

# Equality Scheme 2016-2020



Drawn up in accordance with Section  
75 and Schedule 9 of the NI Act 1998



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

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

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# Foreword

I am pleased to present the new Equality Scheme for the Department of Agriculture, Environment and Rural Affairs (DAERA) which sets out how the Department proposes to fulfil the Section 75 statutory duties.

Section 75 of the NI Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act.

DAERA will commit the necessary resources in terms of people, time and money to make sure that the Section 75 statutory duties are complied with and that this Equality Scheme is implemented effectively and on time.

DAERA commits to having effective internal arrangements in place for ensuring our effective compliance with the Section 75 statutory duties and for monitoring and reviewing our progress.

DAERA will develop and deliver a programme of communication and training with the aim of ensuring that our staff and Departmental Board members are made aware of our Equality Scheme and understand the commitments and obligations within it. We will develop a programme of awareness raising for our consultees on the Section 75 statutory duties and the commitments in our Equality Scheme.

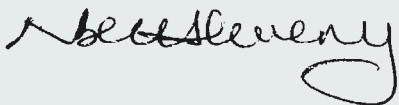
I am committed to fulfilling effectively our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our Equality Scheme.

I realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are implemented effectively.

This Equality Scheme demonstrates that we are determined to ensure there are opportunities for people affected by our work, to influence positively how we carry out our functions in line with our Section 75 statutory duties.

It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our Equality Scheme, can make complaints.

On behalf of the Department of Agriculture, Environment and Rural Affairs and our staff, we are pleased to support and endorse this Equality Scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the NI Act 1998 and Equality Commission guidelines.

A handwritten signature in black ink, appearing to read 'Noel Lavery', with a large, stylized flourish at the end.

Noel Lavery  
Permanent Secretary  
Department of Agriculture, Environment and Rural Affairs

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Please note: The Foreword and Appendices 3 and 4 form part of this Equality Scheme.

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# Chapter 1 - Introduction

## **Section 75 of the NI Act 1998**

1.1 Section 75 of the NI Act 1998 (the Act) requires the Department of Agriculture, Environment and Rural Affairs (DAERA) to comply with two statutory duties:

### **Section 75 (1)**

1.2 In carrying out our functions relating to NI we are required to have due regard to the need to promote equality of opportunity

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- between men and women generally
- between persons with a disability and persons without
- between persons with dependants and persons without.

### **Section 75 (2)**

1.3 In addition, without prejudice to the obligations above, in carrying out our functions in relation to NI we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

1.4 “Functions” include the “powers and duties” of a public authority. This includes our employment and procurement functions. This chapter explains who we are and what we do.

1.5 Further information on the Section 75 duties and the relationship between the equality duty (S75(1)) and the good relations duty (S75(2)) can be found in the ECNI publication “Section 75 of the NI Act 1998 - A Guide for Public Authorities”.

## **How we propose to fulfil the Section 75 duties in relation to the relevant functions of DAERA:**

1.6 Schedule 9 4. (1) of the Act requires DAERA as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement.

1.7 It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

1.8 DAERA is committed to the discharge of its Section 75 obligations in all parts of its organisation. The Department will commit the necessary resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that its Equality Scheme can be implemented effectively.

### **Our Vision, Our Aim and Strategic Goals**

1.9 The Department of Agriculture, Environment and Rural Affairs (DAERA) came into effect on May 8 2016. DAERA has responsibility for food, farming, environmental, fisheries, forestry and sustainability policy and the development of the rural sector in Northern Ireland. The Department assists the sustainable development of the agri-food, environmental, fishing and forestry sectors of the Northern Ireland economy, having regard for the needs of the consumers, the protection of human, animal and plant health, the welfare of animals and the conservation and enhancement of the environment.

1.10 DAERA provides a business development service for farmers and growers and a veterinary service for administration of animal health and welfare. The Department's College of Agriculture, Food and Rural Enterprise (CAFRE) delivers training and further and higher education courses in the agri-food sector. DAERA is responsible to the Department

of the Environment, Food and Rural Affairs (DEFRA) in Great Britain for the administration of schemes affecting the whole of the United Kingdom. The Department also oversees the application of European Union agricultural, environmental, fisheries and rural development policy to Northern Ireland.

1.11 DAERA's functions include:

- most of the roles and responsibilities of the former Department of Agriculture and Rural Development (DARD), excluding Rivers Agency which transferred to the Department for Infrastructure;
- inland fisheries from the former Department of Culture, Arts and Leisure (DCAL);
- environmental functions from the former Department of Environment (DOE),
- and policy responsibility for the Sustainable Strategy from OFMDFM (now The Executive Office (TEO)).

DAERA has two Executive Agencies:

- Northern Ireland Environment Agency (NIEA)
- Forest Service

## DAERA's Strategic Goals

1.12 To work with partners and stakeholders to:

- Develop sustainable agricultural, fisheries and industrial sectors (Goal 1)
- Protect and improve the environment (Goal 2); and
- Champion rural needs (Goal 3).

How we operate

- Teams will deliver high quality services innovatively, effectively and efficiently (Goal 4)

1.13 DAERA achieves its objectives by delivering key Public Service Agreement targets and commitments through the work of its staff and a wide range of delivery partners. These partners are bodies linked to DAERA and include its Non-Departmental Public Bodies (NDPBs) and other partner organisations.

1.14 The DAERA website provides further information about the work of the Department, and our targets and spending plans which aim to have a positive impact on rural communities, the economy and in addressing rural poverty issues.

1.15 For more information, go to <https://www.daera-ni.gov.uk/>

1.16 DAERA currently has responsibility for 5 Non Departmental Public Bodies (NDPB). These are: -

**Executive NDPB's**

Agri-Food and Biosciences Institute (AFBI)

Agricultural Wages Board for NI (AWB)

Livestock and Meat Commission for NI (LMC)

NI Fishery Harbour Authority (NIFHA)

Council for Nature Conservation and the Countryside

**Ad-Hoc Advisory Group**

Agri-food Strategy Board (AFSB)

**North/South Bodies**

The Loughs Agency is co-sponsored and co-funded by DAERA and the Department of Communications, Climate Action and Environment (DCCA) in the Republic of Ireland.

**1.17 Procurement**

The Central Procurement Directorate (CPD) provides a procurement service to NI Departments for a wide range of supplies and services to ensure best value for money, legal compliance and competitiveness. DAERA carries out its procurement activities by means of documented Service Level Agreements with the CPD or a relevant Centre of Procurement Expertise (CoPE) arrangement.

1.18 DAERA is committed to implementing the “Equality of Opportunity and Sustainable Development in Public Sector Procurement” Guidance produced by the Equality Commission and the CPD.

**1.19 Staff**

At 12 May 2016 the Department employed a total of 3,219 permanent staff, of which 2,788 were non-industrial employees and 431 were industrial employees. DAERA is committed to discharging its equality obligations across all aspects of its employment functions.



## Chapter 2 - Our arrangements for assessing our compliance with the Section 75 duties

### ***(Schedule 9 4. (2) (a))***

2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this Equality Scheme; for example arrangements for monitoring; assessment of impact of policies; consultation, training, publication, complaints, access to information and services and review.

In addition we have the following arrangements in place for assessing our compliance:

#### **Responsibilities and reporting**

2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work, and across all our functions (including service provision, employment and procurement).

2.3 Primary responsibility for the effective implementation of our Equality Scheme at Departmental Board level lies with the Deputy Secretary of Central Services and Rural Affairs Group. The Deputy Secretary is accountable to the DAERA Departmental Board, Permanent Secretary for the development, implementation and maintenance and review of the Equality Scheme in accordance with Section 75 and Schedule 9 of the NI Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.

2.4 If you have any questions or comments regarding our Equality Scheme, please contact our Equality Unit at the address given below and we will respond to you as soon as possible:

DAERA Equality Unit  
Old Library Building  
Coleraine County Hall  
Castlerock Road  
Coleraine  
BT51 3HS

Tel: 028 7034 6904  
Text Relay 18001 028 7034 6904  
email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

2.5 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans.

2.6 Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme, where relevant. The personal performance plans are subject to appraisal in the annual performance review.

2.7 DAERA prepares an annual report on the progress it has made on implementing the arrangements set out in this Equality Scheme to discharge our Section 75 statutory duties. DAERA's Section 75 Annual Progress Report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission. Progress on the delivery of Section 75 statutory duties will also be included in our (organisational) annual report.

2.8 Our latest Section 75 Annual Progress Report is available on our website or by contacting us:

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Tel: 028 7034 6904  
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email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

2.9 DAERA liaises closely with the Equality Commission to ensure that progress on the implementation of our Equality Scheme is maintained.

2.10 The Section 75 equality and good relations obligations are mainstreamed across all aspects of DAERA business.

2.11 Directors and senior managers are responsible for ensuring that the Section 75 statutory duties are taken fully into account in developing, reviewing and implementing policy decisions across their business remit. Day-to-day responsibility for overseeing the Department's Equality Agenda and monitoring compliance across DAERA lies with the Equality Unit which is located within Corporate Services. The Director of Corporate Services reports directly to the Deputy Secretary of Central Services and Rural Affairs and represents DAERA at senior level at relevant inter-Departmental forums to discuss progress and implementation of the Section 75 duties.

2.12 The Equality Steering Group (ESG) is a sub-group of our Departmental Board. It is made up of senior representatives from across DAERA business areas, NIPSA and external representatives from key

organisations with an interest in DAERA business and rural equality and good relations issues. It meets 2-3 times per year, is chaired by our Permanent Secretary and monitors the Department's overall progress towards meeting its wider equality agenda and Equality Scheme commitments. Equality Unit provides progress reports to the Equality Steering Group on the fulfilment of the Section 75 obligations. Minutes of the ESG meetings are published on the DAERA website.

2.13 Throughout the year the equality team meets with sectoral organisations; and along with our business areas we ensure that there is also wider engagement with the public on matters that may be of specific interest to them. For instance, we host meetings with various Section 75 groups and represent the Department at a range of equality related conferences and events. DAERA business areas are keen to improve how they engage with different groups of their customers, and will continue to explore new ways of interacting directly with different groups of people and their representatives.

2.14 Equality Unit staff are also represented on a range of inter-Departmental working groups and external forums to help drive forward key equality issues across government. In addition, the Equality Unit are represented on the NICS Departmental Equality Practitioners Group (EPG), hosted and chaired by the Executive Office.

2.15 Equality Unit provides updates to DAERA business areas about a range of equality issues via its mailshots, on-line equality library resources and intranet site. These updates to business areas can include details about best practice initiatives, new Equality Commission guidance; new equality reports and sectoral publications; training events, awareness raising events and seminars.

## **Audit of Inequalities and Action Plan**

2.16 DAERA has published an Audit of Inequalities and an accompanying draft Action Plan. The Action Plan is being reviewed following the formation of the new Department.

2.17 These documents will help us focus on ways to tackle persistent inequalities across our business functions and to further promote equality of opportunity and good relations.

2.18 The action measures that will make up the proposed Action Plan will be relevant to our business functions, and prioritised on the basis of our Audit of Inequalities. The Audit analyses information across the Section 75 categories on the inequalities that currently exist for our service users and those affected by our policies. In addition to the targets set out in the Action Plan, DAERA will continue to ensure that its policies and functions are scrutinised to determine where equality of opportunity can be promoted and inequality tackled.

2.19 The revised Action Plan measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. They will also include performance indicators and timescales for their achievement.

2.20 The Action Plan will be developed for a period of five years and will be aligned with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

2.21 We will monitor our progress on the delivery of our Action Plan measures annually and update the Action Plan as necessary to ensure that it remains effective and relevant to our functions and work.



2.22 DAERA will inform the Equality Commission of any changes or amendments to our Action Plan and will also include this information in our Section 75 Annual Progress Report to the Equality Commission.

2.23 The Action Plan will be available on the DAERA website, or by contacting the DAERA Equality Unit. We will also bring it to the attention of our Section 75 consultees too.

Our progress on our Audit of Inequalities Action Plan targets will be reported in our Section 75 Annual Progress Report to the Equality Commission. It will also be reviewed in our progress reports to the Equality Steering Group and the Departmental Board.

## Chapter 3 - Our arrangements for consulting

***(Schedule 9 4. (2) (a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted).***

***(Schedule 9 4. (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.***

3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our Equality Scheme and its action measures; equality impact assessments and other matters relevant to the Section 75 statutory duties. We will also consult on our Audit of Inequalities and its accompanying Action Plan.

3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's guidance 'Section 75 of the NI Act 1998 – A Guide for Public Authorities (April 2010)').

3.3 Consultations will seek the views of those directly affected by the matter/policy, including the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trade unions and other such groups who have a legitimate interest in the matter whether or not they have a direct economic or personal interest. The Department will monitor its approach to consultation, to ensure that it is open and encourages participation; and that it continues to reach out to representative groups and to those individuals directly affected by the matter/policy.

3.4 In March 2011 the Department launched a "Guide to Managing Industrial Relations in DAERA" which provides an explanation of when and how the Department should engage with Trade Union Side (TUS).

3.5 Initially consultees (see Appendix 3) will, as a matter of course, be notified (by email or post) of the issue/policy being developed to ensure

they are aware of our up-coming public consultation exercises. However, we realise that many of our consultees may/may not wish to be contacted about all of the Department's up-coming consultation exercises.

3.6 Thereafter, to ensure the most effective use of our and our consultees' resources, we will, at times take a more targeted approach to consultation by contacting those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the issue is of particular relevance. This may include for example regional or local consultations, sectoral interest groups or thematic consultation etc. Where appropriate, we will also pro-actively reach out beyond our usual consultees to seek wider views and participation.

3.7 Consultation with stakeholders will begin as early as possible. As appropriate, this will include seeking to meet with key consultees at an early stage to hear their views before the formal consultation period commences. We will ask our consultees what their preferred consultation methods are and will give consideration to these. We will also engage with affected individuals and representative groups to identify how best to consult or engage with them.

Methods of consultation could include:

- Face-to-face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires
- Information/notification by email with an opportunity to opt in or opt out of the consultation
- Internet discussions or
- Telephone consultations.

This list is not exhaustive and we may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

3.8 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given as to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities.

3.9 We will take account of existing and developing good practice, including the Equality Commission's guidance "*Let's Talk Let's Listen – Guidance for Public Authorities on Consulting and Involving Children and Young People (2008)*".

3.10 DAERA is committed to achieving effective communication with its customers and with the public. We will ensure that we provide a wide range of accessible communication channels to suit the diverse needs of our customers, and we will also take action to promote the availability of our accessible services too. We will work to make our information services accessible through a range of different formats, and will seek feedback from our customers and as appropriate, review and enhance our service provision.

3.11 On request, information will be made available to our customers in alternative formats. We will aim to do this as quickly as possible, usually within 10 working days. We will ensure that the return date for consultation responses is suitably adjusted to take account of the time needed for us to provide consultees with an alternative format. If we envisage any delay in meeting the request within the (10 working day) timescale, we will advise our customer of the reason and the timescale.

3.12 Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.13 To ensure effective consultation with consultees on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our Equality Scheme by undertaking the following:

- Issue of a Press Release when our Equality Scheme is approved by the Equality Commission
- Email notification to all consultees within one month of our Equality Scheme and Action Plan being approved by the Equality Commission
- Quarterly Equality Steering Group meetings to discuss targets and progress on the Equality Scheme and actions related to DAERA functions and business
- As appropriate, arranging pre-consultation meetings with key Section 75 groups and representatives to discuss specific policy issues
- Publish on the internet, and as appropriate, circulate equality progress updates, commitments in key action plans and minutes of ESG meetings to consultees.

3.14 The consultation period for EQIA will last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. All other policy consultations will comply with Clause 65 of the Fresh Start Agreement and be for a maximum of 8 weeks.



3.15 Where, under exceptional circumstances (for example implementing EU Directives or national legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we must implement a policy immediately, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.

3.16 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, we will give consideration to the feasibility of allowing a longer period for the consultation.

3.17 We realise that affected individuals and representative groups may have different needs, and we will take appropriate measures to facilitate participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and / or interpreter is necessary, and whether the provision of childcare and support for other carers is required.

3.18 We make relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.19 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.

3.20 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of

our consideration of and response to consultees' input. Where it has not been possible to incorporate the views of consultees we will explain our reasons for this. The feedback is provided in formats suitable to consultees. (Please see also 6.3)

3.21 A list of our current consultees is included in this Equality Scheme at Appendix 3. It can also be viewed on our website at [www.daera-ni.gov.uk/daeras-equality-scheme](http://www.daera-ni.gov.uk/daeras-equality-scheme) or by contacting:

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Old Library Building  
Coleraine County Hall  
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email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

3.22 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

3.23 We welcome enquiries from any person or organisation wishing to be added to our list of consultees. Please let us have your contact details (or let us know about any changes to your existing details) and to have your areas of interest noted. Please also let us know if you would like information sent to you in a particular format or language.

# Chapter 4 - Our arrangements for assessing, monitoring and publishing the impact of policies

***(Schedule 9 4. (2) (b); Schedule 9 4. (2) (c); Schedule 9 4. (2) (d); Schedule 9 9. (1); Schedule 9 9.(2))***

**Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity** (Schedule 9 4. (2) (c))

4.1 In the context of Section 75, ‘policy’ is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions. In respect of this equality scheme, the term policy is used for any (proposed /amended/ existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g: ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’.

4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the NI Act 1998.

4.3 DAERA uses the tools of screening and equality impact assessment to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:

- the guidance on screening, including the screening template, as detailed in the Commission’s guidance ‘Section 75 of the NI Act 1998 - A Guide for Public Authorities (April 2010)’ and
- on undertaking an equality impact assessment as detailed in the Commission’s guidance ‘Practical guidance on equality impact assessment (February 2005)’.

## Screening

4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.

4.6 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. We will ensure that our staff are adequately trained to enable screening assessments to be completed consistently throughout the organisation. Where possible we will include key stakeholders in the screening process.

4.7 The following questions are applied to all our policies as part of the screening process:

- What is the likely impact on **equality of opportunity** for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
- Are there opportunities to better promote **equality of opportunity** for people within the Section 75 equality categories?
- To what extent is the policy likely to impact on **good relations** between people of a different religious belief, political opinion or racial group? (minor/major/none)

- Are there opportunities to better promote **good relations** between people of a different religious belief, political opinion or racial group?

4.8 In order to answer the screening questions, we will gather relevant information and data, both qualitative and quantitative. In taking this evidence into account we will consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.

4.9 Completion of screening assessments, taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

1. the policy has been 'screened in' for equality impact assessment;
2. the policy has been 'screened out' with mitigation or an alternative policy proposed to be adopted;
3. the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening assessment concludes that the likely impact of a policy is 'minor' in respect of one, or more, of the equality of opportunity and/or good relations categories, we may decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

Where we mitigate we will outline in our screening assessment the reasons to support this decision together with the proposed changes, amendments or alternative policy.

4.11 If our screening assessment concludes that the likely impact of a policy is 'major' in respect of one, or more of the equality of opportunity and/or good relations categories, we will normally subject the policy to an equality impact assessment. This screening assessment will be 'signed off' by the appropriate senior policy lead (usually the Head of Branch) within DAERA.

4.12 If our screening assessment concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken.

4.13 This screening assessment will be 'signed off' by the appropriate senior policy lead (usually the Head of Branch) within DAERA. As soon as possible following the completion of the screening assessment, the completed form, signed off and approved by the senior manager responsible for the policy, will be made available on our website, under the Equality Scheme heading on the DAERA homepage. Copies can also be made available on request by contacting us:

DAERA Equality Unit  
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Tel: 028 7034 6904  
Text Relay 18001 028 7034 6904  
email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

4.14 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

4.15 Our quarterly screening reports give details of the Departments screening decisions and these reports are published on our internet site. Details of these screening reports are sent out by email link to our consultees on a quarterly basis. A link to our screening assessments can also be provided on a monthly basis to those consultees who wish to receive this information on a more regular basis. To request a monthly update please contact DAERA Equality Unit (see contact details).

### **Equality impact assessment**

4.16 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.

4.17 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.

4.18 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).



**Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity. (*Schedule 9 4. (2) (d); Schedule 9 9. (1)*)**

4.19 We make publicly available on the DAERA internet the results of our assessments (quarterly screening reports and EQIAs) of the likely impact of our policies on the promotion of equality of opportunity and good relations.

### **What we publish**

4.20 Screening reports.

These are published quarterly on the DAERA internet. Our screening reports will include:

- Details of policies screened by DAERA over the three month period
- A short statement about the aim(s) of each of the specific policy/policies which have been screened
- Details of the consideration given to measures which might mitigate any adverse impact
- Details of the consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Details about each screening assessment made, i.e:
- whether the policy has been ‘screened in’ for equality impact assessment

- whether the policy has been ‘screened out’ with mitigation or an alternative policy proposed to be adopted
- whether the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted
- Where applicable, a timetable for conducting equality impact assessments
- A weblink to each of the completed screening form(s)

#### 4.21 Completed Screening forms

For details on the availability of our completed screening forms on the DAERA internet, please refer to 4.13.

#### 4.22 Equality impact assessments

EQIA reports are published once the impact assessment has been completed and normally within two months from the end of the consultation period. These reports include:

- A statement of the aim of the policy assessed
- Information and data collected
- Details of the assessment of impact(s)
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity

- Consultation responses
- The decision taken; and
- Future monitoring plans.

### How we publish the information

4.23 All information we publish is accessible and, on request can be made available in a range of alternative formats. Please see 6.3 below.

### Where we publish the information

4.24 The results of our assessments (quarterly screening reports and completed screening forms, the results of equality impact assessments) are available on our website under [Agenda for Equality](#) or by contacting us:

DAERA Equality Unit  
Old Library Building  
Coleraine County Hall  
Castlerock Road  
Coleraine  
BT51 3HS

Tel: 028 7034 6904  
Text Relay 18001 028 7034 6904  
email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

4.25 In addition to the above, our screening reports (which set out details about the policies we have screened over a 3 month period) are sent out by email link to our consultees on a quarterly basis. A link to our screening assessments can also be provided on a monthly basis to those consultees who wish to receive this information on a more regular basis. Hard copies of our screening reports can also be made available, on request.

4.26 We will inform the general public about the availability of this information through communications such as press releases, where appropriate.

**Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity (*Schedule 9 4. (2) (c)*)**

4.27 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, DAERA follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.28 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.29 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:

- The collection, collation and analysis of existing relevant quantitative and qualitative data across all nine equality categories on an ongoing basis.
- An audit of existing information systems within one year of approval of this Equality Scheme, to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions.

- Undertaking or commissioning new data if necessary.

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

4.31 We review our EQIA monitoring information on an annual basis. Equality Unit works closely with business areas to ensure that the outcomes of equality monitoring exercises are co-ordinated and shared with policy makers. The availability of monitoring data assists our policymakers when undertaking future equality screening assessments and in developing or reviewing policy decisions.

- Equality Unit staff provide guidance to business areas on the completion of equality impact assessments and arrangements to undertake appropriate equality monitoring.
- Our Section 75 Annual Progress Report to the Equality Commission includes an update on the equality monitoring actions we have undertaken and the outcomes from this action.
- Measures are in place through NISRA to analyse and provide statistical reports to the Department on the equality monitoring data obtained from various Schemes and applications for funding under the NI Rural Development Programme (NIRDP).
- Customer Service complaints are regularly monitored to ensure a satisfactory level of service is maintained and that any issues raised by customers are addressed promptly and satisfactorily.

**Our arrangements for publishing the results of our monitoring  
(Schedule 9 4. (2) (d))**

4.32 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as follows:

4.33 EQIA monitoring information is published as part of our section 75 Annual Progress Report [see 2.7].

4.34 Our consultees will be advised by email when our Annual Progress report is published. Hard copies can be made available on request.

4.35 All information published is accessible and can be made available in alternative formats on request. Please see below at 6.3 for details.

## Chapter 5 - Staff training

### *(Schedule 9 4.(2) (e))*

#### **Commitment to staff training**

5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties for all staff, regardless of their grade.

5.2 Our Permanent Secretary wishes to communicate positively the commitment of DAERA to the Section 75 statutory duties, both internally and externally.

To this end we have introduced an effective communication and training programme for staff and will ensure that our commitment to the Section 75 statutory duties is made clear in relevant publications.

#### **Training objectives**

5.3 DAERA will draw up a training plan for its staff which will aim to achieve the following objectives:

- to raise awareness of the provisions of Section 75 of the NI Act 1998, our Equality Scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff, fully understand their role in implementing the Scheme;
- to provide those staff involved in the assessment of policies (equality screening and EQIA) with the necessary skills and knowledge to do this work effectively;



- to provide those staff who deal with complaints in relation to compliance with our Equality Scheme with the necessary skills and knowledge to investigate and monitor complaints effectively;
- to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively;
- to provide those staff involved in the implementation and monitoring of the effective implementation of DAERA Equality Scheme with the necessary skills and knowledge to do this work effectively.

### **Awareness raising and training arrangements**

5.4 The following arrangements are in place to ensure our staff and Board members are aware of and understand our equality obligations:

- We will develop a summary of this Equality Scheme and make it available to all staff;
- We will provide access to copies of the full Equality Scheme for all staff; ensure that any queries or questions of clarification from staff are addressed effectively;
- Staff in DAERA will receive a briefing on this Equality Scheme within one month following approval of the Scheme;
- The Section 75 statutory duties form part of induction training for new staff;
- Focused training is sought for key staff within DAERA through the Centre of Applied learning (CAL) who are directly engaged in taking forward the implementation of our Equality Scheme

commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation);

- Where appropriate, training will be provided by or sourced through CAL to ensure staff are aware of the issues experienced by the range of Section 75 groups;
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments;
- As mentioned above, generic Equality training is provided for DAERA by CAL, which is the sole provider of generic training to the NI Civil Service (NICS).

#### **5.5 Section 75 related training courses provided by CAL include:**

- **An Introduction to section 75 and Schedule 9** - the aim of this course is to familiarise participants with the two statutory duties as outlined in Section 75 and Schedule 9, and the guidance provided by the Equality Commission. This course gives participants the opportunity to consider how Section 75 can be mainstreamed into policy development and implementation through screening and Equality Impact Assessments (EQIAs). Consultation, monitoring and action planning will also be introduced through linked, interactive exercises. It is a prerequisite for attendance on the Equality Impact Assessment (EQIA) Workshop;
- **Equality Impact Assessment (EQIA) Workshop** - This course builds on participants' knowledge of Section 75 by giving them the opportunity to consider how to carry out an EQIA, in

accordance with statutory guidance, and appropriate monitoring and consultation strategies;

- **Public Consultation and Engagement in the Northern Ireland Context** - The aim of this course is to develop knowledge and understanding of the consultation process for policymaking in Northern Ireland and to develop skills in carrying out consultations. Participants will explore the concepts, principles and a range of methods of consultation and will be able to define a structured approach to consultation. Participants will also have the opportunity to put consultations skills into practice in a learning environment.

5.7 DAERA liaises regularly with CAL to quality assure training courses. This ensures that the content and delivery of courses meet the needs of DAERA.

5.8 DAERA supplements the training provided by CAL by direct delivery of courses as and when required. All departmental staff receive awareness training on equality and diversity issues.

5.9 DAERA ensures all staff are kept advised of changes to the Equality Scheme by:

- dissemination of information to staff via the intranet site; Team Brief; regular meetings and briefings for business areas;
- publication on the DAERA website of the regular Section 75 Annual Progress Reports submitted to the Departmental Board;
- briefings and presentations at meetings of the Equality Steering Group; and

- training briefings and workshops organised by the Equality Branch on the new Equality Scheme and Section 75 screening procedures.

5.10 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and our staff.

5.11 In order to share resources and expertise, both DAERA and CAL will, where possible, work closely with other bodies and agencies in the development and delivery of training.

### **Monitoring and evaluation**

5.12 Our training programme is subject to the following monitoring and evaluation arrangements:

- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
- The extent to which training objectives have been met will be reported on as part of our Section 75 Annual Progress Report, which will be sent to the Equality Commission.
- Participants attending CAL training courses and those delivered by DAERA are required to complete a post course evaluation questionnaire, the results of which are analysed and a summary report produced. The post course evaluation also informs the regular course reviews and courses are revised accordingly, where appropriate.

- As part of the Performance Management framework, it is a requirement that line managers discuss training courses objectives with their staff - both in terms of setting these objectives before the event, and the extent to which the objectives have been met once the training has been delivered. Line managers are also responsible for ensuring that opportunities are in place to put the training into practice.
- Annual Personal Development Plans (PDPs) are discussed, agreed and monitored by DAERA line managers and the staff for whom they are responsible. These PDPs are collated within each business area to produce organisational training plans, which also take account of the NICS corporate training priorities. Training reports can be provided to monitor training provided against the organisational training plans.

## Chapter 6 - Our arrangements for ensuring and assessing public access to information and services we provide

### ***(Schedule 9 4. (2) (f))***

6.1 DAERA is committed to ensuring that the published information we make available and the information services we provide are fully accessible to all parts of the community across Northern Ireland. We keep our arrangements under review to ensure that this remains the case.

6.2 We are aware that some groups will not have the same level of access to information as others. In particular:

- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
- Children and young people may not be able to fully access or understand information.

### **Access to information**

6.3 To ensure equality of opportunity in accessing and in understanding our information, we ensure that we provide different ways for our customers to access our information services and suitable alternative formats on request. Where the exact request cannot be met we will ensure a reasonable alternative is provided.

- Alternative formats may include Easy Read, Braille, audio formats (CD, mp3 or DAISY), large print or translations into minority languages (to meet the needs of those for whom English is not their first language).

- DAERA liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.
- On request, information will be made available to our customers in alternative formats. We will aim to do this as quickly as possible, usually within 10 working days. If we envisage any delay in meeting the request within this timescale, we will advise our customer of the reason and the timescale.
- DAERA will, at times provide Easyread publications to accompany longer documents which aim to assist those customers who may have a reading, learning, dyslexia or comprehension difficulty.
- Our Departmental publications include an accessibility statement and outline that each can be made available in large type, audio cassette/CD, Braille or languages other than English, if requested. A range of contact methods are also provided.
- DAERA engages with a number of key organisations representing the specific interests of children and young people, and at times organises discussions with groups of young people to hear their views on key policy proposals.

6.4 In disseminating information through the media we will seek to advertise in the press where appropriate.



## **Access to services**

6.5 DAERA is committed to achieving effective communications with its customers, and with the wider rural community. We recognise that our customers have different needs and will also prefer to access DAERA services in quite different ways. We will use a range of communication channels to enable our customers to choose how they contact us and access DAERA services and to help mitigate the risk that some groups of people might not enjoy equality of opportunity in accessing and understanding information provided by the Department.

6.6 DAERA is committed to ensuring that all of its services are fully accessible to everyone in the community across the Section 75 categories, and through its work aims to support a wide range of rural services and initiatives to assist the growth of rural communities. DAERA also adheres to the relevant provisions of current anti-discrimination legislation.

## **Assessing public access to information and services**

6.7 DAERA monitors annually across all its functions, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.

6.8 The Equality Steering Group meets and monitors progress on a number of key areas including any complaints and issues raised in relation to access to DAERA information and services.

6.9 Accessibility of our information and services is also reviewed periodically through customer satisfaction surveys, feedback from customers and monitoring arrangements.

# Chapter 7 - Timetable for measures we propose in this Equality Scheme

## ***(Schedule 9 4. (3) (b))***

- 7.1 Appendix 4 outlines our timetable for all measures proposed within this Equality Scheme. The measures outlined in this timetable will be incorporated into our business planning processes.
- 7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our Equality Scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 - 2.18.

## Chapter 8 - Our complaints procedure

### *(Schedule 9 10.)*

8.1 DAERA is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved Equality Scheme.

8.3 If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

8.4 A person wishing to make a complaint that DAERA has failed to comply with its approved Equality Scheme should contact:

DAERA Equality Unit  
Old Library Building  
Coleraine County Hall  
Castlerock Road  
Coleraine  
BT51 3HS

Telephone: 028 7034 6904  
Text relay: 18001 028 7034 6904  
Email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

8.5 We will, in the first instance acknowledge each complaint within 3 working days of receipt.

8.6 DAERA will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

8.7 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes. If the complainant is not satisfied with DAERA's decision as a result of the investigation they can pursue the complaint further with the Equality Commission.

The Equality Commission for NI (ECNI) is located at;

Equality House  
7-9 Shaftesbury Square  
BELFAST  
BT2 7DP

Tel: 028 9050 0600  
Txt: 028 9024 0010

Fax: 028 9033 1544  
Email: info. [statduty@equalityni.org](mailto:statduty@equalityni.org)

8.8 In any subsequent investigation by the Equality Commission, DAERA will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

8.9 Similarly, DAERA will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the NI Act 1998.

8.10 DAERA will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

## Chapter 9 – Publication of our Equality Scheme

### *(Schedule 9 4. (3) (c))*

9.1 DAERA's Equality Scheme is available free of charge in print form and alternative formats from:

DAERA Equality Unit  
Old Library Building  
Coleraine County Hall  
Castlerock Road  
Coleraine  
BT51 3HS

Tel: 028 7034 6904

Text relay: 18001 028 7034 6904

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

9.2 Our Equality Scheme is also available on our website at:

[www.daera-ni.gov.uk/daeras-equality-scheme](http://www.daera-ni.gov.uk/daeras-equality-scheme)

9.3 The following arrangements are in place for the publication in a timely manner of our Equality Scheme to ensure equality of access:

- We will communicate widely about the publication and content of our Equality Scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various Section 75 categories.
- We will email a weblink to all Section 75 consultees on our consultation lists letting them know about the publication of our approved Equality Scheme, and how to access it on the DAERA internet site. Other consultees who prefer written communication or do not have an e-mail address will be

## Chapter 9 – Publication of our Equality Scheme

notified by letter that our Equality Scheme is available on request.

- Our Equality Scheme is available on request in a range of alternative formats such as Easy Read, Braille, large print, audio formats, (CD, mp3, DAISY) and also in other languages too. We will respond to requests for our Equality Scheme in an alternative format as quickly as possible, usually within 10 working days. If we envisage any delay in meeting the request within this timescale, we will advise our consultee of the reason and the timescale.
- A summary of our Equality Scheme will be prepared and circulated to children and young people; people with disabilities and minority ethnic groups and their representative organisations.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the Equality Scheme, visit our website at [www.daera-ni.gov.uk/daeras-equality-scheme](http://www.daera-ni.gov.uk/daeras-equality-scheme) or contact us:

Equality Unit  
 DAERA Equality Unit  
 Old Library Building  
 Coleraine County Hall  
 Castlerock Road  
 Coleraine  
 BT51 3HS

Tel: 028 7034 6904  
 Text relay: 18001 028 7034 6904  
 Email: [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk)

## Chapter 10 - Review of our Equality Scheme

### ***(Schedule 9 8. (3))***

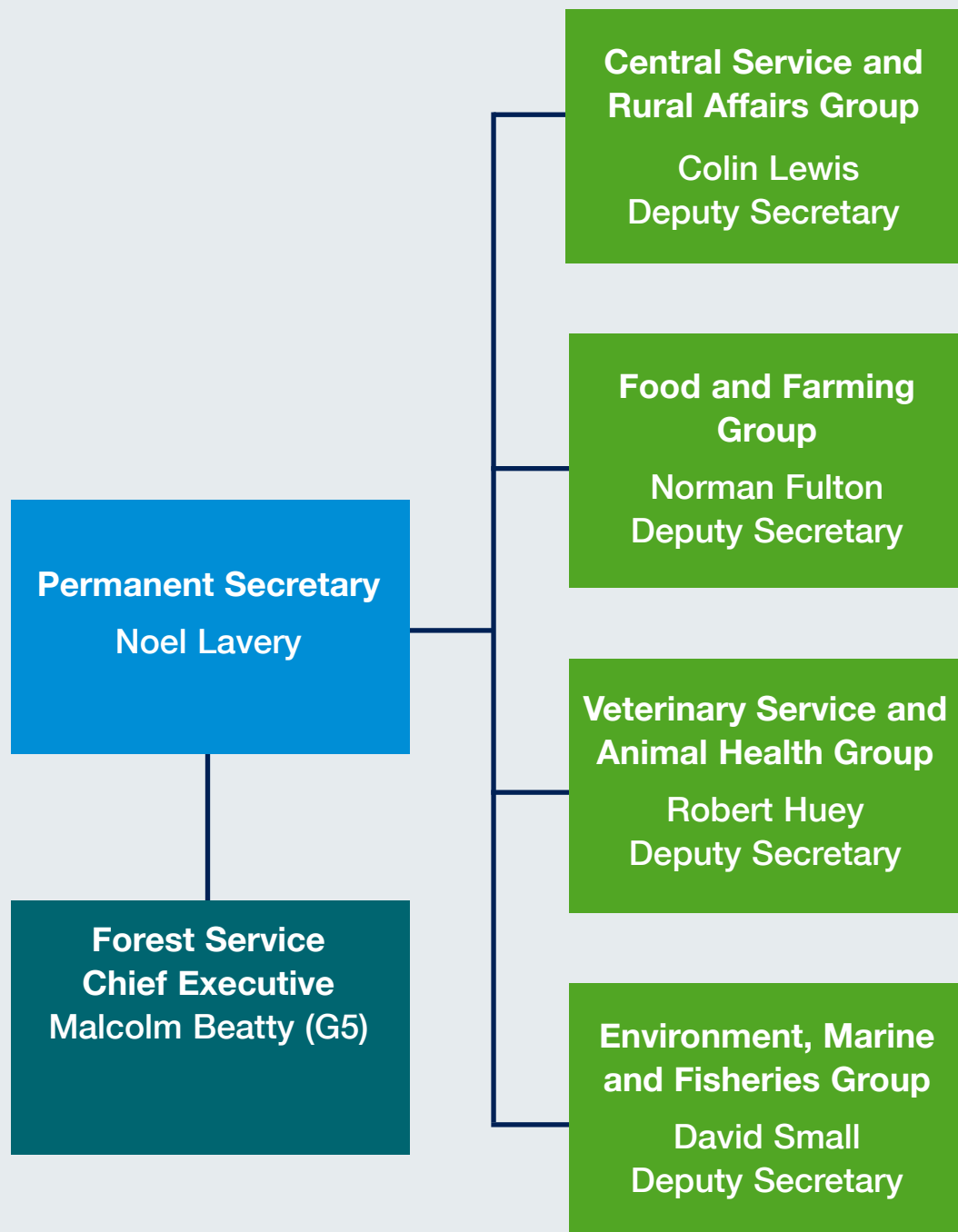
10.1 As required by Schedule 9 paragraph 8 (3) of the NI Act 1998 we will conduct a thorough review of this Equality Scheme. This review will take place either within five years of submission of this Equality Scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.

10.2 The review will evaluate the effectiveness of our Scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.

10.3 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public on the Department's website, with consultees notified by email and sent to the Equality Commission.



# Appendix 1 - DAERA Senior Structure



## Appendix 2 - Example groups relevant to the Section 75 categories for Northern Ireland purposes

***Please note, this list is for illustration purposes only, it is not exhaustive.***

<b>Category</b>	<b>Example Groups</b>
<b>Religious belief</b>	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths. For the purposes of Section 75, the term “religious belief” is the same definition as that used in the Fair Employment & Treatment (NI) Order <sup>10</sup> . Therefore, “religious belief” also includes any perceived religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “similar philosophical belief”.
<b>Political opinion<sup>11</sup></b>	Nationalist generally; Unionists generally; members/ supporters of other political parties.
<b>Racial group</b>	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
<b>Men and women generally</b>	Men (including boys); Trans-gendered people Transsexual people; women (including girls).
<b>Marital status</b>	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
<b>Age</b>	Children and young people; older people.

## Appendix 2 - Example groups relevant to the Section 75 categories for Northern Ireland purposes

<b>Persons with a disability</b>	Persons with disabilities as defined by the Disability Discrimination Act 1995.
<b>Persons with dependants</b>	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
<b>Sexual orientation</b>	Bisexual people; heterosexual people; gay or lesbian people.

<sup>10</sup> See Section 98 of the Northern Ireland Act 1998, which states: “In this Act...”political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment Treatment(NI) Order 1998.”

<sup>11</sup> *ibid*

## Appendix 3 - List of consultees

*(Schedule 9 4. (2) (a))*

### **DAERA Section 75 Consultees**

Alliance Party of NI  
An Munia Tober  
Autism NI  
Advice NI  
Age NI  
ACSONI  
African and Caribbean Support Organisation of Northern Ireland  
Agri-Food & Biosciences Institute (AFBI)  
Antrim & Newtownabbey Borough Council  
Ards & North Down Borough Council  
Armagh City, Banbridge & Craigavon Borough Council  
AWARE Defeat Depression  
Action on Hearing Loss NI  
Belfast Hebrew Congregation  
BBC Northern Ireland  
Belfast Hebrew Congregation  
Bishop of Down and Connor  
British Deaf Association (NI)  
Byrson Charitable Group  
Bryson Inter-Cultural  
Belfast Butterfly Club  
Baha'i Council for Northern Ireland  
Barnardos  
Belfast City Council  
Belfast Islamic Centre  
Belfast Jewish Community  
Children with Disabilities Strategic Alliance  
Community Foundation for NI  
Council for Maintained Schools  
Culture, Arts and Leisure Committee  
Conradh na Gaeilge  
Coiste na n-iarchimi

## Appendix 3 - List of consultees

*(Schedule 9 4. (2) (a))*

Commissioner for Older People for Northern Ireland  
 Community Places  
 The Cedar Foundation  
 CO3 Chief Officers of Third Sector  
 Cara-friend  
 Causeway Coast & Glens Borough Council  
 Carers Northern Ireland  
 Children's Law Centre  
 Children in Northern Ireland  
 Chinese Welfare Association (CWA)  
 Commissioner for Older People NI (COPNI)  
 Committee on the Admin of Justice (CAJ)  
 Community Development & Health Network (NI)  
 Community Foundation for NI  
 Community Relations Council (CRC)  
 Council for the Homeless (NI)  
 Confederation of Community Groups  
 Cruse Bereavement Care (NI)  
 Chrysalis Women's Centre  
 Catholic Bishops of NI  
 DAERA Disability Forum  
 Democratic Unionist Party  
 Derry City & Strabane District Council  
 Derry Well Woman  
 Disability Action  
 Down's Syndrome Association  
 European Commission Office in NI  
 Employers for Disability NI  
 Early years – The organization for young children  
 Employers' Forum on Disability  
 Equality Coalition  
 Equality Commission for NI Statutory Duty Team  
 Equality Forum NI

## Appendix 3 - List of consultees

*(Schedule 9 4. (2) (a))*

Falls Women's Centre  
Focus: The Identity Trust  
Foyle Women's Information Network  
Fermanagh & Omagh District Council  
FPA (NI) Formerly Family Planning Association  
Falls Community Council  
Fermanagh Women's Network  
Foras na Gaeilge  
Foyle, Carlingford & Irish Lights Commission  
Green Party  
Grand Orange Lodge of Ireland  
Gay Lesbian Youth Northern Ireland (GLYNI)  
Lesbian Line  
Livestock & Meat Commission for NI  
Local Government Staff Commission  
Lisburn & Castlereagh City Council  
Loughs Agency  
Magherafelt Women's Group  
Mens Action Network  
MENCAP  
Methodist Church in Ireland  
Mid & East Antrim Borough Council  
Mid Ulster District Council  
NI Association for Mental Health (Niamh)  
NI Association for the Care and Resettlement of Offenders (NIACRO)  
National Autistic Society Northern Ireland  
NI Rural Development Council  
NI Commissioner for Children and Young People  
Newry & Mourne District Council  
Newry and Mourne Women Ltd  
Newtownabbey Senior Citizens Forum  
NI Dyslexia Association  
NI Agricultural Consultant's Association (NIACA)

## Appendix 3 - List of consultees

*(Schedule 9 4. (2) (a))*

NI Commissioner for Children and Young People (NICCY)  
NI Council for Ethnic Minorities (NICEM)  
NI Muslim Family Association  
NI Council for Voluntary Action (NICVA)  
NI Human Rights Commission (NIHRC)  
NI Local Government Association (NILGA)  
NI Rural Women's Network  
NI Women's Aid Federation  
NI Agricultural Producers Association (NIAPA)  
NI Public Service Alliance (NIPSA)  
North West Community Network  
Northern Ireland Committee ICTU  
Northern Ireland Youth Forum  
NSPCC  
Oi Kwan Chinese Women's Group  
Omagh Ethnic Communities Support Group  
Omagh Women's Area Network  
Progressive Unionist Party  
Playboard NI  
Participation Network  
Parenting NI  
Parents & Professionals & Autism  
POBAL  
Press for Change  
Presbyterian Church in Ireland  
Queer Space  
Rainbow Project  
Rare Breeds Survival Trust  
RNIB  
Rural Community Network  
RSPB  
Rural Development Council  
Rural Support

## Appendix 3 - List of consultees

(Schedule 9 4. (2) (a))

Roman Catholic Church  
Schomberg Society  
SDLP  
Sinn Féin  
Save the Children  
Strategic Investment Board (SIB)  
Senior Citizen's Consortium, Sperrin Lakeland  
Sense NI  
Sikh Community Centre  
Sikh Women's and Children's Assoc  
South Tyrone Empowerment Programme (STEP)  
The Senior Citizens Consortium Sperrin Lakeland  
The Trans Forum  
The Women's Centre  
Training for Women Network Ltd  
The Guide Dogs for the Blind Association  
The Commissioner for Older People  
The Participation Network  
Traveller and Gay (TAG)  
Ulster Unionist Party  
Ultach  
Ulster Farmers' Union (UFU)  
UNISON

*This consultation list is indicative and not exhaustive and is reviewed on an annual basis to ensure it remains relevant to the Department of Agriculture, Environment and Rural Affairs's functions and policies.*



## Appendix 4 - Timetable for measures proposed

(Schedule 9 4.(3) (b))

Scheme para	Measure	Lead responsibility	Timetable
2.5	Reflect Section 75 obligations in Corporate and Business Plans.	Equality Unit. Departmental Board.	Annually - April each year.
2.7	Section 75 Annual Progress Report.	Equality Unit, Departmental Board.	31 August (annually).
2.10	6-monthly updates to Departmental Board.	Equality Unit.	Bi-annually.
2.10	Quarterly updates on progress to Equality Steering Group.	Equality Unit.	Quarterly.
3.2.5	Awareness raising of revised Equality Scheme and action plan.	Equality Unit.	December 2016.
4.15	Quarterly publication of Screening Reports.	Equality Unit.	Quarterly.
4.2.9	Review of existing equality monitoring arrangements.	Departmental Board.	April 2017.
4.3.1	Annual Review of monitoring information.	Equality Unit.	December 2017.
4.3.3	Publication of Monitoring information.	Equality Unit.	Annually August each year.

## Appendix 4 - Timetable for measures proposed

(Schedule 9 4.(3) (b))

Scheme para	Measure	Lead responsibility	Timetable
4.3.4	Notify consultees of publication of Annual Progress Report.	Equality Unit.	Annually, by September each year.
5.3	Review equality training programme.	Equality Unit.	Annually.
5.4, 5.5	Development of overall training programme, and focused training for key staff.	Equality Unit.	Annually.
5.6	Evaluation of training.	Equality Unit / Training.	Annually.
6.9	Assessing access to information and services.	Equality Steering Group.	Annually.
9.3	Communication of Equality Scheme.	Equality Unit.	On-going.
9.3	Notification of approved Scheme to consultees.	Equality Unit.	Within 3 months following revision of Scheme.
9.3	Circulate Summary of Scheme to groups representing young people, people with disabilities and minority ethnic people.	Equality Unit.	Within 3 months following revision of Scheme.
10.1	Review of Equality Scheme.	Equality Unit.	Within 5 years.

## Appendix 5 - Glossary of terms

### **Action plan**

This is a plan which sets out the actions and timescales that we will work towards to implement the Section 75 statutory duties. It is a way to monitor our progress to see if we have achieved equality outcomes.

### **Action measures and outcomes**

Specific ways that we will measure our progress towards the targets in our Action Plan for the relevant Section 75 equality and good relations categories.

### **Adverse impact**

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. Where there is an adverse impact identified we must consider whether or not it is unlawfully discriminatory and take action to reduce the impact, by considering mitigating actions and other ways of delivering the policy.

### **Audit of inequalities**

An audit of inequalities is a thorough analysis of inequalities which exist for service users and those affected by our policies. An audit can help to inform our work in relation to the Section 75 equality and good relations duties. It can also help us to assess our progress on the implementation of the equality duties, as it provides useful baseline information on existing inequalities across our business functions.

### **Centres of Procurement Expertise (CoPE)**

These are business units set up within NICS to improve procurement, collaboration and partnering. This will deliver better and more efficient services across government and ultimately the wider public sector.

### **Consultation**

In the context of Section 75, consultation is the process of asking those affected by a policy (such as service users, staff, the general public) for

## Appendix 5 - Glossary of terms

their views on how the policy could be implemented more effectively to promote equality of opportunity across the nine categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

### **Differential impact**

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must assess first whether a policy has a differential impact and if the impact is adverse, based on a thorough consideration of all information available.

### **Discrimination**

The anti-discrimination laws prohibit the following forms of discrimination:

- direct discrimination;
- indirect Discrimination;
- disability Discrimination;
- victimisation; and
- harassment.

Brief descriptions of these above terms follow:

#### **Direct discrimination:**

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds e.g. because of their sex, gender, disability etc.

#### **Indirect discrimination:**

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but

## Appendix 5 - Glossary of terms

which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people.

### **Disability discrimination:**

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

(a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.

(b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

### **Victimisation:**

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

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### **Harassment:**

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

### **Economic appraisal**

An economic appraisal is a systematic process for examining alternative uses of resources, focusing on assessment of needs, objectives, options, costs benefits, risks, funding and affordability and other factors relevant to decisions.

### **Equality impact assessment**

Under Section 75 existing and proposed policies are assessed in order to assess whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

### **Equality of opportunity**

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation. The promotion of equality of opportunity means more than simply the elimination of discrimination. It requires proactive work to secure equality of opportunity between the various categories identified under Section 75.

### **Equality Scheme**

This is the document which outlines our commitments to Section 75 and our arrangements for complying with the statutory duties. Our Scheme includes our arrangements for carrying out consultations, equality screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

## Appendix 5 - Glossary of terms

### **Functions**

Functions includes all the powers and duties of DAERA as a public authority. This covers all aspects of our business; for example our service provision, employment practices and procurement functions.

### **Good relations**

Although good relations is not defined in the legislation, the Equality Commission has set out the following working definition as ‘the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms’.

### **Mainstreaming equality**

The integration of equal opportunities principles, strategies and practices into our everyday work and our decision making processes. In other words, mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end.

### **Mitigation of adverse impact**

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, we must consider ways of delivering the policy outcomes which have a less adverse, (or mitigating) effect on the relevant Section 75 categories.

### **Monitoring**

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy.

Monitoring is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken.

Monitoring is not an end in itself but is a way of gathering the data needed for the next cycle of policy screening.

## Appendix 5 - Glossary of terms

### **NI Act**

The NI Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

### **NI Human Rights Commission (NIHRC)**

A statutory body established under Section 68 of the NI Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

### **NI Statistics & Research Agency (NISRA)**

The NI Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance (DoF). They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

### **Policy**

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as ‘a course or principle of action adopted or proposed by a government party, business or individual’. In the context of Section 75, the term **policies** covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

### **Positive action**

Although not specifically defined, the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.



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### **Qualitative data**

Qualitative data refers to the information we gather about the experiences of individuals from their perspective, such as focus groups, feedback from small customer groups etc. Consultations are more likely to yield qualitative than quantitative data.

### **Quantitative data**

Quantitative data refers to numbers, typically gathered from a population sample. This information is often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data.

### **Screening**

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of equality screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies.

### **Screening Reports**

Short reports which will be completed every 3 months setting out the names of screening assessments that have been carried out by DAERA over the previous 3 month period. Screening reports will be sent out to our consultees on a quarterly basis.

### **Schedule 9**

Schedule 9 of the NI Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an equality scheme.

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### **Section 75**

Section 75 of the NI Act provides that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status and sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

### **Section 75 investigation**

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme.

## Appendix 5 - Glossary of terms

There are two types of Equality Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved equality scheme;
2. An investigation initiated by the Equality Commission, where it believes that a public authority may have failed to comply with its approved equality scheme.

### **The Executive Office (TEO)**

The Executive Office (TEO) (formerly known as the Office of the First Minister and deputy First Minister - OFMdfM) is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

A range of photographs (and permission to publish these) kindly provided by:

Disability Action's Centre on Human Rights for People with Disabilities. For further information go to [www.disabilityhumanrights.org](http://www.disabilityhumanrights.org) <<http://www.disabilityhumanrights.org/>

YFCU: Young Farmers' Clubs of Ulster is an association of local clubs run by young people that welcomes members from all communities in the town, city and countryside. For further information visit [www.yfcu.org](http://www.yfcu.org)

# Equality Scheme 2016-2020

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