

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

**Equality and Human
Rights
Screening Template**



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

www.daera-ni.gov.uk

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 and know the current effective guidance first (see HPRM (Trim) link below for Guidance Document). To find out about the training needed, contact - equalitybranch@daera-ni.gov.uk. All screening exercises must be supported by evidence and Quality Assured by Equality Unit prior to being cleared at Grade 3 level.



DAERA Screening
Guidance - Updated

The accompanying Screening Guidance note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties¹ and what they mean in practice is available on the Equality Commission's website.

Please note: Only plain English² should be used in all sections of this document.

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

¹ ECNI 'Section 75 of the NI Act 1998: A Guide for Public Authorities' April 2010. www.equalityni.org

² Should be easily understood by a 12 year old.

[Type here]

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 – In plain English

Title of policy / decision to be screened:- Consultation on the numbering format for Bovine Electronic Identification (EID).

Brief description of policy / decision to be screened:-

In order to maintain and further improve Northern Ireland's standing as a region with a robust traceability regime for cattle (bovines), the Department of Agriculture, Environment and Rural Affairs (DAERA) has been examining the incorporation of Radio Frequency Identification (RFID) or electronic tags for the identification of cattle (EID). With appropriate infrastructure in place, EID can simplify the way all animal events, including movements are recorded for farmers, markets, abattoirs and the Department, generating significant efficiencies throughout the supply chain. In 2009 sheep identification was updated using a similar EID method and as technology has developed it is now planned that cattle EID would be the next development. The Department has been in discussion with the other Devolved Administrations in the UK about the roll out of bovine EID. All four administrations support the aim of achieving common standards for bovine EID which includes agreeing the format of the animal identification number to be used for the animal tags and the electronic chip which forms part of the bovine EID. The first policy revision is to decide on the format of the new identification number and this is the objective of this decision to ask stakeholders for their opinions.

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

The purpose of this consultation document is to set out two options for a new numbering regime for cattle in Northern Ireland and seeks stakeholder views on which option they would prefer to be adopted.

The current animal numbering regime in use in Northern Ireland will not support the implementation of bovine EID. In order to successfully implement electronic tagging, the Department will need to implement a “what you see is what you get” animal number which is compliant with the International Committee for Animal Recording (ICAR), International Organisation for Standardisation (ISO) standards and aligns to UK and European requirements.

The document will outline the existing tag format and the two potential options for EID tag numbers as well as providing information on alternative options which were not deemed viable or operable.

The result of this consultation will enable the Department to take forward bovine EID with an agreed direction and certainty.

On whom will the policy / decision impact?

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

- Staff Bovine EID will impact on various staff.
 - **NIFAIS Programme staff** as they will have to ensure that the computer database is operational and can cope with the new number format.
 - **Administration staff** – Admin staff will have to input the new number format into the system
 - **Field staff** – Will have to record the new number format on any checks that they carry out and record
- service users Many service users will be affected.
 - **Herd keepers** will have to tag animals using the new numbering format. They may have to buy a reader to be able to read the tags electronically.
 - **Markets** – will need to invest in the reading equipment to read these tags electronically.
 - **Abattoirs** - will need to invest in the reading equipment to read these tags electronically.
 - **PVP's** - will need to invest in the reading equipment to read these tags electronically.

- rural community
- other public sector organisations
- voluntary / community groups / trade unions
- others, please specify Devolved Administrations and Department of Agriculture Food & Marine (DAFM)

Are there linkages to other NI Departments / NDPBs? *Under the new Programme for Government there is an emphasis on shared responsibility between departments & this should be considered when answering this question.*

No

Section B

Available evidence

What evidence or 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 or information and engagement
Religious belief	<p>The 2011 Census of Northern Ireland found that 44.6% of the population belongs to one of the main Protestant Christian Churches, 43.7% of the population belongs to the Catholic Church and 11.7% do not belong to either religious belief.</p> <p>Data from the June 2016 Farm Census (published Jan 2017) demonstrates that the majority (60%) of cattle and sheep LFA farms are in mainly Severely Disadvantaged Areas (SDAs). The now dated 2001 (most recent) DARD commissioned Social Survey of Farmers and Farm Families across NI revealed that farmers in SDA areas were predominantly Catholic.</p> <p>As this policy will apply to all herd keepers the Department has not received any evidence that implementation of bovine EID will create any equality related issues or problems relating to religious belief.</p>
Political opinion	<p>The Northern Ireland Life and Times Survey 2016 found that 24% of the Northern Ireland population describe themselves as Nationalist, 29% as Unionist and 46% as neither. There are no data on the political opinion of farmers other than by using Religious Belief as a proxy.</p> <p>The Equality Commission monitoring guidelines for public authorities suggest that community background and or religion is a reasonable proxy indicator for the Unionist or Nationalist divide</p> <p>As this policy will apply to all herd keepers the Department has not received any evidence that implementation of bovine EID will create any equality related issues or problems relating to political opinion.</p>
Racial group	<p>The 2011 Census of Northern Ireland found that over 98% of the population, state their ethnic origin to be white. The 2001/02 Social Survey of Farmers and Farm Families across Northern Ireland outlined</p>

[Type here]

	that the farming population was overwhelmingly white and that there was no difference in racial group by type or size of farm.																																										
Age	<p>The EU Farm Structure Survey 2016 revealed that the median age of farmers in Northern Ireland in 2016 was 58 years.</p> <p>The Social Survey of Farmers and Farm Families conducted in 2001/02 found that around 45% of farmers and business partners had educational qualifications at GCSE, O-Level or above. These included 11% who had attained Level 4 standard. Information on education was obtained by proxy, i.e. from a household member who was not necessarily the person to whom the data refer. The educational qualifications obtained were grouped into 4 ascending levels, based on the UK equivalent of the International Standard Classification of Education (ISCED) scale. These are: Level 1: O-Levels or GCSE below Grade C or equivalent, Level 2: O-Levels or GCSE at Grades A, B or C or equivalent Level 3: A-Levels or equivalent, Level 4: Degree or Professional qualification at degree level.</p> <p>DAERA analysis of the 28,119 active cattle and sheep farm businesses in NI indicates that 56% were multi member businesses.</p> <p>Whilst we do not know the ages of business members it is probable that within such businesses a spread of age ranges is likely.</p> <table border="1"> <thead> <tr> <th colspan="3">Analysis of all Farm Businesses which have Active Bovine Herds &/or Ovine Flocks linked to them @ 19/09/2017</th> </tr> <tr> <th>Business Type</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Multi Member</td> <td>15,816</td> <td>56%</td> </tr> <tr> <td>Single Member</td> <td>12,147</td> <td>43%</td> </tr> <tr> <td>No members</td> <td>156</td> <td>1%</td> </tr> <tr> <td>Total</td> <td>28,119</td> <td>100%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Analysis of Multi Member Businesses</th> </tr> <tr> <th>No of members</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>2 members</td> <td>6,786</td> <td>43%</td> </tr> <tr> <td>3 members</td> <td>5,904</td> <td>37%</td> </tr> <tr> <td>4 members</td> <td>1,941</td> <td>12%</td> </tr> <tr> <td>5 members</td> <td>781</td> <td>5%</td> </tr> <tr> <td>>5 members</td> <td>404</td> <td>3%</td> </tr> <tr> <td>Total</td> <td>15,816</td> <td>100%</td> </tr> </tbody> </table>	Analysis of all Farm Businesses which have Active Bovine Herds &/or Ovine Flocks linked to them @ 19/09/2017			Business Type	Number	Percent	Multi Member	15,816	56%	Single Member	12,147	43%	No members	156	1%	Total	28,119	100%	Analysis of Multi Member Businesses			No of members	Number	Percent	2 members	6,786	43%	3 members	5,904	37%	4 members	1,941	12%	5 members	781	5%	>5 members	404	3%	Total	15,816	100%
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Marital status	According to the 2001/02 Social Survey of Farmers and Farm Families across NI (most recent) around 73% of all farmers were married and living with a wife or husband. This finding is similar to the results of the 2016 (most recent) EU Farm Structure Survey which found that 30% of all farmers had no spouse.																																										
Sexual	There is no available data on the number of lesbian, gay or bisexual																																										

orientation	people in Northern Ireland as no national census has ever asked people to define their sexuality. However, according to the 2016 Northern Ireland Life and Times Survey (most recent) 1% of respondents identified as gay or lesbian and 1% as bi-sexual. 89% indicated they were heterosexual, 7% preferred not to answer and 1% identified as 'other'. There is no data on the sexual orientation of farmers.																																										
Men & women generally	<p>The 2016 EU Farm Structure Survey (most recent) states that 96% of NI farmers are male and 4% female. The survey also showed that female workers accounted for 24% of the total workforce and 5% of farms were managed by women. It further showed that, where a farmer has a spouse, 37% of those spouses contributed to the work on the farm.</p> <p>Analysis of DAERA Farm Businesses</p> <table border="1" data-bbox="432 636 1145 999"> <thead> <tr> <th colspan="3">Analysis of Farm Businesses which have Active Bovine Herds &/or Ovine Flocks linked to them @ 19/09/2017</th> </tr> <tr> <th>Business Type</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Multi Member</td> <td>15,816</td> <td>56%</td> </tr> <tr> <td>Single Member</td> <td>12,147</td> <td>43%</td> </tr> <tr> <td>No members</td> <td>156</td> <td>1%</td> </tr> <tr> <td>Total</td> <td>28,119</td> <td>100%</td> </tr> </tbody> </table> <table border="1" data-bbox="432 1039 1145 1406"> <thead> <tr> <th colspan="3">Analysis of Multi Member Businesses</th> </tr> <tr> <th>No of members</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>2 members</td> <td>6,786</td> <td>43%</td> </tr> <tr> <td>3 members</td> <td>5,904</td> <td>37%</td> </tr> <tr> <td>4 members</td> <td>1,941</td> <td>12%</td> </tr> <tr> <td>5 members</td> <td>781</td> <td>5%</td> </tr> <tr> <td>>5 members</td> <td>404</td> <td>3%</td> </tr> <tr> <td>Total</td> <td>15,816</td> <td>100%</td> </tr> </tbody> </table>	Analysis of Farm Businesses which have Active Bovine Herds &/or Ovine Flocks linked to them @ 19/09/2017			Business Type	Number	Percent	Multi Member	15,816	56%	Single Member	12,147	43%	No members	156	1%	Total	28,119	100%	Analysis of Multi Member Businesses			No of members	Number	Percent	2 members	6,786	43%	3 members	5,904	37%	4 members	1,941	12%	5 members	781	5%	>5 members	404	3%	Total	15,816	100%
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Disability	The 2001/02 Social Survey of Farmers and Farm Families questions concentrated on the long term health of farmers rather than issues of disability. Nevertheless, the Survey results indicated that of those who worked on farms, 19% reported a long-term illness or disability which limited their work activities in some way and a further 7% were disabled but their work activities were not limited. Those in the older age groups were more likely to have a disability and to have their work activities limited. However, there was relatively little difference between farm type or farm size in the prevalence of long-term illness or disability.																																										
Dependants	The 2001/02 Social Survey For Farmers and Farm Families revealed that almost three-quarters of households supported by family farms included one or more dependants. These included: 39% with children under 16 or 16-18 in full time education; 14% with a member claiming a disability related benefit; 32% with a household member aged 65 or over; and 73% with any of the above.																																										

	The 2001/02 Social Survey data also showed a high degree of similarity between farms with or without dependents across farm types.
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No evidence held? Outline how you will obtain it: *If you do not know you must seek advice from the project manager prior to completing this document.*

Not applicable, evidence added above.

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	Data from the June 2016 Farm Census (published Jan 2017) demonstrates that the majority (60%) of cattle and sheep LFA farms are in mainly Severely Disadvantaged Areas (SDAs). The now dated 2001 (most recent) DARD commissioned Social Survey of Farmers and Farm Families across NI revealed that farmers in SDA areas were predominantly Catholic. It is DAERA's opinion that this policy will have no impact on a change of equality of opportunity for any of these groups.	None.
Political opinion	Equality Commission monitoring guidelines for public authorities suggest that community background or religion is a reasonable proxy indicator for the Unionist or Nationalist divide. On the basis of information for religious belief above, it is DAERA's opinion that this policy will have no impact on equality of opportunity for these groups.	None.
Racial group	<p>The 2011 Census of Northern Ireland (most recent) found that over 98% of the population state their ethnic origin to be white. Non-white ethnic groups accounted for 1.7% of the total population. In addition under 1.3% of non-white minority ethnic groups of Black, Asian and Other live in rural areas.</p> <p>We therefore consider that there is no evidence to suggest there would be a negative differential impact on the equality of opportunity of customers in different racial groups.</p>	None.

Age	It is recognized that 43% of the cattle and sheep farms are single member businesses. It is DAERA's opinion that this policy will have no impact on equality of opportunity for this group. Whilst we do not know the ages, it is probable that within such businesses a spread of age ranges is likely	None.
Marital status	According to the 2001/02 Social Survey of Farmers and Farm Families across NI (most recent) around 73% of all farmers were married and living with a wife or husband. This finding is similar to the results of the 2016 (most recent) EU Farm Structure Survey which found that 30% of all farmers had no spouse. It is DAERA's opinion that this policy will have no impact on equality of opportunity for this group.	None.
Sexual orientation	On the basis of the information available there is no evidence to suggest that this project would have a negative differential impact upon the equality of opportunity of this Section 75 category of customers.	None.
Men and women generally	There is no evidence to suggest that men would be more disadvantaged than women therefore it is DAERA's opinion that this policy will have no impact on equality of opportunity for this group.	None.
Disability	The dated 2001/02 Social Survey (most recent) asked questions concentrating on the long term health of farmers rather than issues of disability. Nevertheless, the Survey results indicated that of those who worked on farms, 19% reported a long-term illness or disability which limited their work activities in some way and a further 7% were disabled but their work activities were not limited. Those in the older age groups were more likely to have a disability and to have their work activities limited. It is DAERA's opinion that this policy will have no impact on equality of opportunity for this group.	None.
Dependants	It is DAERA's opinion that this policy will have no impact on equality of opportunity for this group.	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		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Political opinion		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Racial group		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Age		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Marital status		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Sexual orientation		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Men and		It is DAERA's opinion there is no scope to better promote equality of

women generally		opportunity by altering the policy in relation to bovine EID.
Disability		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.
Dependants		It is DAERA's opinion there is no scope to better promote equality of opportunity by altering the policy in relation to bovine EID.

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? *Think People!*

Good relations category	Likely impact?	Level of impact? Minor/Major/None
Religious belief		None
Political opinion		None
Racial group		None

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? Think People!

Good relations category	If Yes, provide details	If No, provide reasons
Religious belief		There is no scope to better promote good relations by altering the policy.
Political opinion		There is no scope to better promote good relations by altering the policy.
Racial group		There is no scope to better promote good relations by altering the policy.

Section C

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

Consideration of Disability Duties

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

Explain your assessment in full

No. The policy does not impact adversely on people with disabilities and there are no opportunities to promote positive attitudes as a result.

However, comments at consultation stage are welcome from disabled people if any individual/group thinks there is an opportunity to do so.

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

Explain your assessment in full

No. The policy does not impact adversely on people with disabilities and there are no opportunities to promote positive attitudes as a result.

However, comments at consultation are welcome from disabled people if any individual/group thinks there is an opportunity to do so.

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 or decision may have in relation to human rights issues.

See Annex A for brief synopsis on each of the Human Rights Articles & Protocols

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)

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

No adverse impacts on human rights have been identified.

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

None have been 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. Please note the following excerpt from The Equality Commission for Northern Ireland in relation to monitoring:

A system must be established to monitor the impact of the policy in order to find out its effect on relevant groups. The results of ongoing monitoring must be reviewed on an annual basis. The public authority is required to publish the results of this monitoring. And they must be included in the public authorities' annual review on progress to the Equality Commission. The Equality Scheme must specify how and where such monitoring information will be published. It is therefore essential that monitoring is carried out in a systematic manner and that the results are widely and openly published.

If the monitoring and analysis of results over a two year period show that the policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the public authority must ensure that the policy is revised to achieve better outcomes for the relevant equality groups.

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

Equality	Good Relations	Disability Duties
The policy does not adversely impact any of the identified groups. However we will consider any comments received for future consultations.	The policy does not adversely impact any of the identified groups. However we will consider any comments received for future consultations.	The policy does not impact on disability duties. However we will consider any comments received for future consultations.

Section D – Summary Sheet

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened Consultation on the numbering format for Bovine Electronic Identification (EID).

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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<input checked="" type="checkbox"/>	<p>*Screened Out – No EQIA necessary (no impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none">• In order to maintain and improve Northern Ireland's standing as a region with a robust traceability regime, the Department of Agriculture, Environment and Rural Affairs (DAERA) has been examining the use of electronic tags for the identification of cattle and has also been in discussion with the other Devolved Administrations in the UK with all four administrations supporting the aim of achieving common standards for bovine EID which includes agreeing the format of the animal identification number to be used for the animal tags and the electronic chip which forms part of the bovine EID.• Under Commission Regulation (EC) No. 1760/2000, member states are required to establish a system for the identification and registration of bovine animals. The registration and identification requirements set out in this regulation remained largely unchanged until May 2014, when amendments to Regulation EU No 653/2014 were adopted, paving the way for member states
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	<p>to introduce Electronic Identification (EID) systems.</p> <ul style="list-style-type: none"> • Bovine EID is likely to be introduced across both the UK and EU member states. • The evidence set out in this document does not indicate that this policy will impact, either negatively or positively, on any of the Section 75 groups.
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<input type="checkbox"/>	<p>* <u>Screened Out</u> - Mitigating Actions (minor impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none"> • Describe clearly the mitigating actions and / or policy changes that will now be introduced • Explain how these actions will address the inequalities:
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DAERA Equality and Human Rights Screening Checklist

Before signing off this screening template please confirm that you have completed all the actions listed below.

I can confirm that all the actions listed below have been completed –

<input checked="" type="checkbox"/>	I have explained any technical issues in plain English (easily understood by a 12 year old)
<input checked="" type="checkbox"/>	I have added evidence and explained my assessments in full
<input checked="" type="checkbox"/>	I have provided a brief note to justify my decision to ‘Screen In’ or ‘Screen Out’
<input checked="" type="checkbox"/>	A copy of this screening template and the final decision has been sent to the Equality Unit for their consideration before it has been forwarded for sign-off

Formal Record of Screening Decision (cont.)

Have you issued this document to Equality Unit prior to obtaining Grade 3 signature?

Yes.

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

Name: Mark Bradley

Grade: SO

Date: 16/04/2019

Branch: Animal Identification & Welfare Branch

Signature: please insert a scanned image of your signature below



Screening decision approved by (must be Grade 3 or above) -

Name: Robert Huey

Grade: G3

Date: 14/05/2019

Branch:

Signature: please insert a scanned image of your signature below



Please save the final signed version of the completed screening form in the HPRM container below as soon as possible after completion and forward the HPRM link to Equality Branch at 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.



Strategic
Management DAERA

For more information about equality screening, contact –

DAERA Equality Unit
Equality, Diversity & Public Appointments Branch
Ballykelly House
111 Ballykelly Road
LIMAVADY
BT49 9HP

Email: equalitydiversitypublicappointments@daera-ni.gov.uk

[Tel: 028 7744 2027](tel:02877442027)

November 2017



Annex A

Synopsis of Human Rights Act Articles & Protocols

ARTICLE 2

Right to life

1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.
2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:
 - (a) In defense of any person from unlawful violence;
 - (b) In order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
 - (c) In action lawfully taken for the purpose of quelling a riot or insurrection.

ARTICLE 3

Prohibition of torture

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

ARTICLE 4

Prohibition of slavery and forced labour

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. For the purpose of this Article the term "forced or compulsory labour" shall not include:
 - (a) Any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
 - (b) Any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;

- (c) Any service exacted in case of an emergency or calamity threatening the life or well-being of the community;
- (d) Any work or service which forms part of normal civic obligations.

ARTICLE 5

Right to liberty and security

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:
 - (a) The lawful detention of a person after conviction by a competent court;
 - (b) The lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
 - (c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
 - (d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
 - (e) The lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
 - (f) The lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.
2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.
3. Everyone arrested or detained in accordance with the provisions of paragraph 1(c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.
4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.
5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.

ARTICLE 6

Right to a fair trial

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
 - (a) To be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - (b) To have adequate time and facilities for the preparation of his defense;
 - (c) To defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
 - (d) To examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - (e) To have the free assistance of an interpreter if he cannot understand or speak the language used in court.

ARTICLE 7

No punishment without law

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.

2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognised by civilised nations.

ARTICLE 8

Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 9

Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10

Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public

authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 11

Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

ARTICLE 12

Right to marry

Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

ARTICLE 14

Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol 1

ARTICLE 1

Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Protocol 1

ARTICLE 2

Right to education

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Protocol 1

ARTICLE

3 Right to free elections

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature