

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 first. To find out about the training needed, contact - 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 duties¹ 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.

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

Section A

Details about the policy / decision to be screened

Title of policy / decision to be screened:- Medium Combustion Plant Directive Transposition

Brief description of policy / decision to be screened:- This is a new policy. Medium combustion plant...those with a rated thermal input of 1 megawatt to 50 megawatts will be required to be permitted and to meet emission limit values on the concentration of certain pollutants in the chimney gases. There are financial and legislative implications. Operators of medium combustion plants will have to get a permit from their local council, or the NIEA.

When this policy comes into operation in 2018, new plant must get a permit before operating. Existing plant above 5MW will need to get a permit by 2024 and abide by emission limits by 2020. Existing plant from 1 MW to 5MW will have to get a permit by 2029 and meet emission limits by 2030.

Aims and objectives of the policy / decision to be screened:- The purpose of the policy is to reduce emissions in order to protect human health, protect the environment and meet our international commitments.

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

Are there linkages to other NI Departments / NDPBs? There will be some (small) impact on the electricity system as some electricity generators fall into the range of plant covered by the Medium Combustion Plant. We are consulting with DfE and URegNI.

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	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependants	None	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		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Political opinion		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Racial group		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Age		This is not relevant for the operation of a medium combustion plant or the emissions generated by such

		plant
Marital status		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Sexual orientation		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Men and women generally		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Disability		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Dependants		This is not relevant for the operation of a medium combustion plant

		or the emissions generated by such plant
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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	None	None
Political opinion	None	None
Racial group	None	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		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Political opinion		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant
Racial group		This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant

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	None
Political opinion	None
Racial group	None
Age	None
Marital status	None
Sexual orientation	None
Men & women generally	None
Disability	None
Dependants	None

No evidence held? Outline how you will obtain it:

I do not plan to obtain evidence as I am confident that none of the section 75 groupings have any effect on the operation of medium combustion plant.

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?

No. This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant

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

No. This is not relevant for the operation of a medium combustion plant or the emissions generated by such plant

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)

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

None

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

None

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

Section D

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened Transpositon of the Medium Combustion Plant Directive

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"> • Please note that a 'screened out' decision must be accompanied by a sound rationale and relevant empirical evidence to show the basis upon which a screened out decision has been reached.
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<input type="checkbox"/>	<p>* Screened Out - 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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Formal Record of Screening Decision (cont)

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

Name: Bruce Harper

Grade: DP

Date: 11/05/2017

Branch: Air and Environmental Quality, RNRPD, EMG

Signature:



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

Name: DAVID SMALL

Grade: 3

Date: 17/5/2017

Branch:

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. The screening form will be placed on the DAERA website and a link provided to the Department's Section 75 consultees.



Strategic Management DARD - Equality Promotion & Implementation - Equality

For more information about equality screening, contact –

DAERA Equality Branch

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Dundonald House

Upper Newtownards Road

Belfast BT4 3SB

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Text Relay 18001 028 9052 4435

equalitybranch@daera-ni.gov.uk



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