing waters should contribute positively to their respective tourism strategies. There would be some additional costs associated with management of the sites and the provision of signage.
- voluntary / community groups / trade unions – lobby groups and community associations have campaigned for the identification of these candidate sites as bathing waters, and so any decision in that regard would be welcomed.
- others – Northern Ireland Water could have to provide improvements to its waste water treatment facilities should any of the sites be identified as bathing waters. Should that to be the case, it would need to be factored into its overall costs and price control process.

Are there linkages to other NI Departments / NDPBs?

The Department for Infrastructure and the Utility Regulator would have an interest in the potential financial implications for NIW should any or all of the sites be identified as bathing waters, as this would have consequences for NIW's overall costs and price control process.

Section B

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

Section 75 category	Details of likely impact	Level of impact? Minor/Major/None
Religious belief	This is a review of bathing waters in Northern Ireland. It will have no impact on equality of opportunity.	None.
Political opinion	As above.	None.
Racial group	As above.	None.
Age	As above.	None.
Marital status	As above.	None.
Sexual orientation	As above.	None.
Men and women generally	As above.	None.
Disability	As above.	None.
Dependants	As above.	None.

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief	No.	This is a review of bathing waters in Northern Ireland.
Political opinion	No.	As above.
Racial group	No.	As above.
Age	No.	As above.
Marital status	No.	As above.
Sexual orientation	No.	As above.
Men and women generally	No.	As above.
Disability	No.	As above.
Dependants	No.	As above.

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

Good relations category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	This is a review of bathing waters in Northern Ireland. It will have no impact on good relations.	None.
Political opinion	As above.	None.
Racial group	As above.	None.

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	No.	This is a review of bathing waters in Northern Ireland.
Political opinion	No.	As above.
Racial group	No.	As above.

Available evidence

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below along with details of the different groups you have met and / or consulted with to help inform your screening assessment.

Section 75 category	Details of evidence / information and engagement
Religious belief	This is a review of bathing waters in Northern Ireland. It is a continuation of existing policy, which is necessary to meet the obligations of the Bathing Water Directive. The evidence gathered to inform the review is usage data from each of the candidate sites over the course of the 2016 bathing season. A consultation paper on the review will make reference to this screening exercise and invite comments.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men & women generally	As above.
Disability	As above.
Dependants	As above.

No evidence held? Outline how you will obtain it:

N/A.

Section C

DAERA also has legislative obligations to meet under the Disability Discrimination Order and Human Rights Act (insert links) Questions 5 -9 relate to these two areas.

Consideration of Disability Duties

5. Does this proposed policy / decision provide an opportunity for DAERA to better **promote positive attitudes** towards disabled people?

Explain your assessment in full

The 2017 Review of Bathing Waters is concerned with identifying additional coastal or inland waters as bathing waters. Therefore, it does not provide an opportunity for DAERA to better promote positive attitudes towards persons with a disability.

6. Does this proposed policy / decision provide an opportunity to actively increase the participation by disabled people in public life?

Explain your assessment in full

The 2017 Review of Bathing Waters, of itself, does not provide an opportunity to actively increase the participation by persons with a disability in public life. However, should any of the candidate sites be identified as bathing waters, there could be an opportunity, where possible, for the relevant bathing water operators to make the sites and their facilities accessible to persons with a disability.

Consideration of Human Rights

7. The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in N Ireland. Indicate below (place an X in the appropriate box) any potential *adverse impacts* that the policy / decision may have in relation to human rights issues.

Right to Life	Article 2	<input type="checkbox"/>
Prohibition of torture, inhuman or degrading treatment	Article 3	<input type="checkbox"/>
Prohibition of slavery and forced labour	Article 4	<input type="checkbox"/>
Right to liberty and security	Article 5	<input type="checkbox"/>
Right to a fair and public trial	Article 6	<input type="checkbox"/>
Right to no punishment without law	Article 7	<input type="checkbox"/>
Right to respect for private and family life, home and correspondence	Article 8	<input type="checkbox"/>
Right to freedom of thought, conscience and religion	Article 9	<input type="checkbox"/>

Right to freedom of expression	Article 10	<input type="checkbox"/>
Right to freedom of peaceful assembly and association	Article 11	<input type="checkbox"/>
Right to marry and to found a family	Article 12	<input type="checkbox"/>
The prohibition of discrimination	Article 14	<input type="checkbox"/>
Protection of property and enjoyment of possessions	Protocol 1 Article 1	<input type="checkbox"/>
Right to education	Protocol 1 Article 2	<input type="checkbox"/>
Right to free and secret elections	Protocol 1 Article 3	<input type="checkbox"/>

Consideration of Human Rights (cont)

7. Please explain any adverse impacts on human rights that you have identified

No adverse impacts on human rights have been identified.

8. Please indicate any ways which you consider the policy positively promotes human rights

None have been identified. This is a review of bathing waters in Northern Ireland.

Monitoring Arrangements

Section 75 places a requirement on DAERA to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy / decision on equality, good relations and disability duties.

Equality	Good Relations	Disability Duties
The review does not impact on equality.	The review does not impact on good relations.	The review does not impact on disability duties.
The data collected for this review of bathing waters in Northern Ireland is in relation to usage. The collection of data for any other purpose does not appear to be relevant.		

Section D

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened

2017 Review of Bathing Waters in Northern Ireland.

I can confirm that the proposed policy / decision has been screened for –

<input checked="" type="checkbox"/>	equality of opportunity and good relations
<input checked="" type="checkbox"/>	disabilities duties; and
<input checked="" type="checkbox"/>	human rights issues

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

*place an X in the appropriate box below

<input type="checkbox"/>	*Screened In – Necessary to conduct a full EQIA
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x

***Screened Out – No EQIA necessary (no impacts)**

There is no impact on equality of opportunity, good relations, disability duties or on human rights in the context of a review of bathing waters in Northern Ireland.

Screening assessment completed by (Staff Officer level or above) -

Name: David Steele

Grade: DP

Branch: Marine and Fisheries Division

Date: 21 October 2016

Signature: 

Screening decision approved by -

Name: David Small

Grade: 3

Branch: Marine and Fisheries Division

Date: 1 March 2017

Signature:





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