**DEPARTMENT OF AGRICULTURE, 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. 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

|  |
| --- |
| Title of policy / decision to be screened:- UK-wide Consultation document on the transposition of the Basic Safety Standards Directive (2013/59/Euratom) |

|  |
| --- |
| Brief description of policy / decision to be screened:- The Basic Safety Standards Directive (BSSD) provides a set of standards for the protection of workers and the general public against the dangers arising from ionising radiation, resulting from practices using radiation or radioactive substances. Member States are required to transpose the BSSD by 6th February 2018. The BSSD consolidates five existing Directives and a European Commission recommendation, bringing them into line with the international standards and recommendations issued by the Atomic Energy Agency and the International Commission on Radiological Protection. It covers medical, occupational and public radiation exposure situations, this consultation focuses on public radiation exposures in planned and existing exposure situations.The scope of this consultation covers;-* the regulatory regime for determining whether a practice (technology or process) using radioactivity is ‘justified’ i.e. determining whether the benefits of a practice justify the potential detriment ;
* the regulations for the keeping and use of radioactive substances, and receipt, accumulation and disposal of wastes;
* the regime for regulating radioactive contaminated land, and
* cross-cutting provisions included in the public exposures package to expedite overall UK transposition and reduce the volume of legislation.

Transposition in Northern Ireland requires amendments to the Radioactive Substances (Basic Safety Standards) Regulations (Northern Ireland) 2003 and the Radioactive Contaminated Land Regulations (Northern Ireland) 2006. It is also proposed to introduce a UK-wide Statutory Instrument to sweep up miscellaneous new requirements of BSSD that cannot be transposed using existing instruments.  |

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| --- |
| Aims and objectives of the policy / decision to be screened:-      Amendments required to the Radioactive Substances (Basic Safety Standards) Regulations (Northern Ireland) 2003 and the Radioactive Contaminated Land Regulations (Northern Ireland) 2006 in order to transpose the BSSD in Northern Ireland.  |

|  |
| --- |
| **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 organizations: voluntary / community groups / trade unions     others, please specify: Business within NI using radioactive material as part of their day to day operations |

|  |
| --- |
| Are there linkages to other NI Departments / NDPBs? No |

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 | Neutral – therefore considered to have no impact on the equality of opportunity as regards religious belief | None |
| Political opinion  | Neutral – therefore considered to have no impact on the equality of opportunity as regards political opinion | None |
| Racial group  | Neutral – therefore considered to have no impact on the equality of opportunity as regards racial group | None |
| Age | Neutral – therefore considered to have no impact on the equality of opportunity as regards age.  | None |
| Marital status  | Neutral – therefore considered to have no impact on the equality of opportunity as regards marital status | None |
| Sexual orientation | Neutral – therefore considered to have no impact on the equality of opportunity as regards sexual orientation | None |
| Men and women generally  | Neutral – therefore considered to have no impact on the equality of opportunity as regards gender | None |
| Disability | Neutral – therefore considered to have no impact on the equality of opportunity as regards disability | None |
| Dependants  | Neutral – therefore considered to have no impact on the equality of opportunity as regards racial group | 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** |  | The proposals are neutral as regards people of different religious belief and consequently there is no opportunity to promote equality of opportunity.  |
| **Political opinion**  |  | The proposals are neutral as regards people of different religious belief and consequently there is no opportunity to promote equality of opportunity.  |
| **Racial group**  |  | The proposals are neutral as regards people of different racial groups and consequently there is no opportunity to promote equality of opportunity.  |
| **Age** |  | The proposals are neutral as regards people of different age groups and consequently there is no opportunity to promote equality of opportunity.  |
| **Marital status** |  | The proposals are neutral as regards people of different marital status and consequently there is no opportunity to promote equality of opportunity.  |
| **Sexual orientation** |  | The proposals are neutral as regards people of different sexual orientation and consequently there is no opportunity to promote equality of opportunity.  |
| **Men and women generally**  |  | The proposals are neutral as regards people of different gender and consequently there is no opportunity to promote equality of opportunity.  |
| **Disability** |  | The proposals are neutral as regards people of different gender and consequently there is no opportunity to promote disability.  |
|  **Dependants** |  | The proposals are neutral as regards people with dependants and consequently there is no opportunity to promote equality of opportunity.  |

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 |  | The proposals are neutral as regards people of different religious belief and consequently there is no opportunity to better promote good relations.  |
| Political opinion  |  | The proposals are neutral as regards political opinion and consequently there is no opportunity to better promote good relations. |
| Racial group  |  | The proposals are neutral as regards racial group and consequently there is no opportunity to better promote good relations. |

**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  |  |
| Political opinion  |  |
| Racial group  |  |
| Age  |  |
| Marital status  |  |
| Sexual orientation |  |
| Men & women generally |  |
| Disability |  |
| Dependants |  |

|  |
| --- |
| **No evidence held? Outline how you will obtain it:** These proposals are not perceived to have any impact on people within the equality categories. Previous amending regulations carried out to the Radioactive Substances (Basic Safety Standards) Regulations (Northern Ireland) 2003 and the Radioactive Contaminated Land Regulations (Northern Ireland) 2006 have not identified any impact on Section 75 groups.However, comments from any of the Section 75 groups are welcomed during consultation, particularly if any group considers that it is significantly affected by the policy amendments and where this is not recognised in this Equality Screening Document.  |

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 proposalsdo not impact on people with disabilities and therefore there are no opportunities for DAERA to promote positive attitudes towards disabled people. |

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 proposalsdo not impact on people with disabilities and therefore there are no opportunities for DAERA to increase participation of people with disabilities in public life. |

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 1Article 1** | [ ]  |
| Right to education | **Protocol 1Article 2** | [ ]  |
| Right to free and secret elections | **Protocol 1Article 3** | [ ]  |

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**  UK-wide Consultation document on the transposition of the Basic Safety Standards Directive (2013/59/Euratom) |

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

|  |  |
| --- | --- |
| [x]  | equality of opportunity and good relations |
| [x]  | disabilities duties; and |
| [x]  | 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 |

|  |  |
| --- | --- |
| [x]  | \***Screened Out** – No EQIA necessary (no impacts)Provide a brief note here to explain how this decision was reached:* 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.

These proposals are not perceived to have any impact on people within the equality categories. Amendments to the statutory regulations will have a positive impact on all people in Northern Ireland by enhancing already stringent safety standards relating to ionizing radiation. |

|  |  |
| --- | --- |
| [ ]  | \* **Screened Out -** Mitigating Actions (minor impacts)Provide a brief note here to explain how this decision was reached: * Describe clearly the mitigating actions and / or policy changes that will now be introduced
* Explain how these actions will address the inequalities:
 |

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

|  |
| --- |
| **Screening assessment completed by (Staff Officer level or above) -** |
| Name: Janis Purdy | Grade: SO |
|  | Date: 07/09/2017 |
| Branch: Environmental Policy Division |

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| --- |
| Signature:  |

|  |
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| **Screening decision approved by (must be Grade 3 or above) -** |
| Name: David Small | Grade: Deputy Secretary |
|  | Date: 8 September 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. 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.

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)