**DEPARTMENT OF AGRICULTRE, ENVIRONMENT AND RURAL AFFAIRS**

**Equality and Human Rights**

**Screening Template**



**DAERA Equality** and **Human Rights**

# Screening Template

DAERA has a statutory duty to screen. This includes our strategies and plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help business areas consider the likely equality and human rights impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed, contact - [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk). All screening exercises must be supported by evidence and cleared at Grade 3 level.

The accompanying Screening Guidance note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties**[[1]](#footnote-1)** and what they mean in practice is available on the Equality Commission’s website.

The screening template has 4 sections to complete. These are:

**Section A** - asks you to provide details about the policy / decision that is being screened.

**Section B** - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

**Section C** - has 4 key questions in relation to obligations under the Disability Discrimination Order and the Human Rights Act.

**Section D** - is the formal record of the screening decision.

Section A

Details about the policy / decision to be screened

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| --- |
| Title of policy / decision to be screened:- Amending the Environmental Impact Assessment (Agriculture) Regulations (NI) 2007,as amended, to transpose EC Directive 2014/52 (the ‘EIA’ Directive). |

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| Brief description of policy / decision to be screened:-  This is a continuation of an existing policy.  Environmental impact assessment aims to provide a high level of protection to the environment and to help bring environmental considerations into the preparation of projects to reduce their impact on the environment. It seeks to ensure that proposals for development (referred to as ‘projects’ in the EIA Directive) that are likely to have a significant effect on the environment, for instance by virtue of their nature, size or location, are subject to a requirement for development consent and an assessment of those effects before the development is allowed to proceed.  EC Directive 2014/52 amends EC Directive 2011/92/EU.  The new Directive aims to strengthen the quality of the environmental impact assessment procedure. Its intention is to ensure that environmental protection is improved, resource efficiency increased and sustainable growth supported.  The amendments are minor and technical, with the aim of strengthening the regulatory process for a screening decision on projects and applications for consent. |

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| Aims and objectives of the policy / decision to be screened:-  Amend the Environmental Impact Assessments (Agriculture) Regulations (Northern Ireland) 2007 [SR 2007 No. 421] (the EIA Regulations), as amended, to transpose EC 2014/52. |

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| **On whom will the policy / decision impact?**  Consider the internal and external impacts (both actual or potential)  Staff    service users  rural community  other public sector organisations  voluntary / community groups / trade unions  others, please specify |

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| Are there linkages to other NI Departments / NDPBs?  Yes; the EIA Directive is transposed into Northern Ireland law through a number of Statutory Rules relating to a range of EIA areas, including Planning, Forestry, Roads, Harbour Works, Fish Farming in Marine Waters, Water Resources, Drainage and Offshore Electricity Development.  The EC 2014/52 will be transposed into each of these pieces of legislation separately. |

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 | N/A | None |
| Political opinion | N/A | None |
| Racial group | N/A | None |
| Age | N/A | None |
| Marital status | N/A | None |
| Sexual orientation | N/A | None |
| Men and women generally | N/A | None |
| Disability | N/A | None |
| Dependants | N/A | None |

1. **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 | See available evidence below |
| **Political opinion** | No | See available evidence below |
| **Racial group** | No | See available evidence below |
| **Age** | No | See available evidence below |
| **Marital status** | No | See available evidence below |
| **Sexual orientation** | No | See available evidence below |
| **Men and women generally** | No | See available evidence below |
| **Disability** | No | See available evidence below |
| **Dependants** | No | See available evidence below |

1. **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** |  | None |
| **Political opinion** |  | None |
| **Racial group** |  | None |

1. **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 | See available evidence below |
| Political opinion | No | See available evidence below |
| Racial group | No | See available evidence below |

**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 | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Political opinion | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Racial group | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Age | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Marital status | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Sexual orientation | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Men & women generally | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Disability | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |
| Dependants | In relation to the relevant groups, organisations or individuals, these statutory Regulations amend existing legislation, required by EC Directives and will apply equally to all in the sector. |

|  |
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| **No evidence held? Outline how you will obtain it:** |

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?

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| **Explain your assessment in full**  The policy does not impact adversely on people with disabilities and there are no opportunities to promote positive attitudes as a result. |

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

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| --- |
| **Explain your assessment in full**  The policy does not impact adversely on people with disabilities and there are no opportunities to increase the participations of people with disabilities in public life as a result. |

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** |  |
| Prohibition of torture, inhuman or degrading treatment | **Article 3** |  |
| Prohibition of slavery and forced labour | **Article 4** |  |
| Right to liberty and security | **Article 5** |  |
| Right to a fair and public trial | **Article 6** |  |
| Right to no punishment without law | **Article 7** |  |
| Right to respect for private and family life, home  and correspondence | **Article 8** |  |
| Right to freedom of thought, conscience and religion | **Article 9** |  |
| Right to freedom of expression | **Article 10** |  |
| Right to freedom of peaceful assembly and association | **Article 11** |  |
| Right to marry and to found a family | **Article 12** |  |
| The prohibition of discrimination | **Article 14** |  |
| Protection of property and enjoyment of possessions | **Protocol 1 Article 1** |  |
| Right to education | **Protocol 1 Article 2** |  |
| Right to free and secret elections | **Protocol 1 Article 3** |  |

Consideration of Human Rights (cont)

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| 8. **Please explain any adverse impacts on human rights that you have identified**  No adverse impact identified. |

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| 9. **Please indicate any ways which you consider the policy positively promotes human rights**  None identified. |

**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** |
| None, as the policy does not adversely impact any of the identified groups. | None, as the policy does not adversely impact any of the identified groups. | None, as the policy does not adversely impact any of the identified groups. |
|  |  |  |

Section D

Formal Record of Screening Decision

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| --- |
| **Title of Proposed Policy / Decision being screened** The Environmental Impact Assessment (Agriculture) (Amendment) Regulations (Northern Ireland) 2017 |

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

|  |  |
| --- | --- |
|  | equality of opportunity and good relations |
|  | disabilities duties; and |
|  | 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**

|  |  |
| --- | --- |
|  | \***Screened In** – Necessary to conduct a full EQIA |

|  |  |
| --- | --- |
|  | \***Screened Out** – No EQIA necessary (no impacts) |

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|  | \* **Screened Out -** Mitigating Actions (minor impacts) |

**Formal Record of Screening Decision** (cont)

|  |  |
| --- | --- |
| **Screening assessment completed by (Staff Officer level or above) -** | |
| Name: Leanne McGrath | Grade: SO |
|  | Date: 28 July 2017 |
| Branch: Environmental Farming | |

|  |
| --- |
| Signature: please insert a scanned image of your signature below |

|  |  |
| --- | --- |
| **Screening decision approved by (must be Grade 3 or above) -** | |
| Name: David Small | Grade: 3 |
|  | Date: 18 August 2017 |
| Branch: EMFG | |

|  |
| --- |
| Signature: please insert a scanned image of your signature below |

Please save the final signed version of the completed screening form in the TRIM container below as soon as possible after completion and forward the TRIM link to Equality Branch at [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk). The screening form will be placed on the DAERA website and a link provided to the Department’s Section 75 consultees.

For more information about equality screening, contact –

DAERA Equality Branch

Room 515

Dundonald House

Upper Newtownards Road

Belfast BT4 3SB

Telephone 028 9052 4435

Text Relay 18001 028 9052 4435

[equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk).



1. ECNI ‘Section 75 of the NI Act 1998: A Guide for Public Authorities’ April 2010. [www.equalityni.org](http://www.equalityni.org) [↑](#footnote-ref-1)