

NORTHERN IRELAND ACT 1998

(Section 75 and Schedule 9)

Statutory Equality Obligation

**EQUALITY
SCHEME**

Approved on 8th February 2001

Updated 2 February

CONTENTS

	Page Number
Foreword	1
Introduction	2 – 5
Arrangements for Assessing Compliance with Section 75 Duties	6 – 10
Assessing the Impact of Policies on the Promotion of Equality of Opportunity	11 - 23
Consultation	24 - 34
Monitoring	35 - 36
Publication of Assessments and Monitoring	37 - 38
Training	39 – 41
Public Access to Information and Services	42 – 44
Publication of the Scheme	45
Complaints	46
Action Plan	47 – 50
Annex A – Functions and Policies of the DOE	51 – 89
Annex B – DOE Structure	90
Annex C – Main Groups Relevant to the Section 75 Categories for Northern Ireland Purposes	91
Annex D – Consultation on Draft Equality Scheme	92 - 121
Annex E – Explanatory Note on Planning Policies	122 - 123

MINISTER AND PERMANENT SECRETARY'S FOREWORD TO THE EQUALITY SCHEME FOR THE DEPARTMENT OF THE ENVIRONMENT

Section 75 of the Northern Ireland Act 1998 provides that public authorities in carrying out their functions in Northern Ireland shall have due regard to the need to promote equality of opportunity between certain specified individuals and groups, and have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

The new duties came into operation on 1 January 2000 and require the Department and other public bodies to prepare, consult on and submit an Equality Scheme to the Equality Commission by 30 June 2000.

The Department is fully committed to meeting its statutory obligations on the promotion of equality and good relations. This Equality Scheme confirms that commitment and sets out the Department's plans for fulfilling those obligations.

The Equality Scheme covers all the functions, powers and duties of the Department. All parts of the Department have been involved in the preparation of the scheme, including consideration of the responses received from the consultation exercise. Internal arrangements are in place to ensure that the duties are effectively complied with and to monitor and review progress regularly.

Initial training and information has been provided to staff on the new duties and a full training programme is being prepared.

The Department will ensure that the necessary resources are allocated (in terms of people, time and money) to ensure that the statutory duties are complied with and that the Equality Scheme can be drawn up and implemented effectively, on time.

Signed
SAM FOSTER
MINISTER OF THE ENVIRONMENT

Signed
STEPHEN QUINN
PERMANENT SECRETARY

EQUALITY SCHEME FOR THE DEPARTMENT OF THE ENVIRONMENT (DOE)

1. Introduction

1.1 The Department of the Environment is one of eleven Northern Ireland Departments created by the Northern Ireland Act 1998 and the Departments (Northern Ireland) Order 1999. The Department's aim is to improve the quality of life for people in Northern Ireland through:

- the promotion of sustainable development principles in all activities of government and wider society;
- in particular their application in DOE's responsibilities for land use, air and water quality, waste management and the natural and built environments;
- the reduction of road traffic casualties; and
- the promotion of efficient and effective local government.

1.2 Section 75 of the Northern Ireland Act 1998 ('the Act') requires the Department, 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 or sexual orientation;

between men and women generally;

between persons with a disability and persons without; and

between persons with dependants and persons without.

- 1.3 In addition, without prejudice to its obligation above, the Department shall, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting **good relations** between persons of different religious belief, political opinion or racial group.
- 1.4 Schedule 9 of the Act requires the Department to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75. This document is intended to fulfil that statutory requirement. It should be regarded as a living document which will be refined as we develop knowledge and expertise in association and consultation with the groups and people who are directly affected. The Scheme will be both comprehensible and accessible.
- 1.5 The functions of the Department for the purposes of the Act include its powers and duties. The source of its powers and duties is drawn from a very wide legislative base. The Scheme relates to how the Department carries out all its functions, powers and duties. In this Scheme the following are to be regarded as the Department's functions:

Driver and Vehicle Registration and Licensing

Driver and Vehicle Testing

Transport Legislation, Licensing, Enforcement and Road Safety

Local Government Legislation and Finance

Planning Service – Development Planning and Control

Environment & Heritage

Corporate Services

1.6 Within each of these functions the Department has identified in Table A the policies which are currently in operation. Table A covers all the Department's functions and policies, defined in the most inclusive way to cover everything that the Department does. A more detailed explanation of the functions and policies and their significance to equality of opportunity is set out in Annex A.

1.7 The Department acknowledges that there are difficulties in defining policies. In particular, it is recognised that:

- some policies cut across different functions and different Departments and agencies (eg New TSN, Planning Policies and Road Safety);
- a programme or service may serve more than one policy;
- no policy is discrete: every policy is affected by and affects other policies;
- there are different levels of policy, for example, European Union policies, UK Government Manifesto commitments, local policies adopted by District Councils, Boards and Trusts. Policies implemented by this Department may have been developed elsewhere.

Where this Department has lead responsibility for a policy which requires close co-operation with, or is operationalised by, other Departments, it would ensure that those other Departments actively participate in any equality impact assessment which may be necessary. This would include, in particular, their participation in a steering group for the assessment.

Similarly, where this Department has lead responsibility for a policy delivered by non-departmental public bodies or other public authorities, it

will involve them with any equality impact assessment which may be necessary. The Department will also contribute appropriately to equality impact assessments carried out by other public bodies on their own policies when they derive substantially from the central policies of this Department.

When, as a result of an equality impact assessment, the Department identifies a significant equality of opportunity issue arising from a UK-wide or European Union policy, it will advise the appropriate UK Department or the European Commission of its findings.

- 1.8 Some of the Department's policies are determined collectively rather than by the Department itself. The lead responsibility for NICS-wide employment policies and policies on public procurement are determined by the Department of Finance and Personnel (DFP). The Department, as an integral part of the NICS, fully subscribes to and operates NICS corporate personnel and procurement policies. DFP will carry out equality impact assessments of those policies as they relate to Northern Ireland Departments. These arrangements will ensure that the policies followed by the Department of the Environment in relation to employment and public procurement are subjected to impact assessment centrally by the Department which has ultimate policy responsibility for them. This Department will provide such information which may be required by DFP in carrying out these equality impact assessments and will participate in any steering group established by DFP to oversee the assessments.

2. **Arrangements for assessing Compliance with Section 75 Duties**

- 2.1 The Department is committed to the fulfilment of its Section 75 obligations in all parts of its structure. The organisation chart attached at Annex B outlines the various business areas of the Department. The Department has a small core which deals with policy issues. Its services, which are largely regulatory in nature, are delivered mainly through 4 Agencies: Planning Service; Environment and Heritage Service; Driver and Vehicle Testing Agency; and Driver and Vehicle Licensing Northern Ireland. All references to the Department in the Scheme mean the Department including the 4 agencies. Each business area is responsible for pursuing equality of opportunity issues within its own field. Responsibility for driving forward the scheme and central co-ordination and provision of advice and guidance on equality issues rests with Central Management Branch under the personal authority of David Thomson, currently Director of Corporate Services, Clarence Court, Adelaide Street, Belfast, BT2 8GB. David reports directly to the head of the Department, the Permanent Secretary.[#]
- 2.2 David is also the main point of contact with complainants, consultees and the Equality Commission. In addition, he represents the Department in interdepartmental discussions on Section 75 obligations. A dedicated equality unit has been set up within the Department to assist with the implementation of the programme of work set out in the scheme.

[#] The officer named and the address given are currently correct. However, over the lifetime of the scheme it is likely that the postholder and office location will change. In that event, the Department will inform the Equality Commission and consultees listed at Table C.

- 2.3 A Departmental Board (DB) comprising the Permanent Secretary, his two deputies and the Director of Corporate Services meets regularly to review and monitor the corporate management of the Department. It is assisted by the Departmental Management Group which meets each month and comprises the members of DB and the Chief Executives of the 4 Agencies. Equality of opportunity is a standing item on the agendas of both these groups. They will steer, monitor and review the implementation of the Section 75 obligations and prepare formal reports of progress on a quarterly basis for submission to the Minister.
- 2.4 Objectives and targets relating to the statutory duties have been built into the Department's overall Corporate and Business Plans. A programme of equality impact assessments has been assigned to each business area in the 2000/2001 Business Plans. Progress on Business Plan objectives is monitored every 6 months and past performance is an integral part of the annual business planning process.
- 2.5 Objectives and targets are also built into the Corporate and Business Plans and Annual Reports of the 4 Agencies. Progress is reviewed as part of the Business Planning process and updates provided in subsequent years' plans and reports.
- 2.6 The objectives and targets are also reflected at all levels of strategic planning within the organisation, including staff forward job plans and personal development plans, where staff have specific responsibilities linked to Section 75, for example trainers or staff involved in policy development. Staff performance and development is monitored regularly through annual reports and quarterly reviews of plans in the context of the Investors in People initiative.

- 2.7 The Department is fully committed to fulfilling its statutory obligations in the most effective way possible and will ensure that implementation of the Section 75 obligation is supported with necessary resources (in terms of people, time and finance). It will communicate to and train its staff on the requirements of the statutory obligations and how they can be implemented efficiently (see Section 7).
- 2.8 The Department recognises the complementarity between its Section 75 obligations and the New Targeting Social Need initiative. Focused programmes to redress social disadvantage may be an effective way of promoting equality of opportunity in terms of several Section 75 categories. The Department will seek to develop synergies between New TSN and the statutory obligations. David Thomson, who has personal responsibility for the overall review and monitoring of the implementation of the Section 75 obligations within this Department, is also responsible for its implementation of the New TSN policy.
- 2.9 The Department has screened all its policies and will assess over a three year period those with potentially significant impacts on the promotion of equality of opportunity and the promotion of good relations within the terms of Section 75 of the Act. This will be done through equality impact assessments (see Section 3 below) and the timetable at para 3.11 will be followed. Where relevant, an equality impact assessment should include an annex on the promotion of good relations (without prejudice to the statutory obligation on equality of opportunity). The organisations indicated at Table C1 and those in Table C2 which relate to the appropriate policy area will be consulted on these equality impact assessments. The Department will also consult with the Community Relations Council, and others as appropriate, specifically regarding the

promotion of good relations. Full details of consultation on matters relating to the duties generally, on impact assessments and on the Equality Scheme are set out at Section 4.

- 2.10 The Department will proactively develop its promotion of good relations, recognising that that statutory obligation relates to people of different religion, political and racial group. It notes that the Office of the First Minister and Deputy First Minister (OFMDFM) will carry out equality impact assessments during the first year of its scheme on (i) the Promoting Social Inclusion review on minority ethnic issues; and (ii) mainstreaming community relations within the public sector and other institutions. This Department will contribute, as necessary, to OFMDFM's assessments. It will draw on them in further developing its practical commitments to the good relations statutory obligation.
- 2.11 The Department will conduct an annual review of progress made in implementing the arrangements specified in the Scheme and in complying with the statutory duties. The report will cover all 4 Agencies. A report of this review will be posted on the Internet. It will be available on request and sent to the Equality Commission to assist it in compiling its own Annual Report, as required by sub-para 5(1)(b) of Schedule 5 of the Act. The Department will liaise with the Equality Commission to ensure that progress is maintained.
- 2.12 The Department will monitor complaints that it has not fulfilled its statutory obligations and will seek to resolve such complaints bilaterally. It will aim to give a substantive response to complaints within one month. Further details on the handling of complaints is set out in Section 10.

2.13 The Department will liaise with the following non-departmental public bodies which are required to submit their own equality schemes to ensure that the schemes are compatible:

District Councils

Local Government Staff Commission

Northern Ireland Local Government Officers' Superannuation Committee.

2.14 The Department will conduct a comprehensive review of this scheme within five years of its submission to the Equality Commission. This review will include an assessment of how effectively the Department has complied with its Section 75 obligations and how equality of opportunity and good relations have been advanced in relation to all policy areas. The review will take account of any guidance which the Equality Commission may issue on such reviews. The Department will consult with those bodies listed at Tables C1 and C2 before forwarding a report of the review to the Equality Commission.

3. **Assessing the Impact of Policies on the Promotion of Equality of Opportunity**

3.1 In identifying policies to be subject to equality impact assessment, the Department has both considered ongoing policies, and looked forward to new policies which may be proposed for adoption during the term of the scheme.

3.2 As part of the screening process equality scoping meetings were carried out by Central Management Branch with all the Department's Business Units. These identified the range of policies operated in each area and considered the impact of each on equality of opportunity in terms of the nine Section 75 categories.

3.3 For each policy the 4 criteria (a) to (d) set out below were applied. In reaching decisions existing background data, statistics and research were taken into account as well as evidence from consultations, correspondence or other contacts with the public. Often anecdotal or circumstantial evidence was used to screen in policies.

a. is there any evidence of higher or lower participation or uptake by different groups[#] within any of the nine categories?

b. is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?

[#] The main groups within each of the nine categories are identified at Annex C.

- c. is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?
- d. have consultations with relevant groups, organisations or individuals indicated that particular policies create problems that are specific to them?

3.4 The results of this initial consideration are shown below at Table A.

Functions and Policies - Table A

Functional Area	Main Policies	Equality of Opportunity Criteria			
		a	b	c	d
Driver & Vehicle Registration and Licensing	Driver Licensing Vehicle Registration Vehicle Licensing	✓	✓ ✓ ✓		
Driver Vehicle Testing	Vehicle Test Practical Driving Test Driving Theory Test Register of Approved Driving Instructors	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓	✓ ✓
Transport Licensing and Road Safety	Road Freight Operator Licensing Road Freight Vehicle Licensing Road Passenger Licensing Taxi Licensing Public Service Vehicle (PSV) Licensing Enforcement Road Safety Education Road Safety Advertising	✓	✓ ✓ ✓	✓ ✓	
Local Government	General Exchequer Grant Local Government Legislation	✓ ✓	✓	✓ ✓	✓ ✓
Planning Service	Planning Fees Planning Policies Conservation Area Programme #Townscape Heritage Scheme Development Control	✓	✓ ✓	✓ ✓	✓ ✓
Environment and Heritage	Protecting the quality of air, land and water Waste management Conserving nature and the countryside: access to the countryside Protecting, recording and conserving historic monuments and buildings: access to built heritage Education policy to promote awareness and appreciation of environment and heritage Promotion of sustainable development	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓	
Corporate Services	Central Management Branch Central Finance Personnel Information Office				

Sponsored by the Heritage Lottery Fund

3.5 However, each policy will not necessarily have a significant impact in terms of all of the nine Section 75 categories. Impact assessments of current policies will concentrate in particular on the categories identified in Table B where impact has been established in the initial consideration. If evidence of impact on other categories emerges during the impact assessment these will automatically be included in the assessment.

Relevant Section 75 Categories – Table B

	Religion	Political Opinion	Gender	Race	Disability	Age	Marital Status	Dependants	Sexual Orientation
<u>Driver & Vehicle Registration and Licensing</u>									
Driver Licensing				✓	✓	✓			
Vehicle Registration					✓				
Vehicle Licensing					✓				
<u>Driver Vehicle Testing</u>									
Vehicle Test			✓	✓	✓	✓			
Practical Driving Test			✓	✓	✓	✓			
Driving Theory Test				✓	✓				
Register of Approved Driving Instructors			✓	✓	✓				
<u>Transport Licensing and Road Safety</u>									
Taxi Licensing					✓	✓			
Road Safety Education				✓	✓	✓			
Road Safety Advertising				✓	✓	✓			
<u>Local Government</u>									
General Exchequer Grant – Resources element	✓	✓	✓	✓	✓	✓	✓	✓	✓
Local Government Pension Scheme Regulations			✓			✓	✓	✓	✓
Local Government Compensation for Redundancy & Premature Retirement Regulations			✓			✓	✓	✓	✓

	Religion	Political Opinion	Gender	Race	Disability	Age	Marital Status	Dependants	Sexual Orientation
<u>Planning Service</u>									
Planning Fees					✓				
*Planning Policies comprising:									
Development Plans;	✓	✓	✓	✓	✓	✓			
Planning Policy Statements; and					✓	✓			
Development Control Advice Notes				✓	✓	✓	✓		
<u>Environment and Heritage</u>									
Pollution Control					✓	✓			
Waste Management					✓	✓			
Access to the Countryside			✓		✓	✓		✓	
Access to Built Heritage			✓		✓	✓		✓	
Education Policies			✓	✓	✓	✓			

*See Annex E, Explanatory Note on Planning Policies

- 3.6 The consultation on the draft of this scheme, showed that some consultees regarded the information given on functions, policies and the reasons for screening out policies to be insufficient. The Scheme now includes additional background information and the Department will provide further information to the Equality Commission and affected groups as requested. If, after further targeted consultation with the Commission and major representative organisations, the Department considers that additional policies should be listed for future equality impact assessment, the Department will, within six months of submission of this scheme, inform the Commission of these decisions and the timescale for additional assessments.
- 3.7 The revised tables reflect most of the alterations suggested in the consultation responses. Local Government legislation, Pollution Control, Waste Management, the Vehicle Test, the Practical Driving Test and Road Safety Education and Advertising are additional areas now programmed for impact assessment. In addition the range of Section 75 categories for impact assessment associated with the policies already screened in has been extended significantly.
- 3.8 A few suggestions made were not accepted. Detailed explanations of the case for rejection are set out in Annex D which records the substance of comments received on the draft scheme and the Department's response to them. Briefly, we did not accept the case made for inclusion of Conservation Areas, Townscape Heritage Initiative (THI), Development Control or Sustainable Development policies. We found no evidence to support the inclusion of Conservation Areas and suspect that the comments made might stem from a confusion with Historic Buildings. The Planning Service role in partnership with others in the THI is to help

groups develop proposals, assist with the assessment of schemes and to ensure that planning decisions in relation to schemes in Conservation Areas place a high priority on protection of the built heritage. Finance and decisions rest with the Heritage Lottery Fund and they will have lead responsibility for any impact assessment, with assistance and information provided by Planning Service as necessary. Development control was ruled out as the main policies informing individual planning decisions are all down for impact assessment. Sustainable Development has also been ruled out on the grounds that it is an over-arching conceptual policy, the practical effects of which will be worked out through numerous other specific policies across a wide range of environmental, economic and social activities. Many of these policies, including the sustainable development content, will also be subject to equality impact assessments.

- 3.9 In addition, there were a few suggestions that all boxes in Tables A and B should be ticked. This is not compatible with the screening process. An interesting suggestion was made to impact assess procedures for participation and consultation. We have no plans to assess consultation procedures separately at this stage. Work is progressing on consultation issues in the Equality context; Planning Service is also engaged with Community Technical Aid to increase the effectiveness of statutory consultation obligations. The quality of consultation will of course be an issue for consideration and comment in all consultation exercises.

3.10 An equality impact assessment will identify whether, within each Section 75 category, the policy under consideration creates differential impacts between groups or has the potential to enhance equality of opportunity between groups, particularly in terms of :

- Rights
- Resources
- Participation; and
- Values and norms (ie traditional roles, stereotypes, division of labour, attitudes and behaviour).

The Department will carry out impact assessments in accordance with the procedure set out in Annex 1 of the Guidelines. The Department will also draw on work to be commissioned by the Equality Commission in the near future, in addition to guidance from the Equality Unit of OFMDFM.

3.11 Within three years of the approval of this scheme, the Department will conduct equality impact assessments on all of the policies identified for assessment at Table A. The Department has prioritised the equality impact assessments on the basis of:

- relevance to social need
- effect on people's daily lives
- effect on economic, social and human rights
- scale of expenditure incurred by the policy
- cultural or political impact on people

- timing of internal, or other reviews, previous or planned

Further information on the prioritisation is provided in Annex A.

The following timetable has been established for assessment of policies within the Department's functions. On the assumption that Year 1 runs from 1 July 2000 to 31 March 2001 and has only 9 months, more impact assessments have been programmed for years 2 and 3.

Year 1	<ul style="list-style-type: none"> • Procedures relating to the issue of a licence to drivers with a medical condition likely to affect their fitness to drive (disability) • Driving theory test procedures • Review of General Exchequer Grant (Resources Element) • Local Government Compensation for Redundancy and Premature Retirement Regulations • Review of Planning Fees • Derry Airport Local Plan • Planning Policy Statement on Car Parking • 2 Planning Development Control Advice Notes on (a) Hot Food Bars; and (b) Small Unit Housing – New Development in Existing Residential Areas
Year 2	<ul style="list-style-type: none"> • Application for the issue of a driving licence (age and race) • Qualifying procedures for registration as an approved driving instructor • Road Safety Advertising and Education • Local Government Pension Scheme Regulations • Pollution Control • Ards/Down Development Plan • Banbridge/Newry and Mourne Development Plan • Magherafelt Development Plan

	<ul style="list-style-type: none"> • Planning Development Control Advice Note on Access for People with Disabilities • Access to built heritage
Year 3	<ul style="list-style-type: none"> • Procedures for registering a vehicle in Northern Ireland • The licensing and relicensing of a vehicle • Vehicle Test • Practical Driving Test • Belfast Metropolitan Area Development Plan • North East/Limavady Development Plan • Antrim/Ballymena/Larne Development Plan • Planning Policy Statement on Open Space, Sport, and Recreation • 2 Planning Development Control Advice Notes on: <ul style="list-style-type: none"> (a) Residential and Nursing Homes; and (b) Creches, Day Nurseries and Pre-School Play Groups • Taxi driver licensing procedures (where licences are issued for 5 instead of 10 years after age 40) • Waste Management • Environment and Heritage education policies • Access to the countryside

Footnote – The Timetable may be subject to review in the light of the Northern Ireland Programme for Government which will be finalised later in 2001. Any reprioritisation of equality impact assessments will be notified as soon as possible to the Equality Commission.

- 3.12 The impact of all new policies on the promotion of equality of opportunity will be assessed in accordance with the screening criteria set out in Paragraph 3.3. Where there is evidence of impact policies will be subject to equality impact assessment.
- 3.13 When the Department puts forward a proposal for legislation a summary assessment of implications for the statutory obligations will be included with the paper to the Executive Committee and with the Explanatory Memorandum to the Assembly Committee covering the Bill.
- 3.14 Legislation will normally be part of the process of implementing a policy. In most cases, prior to putting forward a proposal for legislation, the Department will have carried out an equality impact assessment, with associated public consultation, on the policy which gives rise to the legislation.
- 3.15 In making any decision on a current or proposed policy the Department will take into account any relevant equality impact assessment and the outcome of associated consultation. This is a statutory requirement under Paragraph 9(2) of Schedule 9 to the Northern Ireland Act 1998.

4. **Consultation**

4.1 This section sets out the arrangements the Department will operate for consultation on:

- (a) matters to which a duty under Section 75 is likely to be relevant;
- (b) equality impact assessments and other legislation, strategies, reviews or plans; and
- (c) the draft equality scheme.

4.2 The Department is committed to carrying out consultations in accordance with the following Guiding Principles:

- Consultation with groups and individuals should begin as early as possible.
- Consideration must be given to which method of consultation is most appropriate in the circumstances. Consideration should be given as to whether face-to-face meetings, small-group meetings, focus groups, discussion papers with the opportunity to comment in writing, questionnaires, or Internet discussions are best.
- The accessibility of the language and the format of information must be considered to ensure that there are no barriers to the consultation process. Information should be available on request in accessible formats such as Braille, disc, and audiocassette and in minority languages to meet the needs of those who are not fluent in English. Public authorities must ensure that systems are in place to ensure that information is available in such accessible formats in a timely fashion. In addition, specific consideration should be given to how to best

communicate information to young people and those with learning difficulties.

- Specific training for those engaged in consultation exercises should be considered to ensure those facilitating consultations have the necessary skills to communicate effectively with those being consulted.
- Adequate time should be allowed for groups to consult amongst themselves as part of the process of forming a view, with a period of at least two months for consultation exercises.
- Appropriate measures should be taken to ensure full participation in any meetings which are held. Different groups have different needs and may have different customs. Public authorities will need to consider 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 run, the use of appropriate language, whether a signer is necessary, and the provision of childcare.
- Information should be made available to ensure meaningful consultation. This should include relevant quantitative and qualitative data and other documentation such as consultants' reports.

4.3 The Department is committed to ensuring that consultation is timely, open and inclusive. To this end consultation with groups and individuals will begin as early as possible and consideration will be given, on a case by case basis, to the method of consultation which is most appropriate in the circumstances. The Department will work with representative groups and individuals affected by Section 75 in order to identify how best to obtain

their views. This may involve face-to-face meetings, advisory groups, surveys, consultative panels, internet discussions and other innovative ways of consulting. There will be different means of consultation for different groups and it will be important to establish the basis for dialogue and engagement during the life of the Scheme.

- 4.4 The Department will consult with the Equality Commission and the Community Relations Council, voluntary, community and trade union groups and organisations representing the various categories included in Section 75, on issues relevant to the fulfilment of the Section 75 obligations. The full list of bodies is set out at Table C1. It will take account of proposals from those bodies relating to its compliance with the Section 75 obligations. For policies within each functional area the public sector bodies and NGOs to be consulted are listed at Table C2.
- 4.5 The Department will consult on equality impact assessments with relevant public sector and non-governmental organisations (NGOs). All Consultees in Table C1 will be consulted on every occasion; consultees will be selected from Table C2 according to the business area involved. The most appropriate method of consultation will be developed in association with groups and individuals affected by Section 75. For equality impact assessments on new policies which relate to a specific locality within Northern Ireland, the Department will also consult with the relevant District Council(s) and other elected representatives such as MLAs, MPs, and MEPs.
- 4.6 The lists in Table C1 and C2 are not exhaustive; further bodies may be added during the lifetime of the scheme to reflect the establishment of new organisations or in response to further research or representations.

BODIES TO BE CONSULTED – TABLE C

C1 - CONSULTEES COMMON TO ALL AGENCIES AND DIVISIONS		
Age Concern NI	Derry Well Woman	NI Committee, Irish
Barnardos NI	Falls Women's Centre	Congress of Trade Unions (NIC/ICTU)
Barnardos, Tuar Ceatha Project	Fermanagh Women's Network	Northern Ireland Council for Voluntary Action (NICVA)
Child Poverty Action Group	Foyle Women's Information Network	Volunteer Development Agency
Childcare NI	Foyle Women's Network	NI Voluntary Trust
Children's Law Centre	Mid-Ulster Women's Network	Rural Community Network (NI)
Help the Aged, NI	Newry & Mourne Women	Alliance Party
NI Pensioners Convention	NI Women's Aid Federation	Democratic Unionist Party
Newry & Mourne Senior Citizen's Consortium	NI Women's European Platform (NIWEP)	NI Women's Coalition
Age Sector Reference Group	Omagh Women's Area Network	NI Unionist Party
Newtownabbey Senior Citizens' Forum	Training for Women Network	Progressive Unionist Party
NSPCC	The Women's Centre	Workers Party
Save the Children	Women Together for Peace	SDLP
Sperrin Lakeland Senior Citizens' Consortium	Women's Information Group	Sinn Fein
Youth Council for NI	Women's Support Network	UK Unionist Party
Carers National Association NI	Women's Forum	Ulster Unionist Party
Gingerbread NI	Women's Resource and Development Agency (WRDA)	Chinese Welfare Association (NI) Ltd
British Deaf Association (NI)	Bryson House	NI Council for Ethnic Minorities (NICEM)
Disability Action	Coiste-na n-iarchimi	Belfast Traveller Education & Development Group
Employers Forum on Disability	Committee on the Administration of Justice	Indian Community Centre
MENCAP (Royal Society for Mentally Handicapped Children and Adults)	Community Relations Council (CRC)	Multi-Cultural Resource Centre
North West Forum of People with Disabilities (Derry)	Community Relations Training/ Learning Consortium	Travellers Movement NI
North West Forum of People with Disabilities (Enniskillen)	East Belfast Community Development Agency	NI Council for Ethnic Equality
	Equality Commission	NI African Cultural Centre
	Equality Forum NI	

C1 - CONSULTEES COMMON TO ALL AGENCIES AND DIVISIONS

<p>NI Association for Mental Health</p> <p>British Deaf Association Northern Ireland</p> <p>Royal National Institute for Deaf People (RNID)</p> <p>Royal National Institute for the Blind (RNIB)</p> <p>Sense NI</p> <p>The Guide Dogs for the Blind Association</p> <p>Chrysalis Women's Centre</p> <p>Craigavon Standing Conference of Women's Organisations</p> <p>Men's Movement N Ireland</p> <p>Putting Children First</p> <p>Parents Advice Centre</p> <p>The Blind Centre</p> <p>Democratic Left</p> <p>Methodist Church in Ireland</p> <p>Archbishop of Armagh & Primate of all Ireland</p> <p>Belfast Hebrew Congregation</p> <p>Sikh Cultural Centre</p> <p>Ulster Democratic Party</p> <p>Labour Party</p> <p>Presbyterian Church in Ireland</p>	<p>Falls Community Council</p> <p>Law Centre (NI)</p> <p>Local Government Staff Commission</p> <p>NI Anti-Poverty Network</p> <p>NI Human Rights Commission (NIHRC)</p> <p>NIACRO</p> <p>North West Community Network (Londonderry)</p> <p>District Councils</p> <p>NIPSA</p> <p>Institute of Directors</p> <p>CBI</p> <p>Bishop of Down & Connor</p> <p>Baha'i Office for NI</p> <p>NI Islamic Centre</p> <p>Relate</p> <p>Cruse Bereavement Care (NI)</p> <p>First Division Association</p> <p>Library, Parliament Buildings</p> <p>POBAL</p> <p>Staff Commission for E&L Boards</p> <p>ULTACH</p> <p>ATGWA</p> <p>CSPOA</p> <p>GMBATU</p> <p>EET&P</p> <p>UCAT</p> <p>AWEU</p>	<p>Belfast Butterfly Club</p> <p>Carafriend</p> <p>Coalition on Sexual Orientation (CoSO)</p> <p>Foyle Friend</p> <p>Gay and Lesbian Youth NI</p> <p>Lesbian Line</p> <p>NI Gay Rights Association (NIGRA)</p> <p>Queer Space</p> <p>The Rainbow Project</p> <p>MPs</p> <p>MEPs</p> <p>MLAs</p> <p>West Belfast Economic Forum</p> <p>Rural Development Council</p> <p>Ulster Scots Heritage Council</p> <p>UNISON</p> <p>Belfast Education & Library Board</p> <p>North Eastern Education & Library Board</p> <p>Southern Education & Library Board</p> <p>South Eastern Education & Library Board</p> <p>Western Education & Library Board</p> <p>Playboard</p> <p>Public Service Support Forum</p> <p>School of Environmental Planning</p>
--	---	---

C2 - CONSULTEES FOR SPECIFIC AGENCIES AND DIVISIONS

Main Policy Area	Public Sector Bodies	NGOs
Driver and Vehicle Registration and Licensing; Driver & Vehicle Testing; Transport Licensing and Road Safety	Driver and Vehicle Licensing Agency GB NIO Police Authority for Northern Ireland Police Federation DRD Roads Service RUC Society of Local Authority Chief Executives DETI Trading Standards Health Promotion Agency Northern Ireland Health & Safety Agency Northern Ireland NI Courts Service NI Resident Magistrates Association NI Transport Holding Company Translink Occupational Health Services Association of Local Authorities Northern Ireland	ROSPA Road Safety Council of NI NI Rider Training Scheme NI Approved Driving Instructors Association Campaign Against Drink Driving (CADD) Road Trauma Support (RTS) Disabled Drivers Association NI Institute of Advanced Motorists NI Motorcyclists Federation Royal Automobile Association Ulster Automobile Club Automobile Association Owner Drivers Association Royal Automobile Club Amalgamated Transport and General Workers Union Federation of Small Businesses Freight Transport Association General Consumer Council for Northern Ireland Institute of Directors Institute of Registration Agents and Dealers (MIRAD) SIPTU Motor Agents Association Ltd National Federation of Self Employed & Small Businesses NI Association of Citizens Advice Bureaux NI Chamber of Commerce & Industry Chamber of Trade & Commerce NI Private Coach Operators Association NI Small Business Institute NI Trade Associations Ltd Retail Motor Industry Federation

C2 - CONSULTEES FOR SPECIFIC AGENCIES AND DIVISIONS

Main Policy Area	Public Sector Bodies	NGOs
		Road Haulage Association Road Transport Association NI Association of British Insurers NI Taxi Proprietors' Association NI Taxi Drivers' Association Belfast Public Hire Taxi Association West Belfast Taxi Association North Belfast Mutual Association British Diabetic Association British Medical Association
Local Government	NILGOSC SOLACE	
Planning Service	Department for Regional Development Department of Education for NI Department of Finance & Personnel Department of Social Development DHFETE DHSSPS DARD DETI DCAL OFMDFM Altnagelvin Hospitals HSS Trust Armagh & Dungannon HSS Trust Belfast City Hospital HSS Trust Causeway HSS Trust Down Lisburn HSS Trust Foyle HSS Trust Green Park HSS Trust Homefirst Community HSS Trust Mater Infirmorum Hospital HSS Trust Newry & Mourne HSS Trust North & West Belfast HSS Trust North Down & Ards Community HSS Trust Northern Ireland Ambulance Service HSS Trust Royal Group of Hospitals & Dental HSS Trust South & East Belfast HSS Trust Sperrin – Lakeland HSS Trust Ulster, North Down & Ards Hospitals HSS Trust United :Hospitals HSS Trust	Institute of Civil Engineers (NI Association) Institution of Highways & Transportation National Federation of Self Employed & Small Businesses NI Resident Magistrates Association Management Institute ICTU Environment Link Friends of the Earth RSPB NI 2000 NI Chamber of Commerce & Industry NI Chamber of Trade and Commerce Viridian Community Technical Aid Royal Town Planning Institute Belfast Harbour Coleraine Harbour Larne Harbour Warrenpoint Harbour BT Cellnet BT Cable & Wireless NTL Cabel Tel AT&T Communications (UK)

C2 - CONSULTEES FOR SPECIFIC AGENCIES AND DIVISIONS		
Main Policy Area	Public Sector Bodies	NGOs
	NIHE IDB Planning Appeals Commission Historic Monuments Council Historic Buildings Council Council for Nature Conservation and the Countryside	Ltd COLT Communications Energis Communications Ltd Mercury Personal Communications MFS Communications One-2-One Business Communications Orange Orange Communications Tele 2 UK Ltd Torch Communications Ltd Vodafone (NI) Ltd Construction Employers' Federation
Environment & Heritage	Historic Buildings Council Historic Monuments Council Council for Nature Conservation and the Countryside	Fieldfare Trust

4.7 In addition to consultation on equality impact assessments, the Department will also, from time to time, have a need to consult on legislation, strategies, reviews and other plans. The Bodies listed at Tables C1 and C2 will be included as appropriate in relevant consultations of these kinds.

4.8 In consulting NGOs, the Department will aim to provide a period for response of at least eight weeks and to begin consultation as early as possible. However, there may be circumstances when this timescale is not feasible and the Department has identified the following circumstances when consultation of this duration will not be required:

- policies which must be implemented immediately to protect health and safety;

- policies which must be implemented urgently to comply with a court judgement or with international obligations.

- 4.9 From time to time Northern Ireland Departments are consulted on the development or implementation of a UK-wide or European Union policy. The time period usually allowed to Northern Ireland Departments for these purposes is usually too short to allow public consultation in Northern Ireland. However, this Department will use its best endeavours in the time available to identify any adverse impact on equality of opportunity or good relations and will advise the sponsoring UK Department or the European Commission of its findings. The Department will make the sponsoring UK Department fully aware of the Department of the Environment's legal obligations under Section 75, including the sponsoring Department's role in managing EU policy development. Such exceptional circumstances will be kept under review, justified very clearly and reported on in the Department's Annual Review.
- 4.10 In consulting on any matter to which this scheme relates, the Department will normally contact the relevant bodies referred to in Tables C1 and C2. Consideration will be given to the most appropriate method of consultation in accordance with the Guiding Principles.
- 4.11 It is intended that barriers to proper consultation should be removed by ensuring accessibility of language and appropriate format. As part of the Department's assessment of access to information, highlighted in Section 8, existing arrangements will be specified and discussed with representative groups. The findings and recommendations of the assessment will be consulted on and the Equality Commission will be informed of the changes to be made following the assessment.

- 4.12 Relevant information will be made available to ensure meaningful consultation. Relevant information will be made available in a timely fashion on request (Tel 028 9054 0938 or contact the Equality Unit, DOE, Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB) in accessible formats including Braille, disc, large print, audio cassette, signed video cassette and in minority ethnic languages to meet the needs of those who are not fluent in English.
- 4.13 Information will include relevant quantitative and qualitative data and other documentation such as consultants' reports.
- 4.14 Consideration will be given to how best to communicate information to young people and those with learning disabilities in liaison with the affected Section 75 groups.
- 4.15 The Department will draw, in particular, on the outcome of the conference organised by OFMDFM on practical issues in carrying out future consultations in the context of Section 75 obligations. This will include inputs from representatives of groups which have traditionally been marginalised. It will also address the special difficulties in consulting children on policy issues in which they have an interest. In developing new approaches in this area, the Department will also draw on advice from the Equality Commission and lessons from other jurisdictions.
- 4.16 Specific training will be arranged for those engaged in consultation exercises to ensure that those facilitating consultations have the necessary skills to communicate effectively. Options for training will be considered in discussion with the affected Section 75 groups.

- 4.17 In the first year of the scheme the Department will prepare internal guidelines on consultation.
- 4.18 In organising consultation meetings, the Department will aim to ensure a full participation. The Department will consider 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 run, the use of appropriate language, whether a signer is necessary and the provision of childcare.
- 4.19 Further details about consultation on the draft Equality Scheme are set out in Annex D.

5. **Monitoring**

5.1 Knowledge of the uptake of services provided by the Department and the impact of its policies on the different groups within the Section 75 categories will be critical in assessing progress towards equality of opportunity. In the first year of the scheme (ie before March 2001) the Department will assess the extent of existing monitoring within each of the relevant policy areas and the scope for extending it. This assessment will be made public. In addition to the value of any additional information required for assessing progress towards equality of opportunity, this assessment will also take into account the following factors:

- resource implications;
- readiness of the public to supply information;
- availability of proxy measures (eg postcode analysis).

5.2 In some cases an equality impact assessment may identify an anticipated differential adverse impact on particular groups within the Section 75 categories. Assuming that no alternative policy is feasible, steps will be taken, wherever possible, to mitigate such anticipated adverse impact.

5.3 The Department will set up a system to monitor the impact of policies in order to identify their effects on the relevant groups.

5.4 This will be reviewed on an annual basis and the results will be widely and openly published as part of the Annual Review.

- 5.5 If 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, the Department will ensure that the policy is revised.
- 5.6 The Department will co-operate closely with the Northern Ireland Statistics and Research Agency (NISRA) in its review of existing monitoring arrangements and its monitoring of the impact of policies.

6. **Publication of Assessments and Monitoring**

- 6.1 The Department will make publicly available the outcome of any equality impact assessment and of any monitoring undertaken in relation to Section 5 above. This material will be accessible on the Department's Internet website at www.nics.gov.uk/env.htm. It will also be available in printed form and in accessible formats, ie Braille, disc, audio cassette and minority languages, from departmental headquarters at Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB, Telephone No (028) 9054 0047 through a request to the Equality Unit. The Department will inform the general public about the availability of this material through press releases including press publications and media associated with the Section 75 categories, eg talking newspapers and publications in languages other than English. It will consider, in association with the affected Section 75 groups, how best to communicate the availability of this material and the information involved to young people and people with learning disabilities.
- 6.2 Published documentation on an equality impact assessment will be as comprehensible and accessible as possible. It will include:
- the aims of the policy
 - details of the outcome of the assessment highlighting if an adverse impact has been identified
 - associated available monitoring data
 - details of any consideration given to mitigate any adverse impact of the policy on the promotion of equality of opportunity

- details of any consideration given to alternative policies which might better achieve the promotion of equality of opportunity.

7. **Training**

- 7.1 The Department will ensure that all staff receive a programme of relevant communication and training on the Section 75 obligations, the requirements of this equality scheme and the arrangements for equality impact assessment, appropriate to their grade and responsibilities. All key staff at Grade 7 and above have received awareness training. An information circular has been provided to all staff at SO level and above. Staff have been kept informed of the new Statutory Duty and the Department's draft Equality Scheme through the Department's 'Team Briefing' system. An article on the Equality Scheme appeared in the Autumn edition of the staff magazine. Within one year of the approval of this scheme, 350 staff in the ranges EOII - Deputy Principal will receive 1 day awareness training on Equality, Human Rights and New TSN issues and 350 further staff in that range will receive training in the following year. Training will be delivered by the Department's Trainers. All new staff are being informed of the requirements of Section 75 and this Equality Scheme in their induction training.
- 7.2 Key staff at Grade 7 and above and specialist staff, such as solicitors, researchers, trainers, designers of services and policy analysts, will receive more focused training in collaboration, as necessary, with the Business Development Service, the Northern Ireland Statistics and Research Agency and the Departmental Solicitor's Office. Specific training will also be arranged for those engaged in consultation exercises.
- 7.3 The Department will also assess the need for specialised training in communicating with, and understanding the needs of, traditionally marginalised groups. This training could initially be targeted at staff

most likely to deal with these marginalised groups but could in time be extended more widely. Such training will be developed in association with the appropriate Section 75 groups and would include input from appropriate external specialists.

7.4 The Department will also draw up a detailed communication and training plan for **all** staff including the 4 Agencies, over the 5 year Equality Scheme period by October 2001 which will aim to:

- (a) Raise awareness of current antidiscrimination legislation in Northern Ireland, including an explanation of the duties and their implications for all employees.
- (b) Provide employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively.
- (c) Provide those employees who deal with complaints in relation to the implementation of the Department's Scheme with the necessary skills and knowledge to investigate and monitor complaints effectively.
- (d) Provide employees involved in the equality impact assessment of policies with the necessary skills and knowledge to do this work effectively.
- (e) Provide employees involved in the consultation processes with the necessary skills and knowledge to do this work effectively.
- (f) Provide employees involved in the implementation and monitoring of the Equality Scheme with the necessary skills and knowledge to do this work effectively.

- (g) Evaluate the extent to which the training programme has achieved its objectives.
- 7.5 A report on the extent to which the training objectives have been achieved will be included in the Annual Review to the Equality Commission.
- 7.6 The Department will provide copies of this scheme, or copies in accessible formats on request, to all staff including the Minister's and Permanent Secretary's covering message. A summary of the scheme will also be supplied to all staff and to Local Councils and other NDPB's associated with the Department.

8. **Public Access to Information and Services**

8.1 The Department is committed to effective communication with the public. It recognises, however, that there is a risk that some sections of the public will not enjoy equality of opportunity in accessing information provided by the Department. There are three particular risk areas:

- people with sensory and learning disabilities may have particular difficulties with information in print;
- members of minority ethnic groups, whose first language is not English, may have difficulties with information provided only in English;
- some local newspapers are read predominantly by members of only one of the major religio-political groups (ie Protestants/Unionists or Catholics/ Nationalists).

8.2 In disseminating information through the local press, the Department will ensure that press statements and public advertisements are carried by all three Belfast daily newspapers. Where press statements or public advertisements are aimed at a particular area within Northern Ireland, the Department will ensure that the information is disseminated through at least two local newspapers circulating in that area, ensuring that the information is accessible to both main political-religious sections of the community. Insofar as possible published information will be both comprehensible and accessible.

8.3 The Department will, within the first year following approval of this scheme, assess its arrangements for providing information in Braille,

large print, audio cassette, signed video cassette and minority ethnic language formats. The assessment will take account of the statutory requirements of the Disability Discrimination Act 1995; the likely demand for information in such formats across its main policy areas; resource implications; and, in particular, the recommendations of the cross-departmental Promoting Social Inclusion (PSI) working groups on minority ethnic people and on access to information, which will report in 2000. The assessment will specify existing arrangements for discussion with representative groups. The findings and recommendations - on how public access to information can be better ensured, by improving arrangements for providing information in different formats and languages – will be subject to consultation. The Equality Commission will be informed about the outcome of the assessment and any changes to be made. The public will also be informed through press releases, including press publications and media associated with the Section 75 categories, eg talking newspapers and publications in languages other than English.

- 8.4 The Department's commitments in this scheme on equality of opportunity in accessing information are without prejudice to any rights to information in the current Code of Practice on Open Government or in the new Freedom of Information legislation.
- 8.5 The Department intends that all of its services are fully accessible to all parts of the community. Equality impact assessments will highlight any factors which create differential impact by making a service linked to a particular policy less accessible to particular groups.

- 8.6 The assessment of monitoring referred to at 5.1 will include arrangements for monitoring access to information and services to ensure equality of opportunity.
- 8.7 In locating its offices, intended to be open to the public, the Department will seek to secure that no section of the community is deterred from visiting, for whatever reason. All public offices will maintain a welcoming and harmonious environment. The Department will adhere to the relevant provisions of the Disability Discrimination Act 1995.

9. **Publication of the Scheme**

- 9.1 Following submission to the Equality Commission, this scheme will be available in a timely fashion in print form and accessible formats such as Braille, disc, audio cassette and in minority languages, free on request from the following main office of the Department:

Equality Unit, Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB,
Telephone No (028) 9054 0047 It can also be accessed on the
Department's Internet website at www.nics.gov.uk/env.htm.

Copies of the scheme will be sent to all organisations that responded to the consultation exercise.

- 9.2 Following approval of the scheme by the Equality Commission, a further version (revised if necessary) will be available in print form and accessible formats as above, free on request at the same locations and website address. The Department will issue a press statement when the scheme is approved by the Equality Commission and send a copy of the scheme to the groups in Table C1.
- 9.3 A summary of the scheme and subsequent information will be prepared, circulated to all staff and the Chief Executives of Local Councils and other Bodies associated with the Department and published in community and voluntary publications.

10. **Complaints**

- 10.1 When a person believes that he/she has been directly affected by a failure of a Department to comply with this scheme, he/she should, in the first instance, bring their complaint to the attention of David Thomson, the Department's Director of Corporate Services, Clarence Court, Adelaide Street, Belfast, BT2 8GB, Telephone 028 9054 0820, email – david.thomson@doeni.gov.uk.
- 10.2 The Department will carry out an internal initial investigation of the complaint and will respond to the complainant, in an accessible format if requested, within 1 month. In responding to the complainant, the Unit will inform him/her of the procedure for pursuing the complaint further with the Equality Commission, as set out in para 10 of Schedule 9 to the Northern Ireland Act 1998. In any subsequent investigation by the Equality Commission, the Department will co-operate fully, providing access to relevant information as the Commission may require. Similarly, the Department would co-operate fully with any investigation by the Equality Commission under sub-para 11(1)(b) of Schedule 9 to the Northern Ireland Act 1998.
- 10.3 The Department intends to develop a complaints procedure for staff by October 2001. This will ensure that complaints are dealt with promptly and in a comprehensible and accessible way.

11. Action Plan

11.1 The following Action Plan summarises the measures which the Department proposes to take during the three years following approval of this scheme.

YEAR	EQUALITY PROGRAMME	OTHER DEPTS/NDPBS INVOLVED
Year 1	<ul style="list-style-type: none"> • Procedures relating to the issue of a licence to drivers with a medical condition likely to affect their fitness to drive (disability) • Driving theory test procedures • Review of General Exchequer Grant (Resources Element) • Local Government Compensation for Redundancy and Premature Retirement Regulations • Review of Planning Fees • Derry Airport Local Plan • Planning Policy Statement on Car Parking • 2 Planning Development Control Advice Notes on <ul style="list-style-type: none"> (a) Hot Food Bars; and (b) Small Unit Housing – New Development in Existing Residential Areas 	<p>District Councils NILGOSC</p> <p>All Departments and District Councils</p>

	<ul style="list-style-type: none"> • Assessment of monitoring arrangements over the main policy areas. • Assessment of arrangements for providing information to the public. • Training for 350 staff at EOII – Deputy Principal level. Specialist training as necessary. • Preparation of Departmental Guidelines on Consultation. • Participation in DFP’s equality impact assessments on NICS employment and procurement policies, as necessary. • Contribute to OFMDFM impact assessments on – <ul style="list-style-type: none"> (i) Promoting Social Inclusion Review of minority ethnic issues and (ii) Mainstreaming community relations within the public sector and other institutions. • Further targeted consultation on policies screened out with Equality Commission and key voluntary and community bodies (Community Relations Council, NICVA, NIVT and groups representative of the 9 Section 75 categories as appropriate). • Report to Equality Commission by 31 December 2000 outcome of further consultation and timescale for additional assessments. 	<p>All Depts</p> <p>All Depts</p> <p>DFP</p> <p>OFMDFM</p> <p>Equality Commission and key voluntary and community bodies</p>
--	---	--

Year 2	<ul style="list-style-type: none"> • Application for the issue of a driving licence (age and race) • Qualifying procedures for registration as an approved driving instructor • Road Safety Advertising and Education • Local Government Pension Scheme Regulations • Pollution Control • Ards/Down Development Plan • Banbridge/Newry and Mourne Development Plan • Magherafelt Development Plan • Planning Development Control Advice Note on Access for People with Disabilities • Access to built heritage 	<p>RUC/DRD</p> <p>District Councils/ NILGOSC</p> <p>District Councils</p> <p>All Departments and District Councils</p> <p>All Departments and District Councils</p> <p>All Departments and District Councils</p>
Year 3	<ul style="list-style-type: none"> • Procedures for registering a vehicle in Northern Ireland • The licensing and relicensing of a vehicle • Vehicle Test • Practical Driving Test • Belfast Metropolitan Area Development Plan 	<p>All Departments and District Councils</p>

	<ul style="list-style-type: none"> • North East/Limavady Development Plan • Antrim/Ballymena/Larne Development Plan • Planning Policy Statement on Open Space, Sport and Recreation • 2 Planning Development Control Advice Notes on: <ul style="list-style-type: none"> (a) Residential and Nursing Homes; and (b) Creches, Day Nurseries and Pre-School Play Groups • Taxi driver licensing procedures (where licences are issued for 5 instead of 10 years after age 40) (disability and age) • Waste Management • Environment and Heritage education policies • Access to the countryside 	<p>All Departments and District Councils</p> <p>All Departments and District Councils</p>
--	--	---

FUNCTIONS AND POLICIES OF THE DEPARTMENT OF THE ENVIRONMENT

DRIVER & VEHICLE REGISTRATION AND LICENSING

Driver Licensing

The overall policy is to issue driving licences to all applicants entitled to receive them under the Road Traffic (Northern Ireland) Order 1981. There are 4 main types of licence issued ie Ordinary (car, motorcycle) provisional and full, and Vocational (lorry, bus, minibus) provisional and full.

(i) Ordinary provisional licences

To issue provisional licences to those applicants entitled to receive them provided they:

- make the application in the prescribed manner
- pay the prescribed fee
- meet the prescribed residency requirements
- meet the prescribed minimum age requirement
- are not disqualified
- meet the prescribed eyesight standards
- meet the required medical standards

- are able to confirm their identity.

(ii) Ordinary full licences

As for provisional above plus:

- the production of evidence to confirm test pass and claim full entitlement made within time limits laid down in legislation
- **OR** the production of evidence that they hold or previously held an appropriate full ordinary licence.

(iii) Vocational provisional

As for ordinary full licence plus applicants must:

- already hold an ordinary full car licence
- submit medical evidence to prove they meet higher eyesight and medical standards
- meet minimum conduct standards.

(iv) Vocational full licence

As for vocational provisional plus:

- the production of evidence to confirm test pass and claim full entitlement made within time limits laid down in legislation
- **OR** the production of evidence that they hold or previously held an appropriate full vocational licence.

NB DVLNI issues 25,000 provisional ordinary licences, 2000 provisional vocational licences, 90,000 ordinary full licences and 8000 vocational full licences in an average year.

VEHICLE REGISTRATION AND LICENSING

Sub Policy Areas:

Vehicle registration in Northern Ireland (including sale of marks and cherished transfers);

Licensing and Re-licensing of a vehicle;

Enforcement of vehicle excise duty.

The primary legislation used within the Vehicles Division is the Vehicle Excise and Registration Act 1994 (VERA).

Registration of Vehicles in Northern Ireland

Under Section 21 of VERA a vehicle is registered and recorded on the vehicle record database, all vehicle details having been furnished to the Secretary of State in accordance with regulations under Section 24. The Secretary of State registers a vehicle under Section 21 by assigning a registration mark. The vehicle then displays the registration mark assigned in accordance with Sections 23 and 24 of the Act. During the last financial year (99/00) 122,539 vehicles were registered in Northern Ireland for the first time generating a

revenue collection of approximately £2.2 million. (Vehicles previously registered in GB do not attract a first registration fee.)

The Sale of Marks and Cherished Transfer facilities also generate a high level of income for Treasury. The Sale of Marks has proved very popular with over 8,600 registration marks sold since the scheme began in Northern Ireland in 1996, raising a total of £5.4 million whilst Cherished Transfers have generated a total of £674K during the last financial year.

Licensing and Re-licensing of vehicles

Under Sections 7 and 11 of VERA a vehicle licence is issued to every applicant who makes a declaration and furnishes such particulars as required by the Secretary of State. Licensing functions are available via direct postal licensing, local office transactions, Post Office Counters (renewal applications only) and a Telephone Re-licensing pilot project. The total revenue collected by the Agency during the last financial year (99/00) was £124.4 million.

Enforcement of Vehicle Excise Duty

The enforcement of Vehicle Excise Duty (VED) is the primary function within the Enforcement Section. All detection is the responsibility of the RUC and the Agency's wheel clamping contractor Sureway Parking. All detection reports are actioned and Mitigated Penalties issued as appropriate. Non payment of a Mitigated Penalty will result in court action. The reduction of vehicle excise evasion is a primary objective of the Agency.

Other instruments of legislation used in this defined area include the Vehicle Excise Duty (immobilisation, removal and disposals of vehicles) Regulations 1997 No 2439, the 1973 No 490 Road Vehicles (Registration and Licensing) SROs and the Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) No 1463. During the last financial year the Enforcement Section handled some 40,423 applications including those vehicles identified as part of the wheel clamping initiative.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Year 1

Procedures relating to the issue of a licence to drivers with a medical condition likely to affect their fitness to drive (disability).

Year 2

Application for issue of a driving licence (age and race).

The results of a Road Safety review in GB are likely to be known which may impact on the current age for driving motor vehicles.

Year 3

Procedures for registering a vehicle.

Procedures for licensing and re-licensing a vehicle.

DVLNI will be looking at service delivery in the light of planned developments in the Agency in the use of electronic government. DVLNI will wish to examine its impact on the local vehicle licensing offices and the parts of the Post Office network used.

DRIVER VEHICLE TESTING

Vehicle Test

The Driver & Vehicle Testing Agency conducts annual roadworthiness checks on cars and motorcycles after they reach four years of age. Light goods vehicles are checked from three years old, lorries and large passenger-carrying vehicles from when they are one year old, and buses and taxis from first use.

The tests, which may last from about 20 minutes to nearly two hours, depending on the type of vehicle, are conducted at 15 test centres across Northern Ireland. Customers may book a test by calling in at any test centre, or by sending an application form through the post. The waiting time for a test is about three weeks, although some short-notice appointments are available in certain circumstances. Details of the customer's booking are sent out in advance on an appointment card.

The customer arrives at the test centre, and enters the lane shown on the appointment card. Normally customers drive their own vehicles along the test lane, but a member of staff will take the vehicle through for anyone who is disabled or otherwise unable to do so.

Most roadworthiness tests take more or less the same form. Lights, wipers, seat belts and other similar items are checked at the first stage. The vehicle is then driven over an inspection pit for underbody and tyre checks, and an assessment of brake, transmission and suspension components. The final stage, at the end of the test lane, involves testing the brakes on rollers. The result of the test is provided at the end of the test lane, and the customer is given either a certificate, if the vehicle has passed, or a copy of the inspection report, which lists any defects, and an application form for a retest, if it has failed.

The Agency conducts around 450,000 full vehicle tests a year, about 360,000 of which are MOT tests for cars. The annual total for retests is just over 90,000.

Practical Driving Test

Before a learner driver gets a full driving licence, they have to pass the practical driving test. Candidates book the test by calling at any of the Driver & Vehicle Testing Agency's premises, or by sending in an application form. The test itself can be taken at any of 16 different centres throughout Northern Ireland.

On the day of the test the candidate goes to the test centre, parks the car they are using for the test, and goes to the reception area. The examiner introduces himself, and explains how the test will be conducted. After provisional licence and insurance details have been checked, they return to the car, checking on the way that the candidate's eyesight is up to the required standard. For safety reasons, the examiner also has to check that the car is fitted with a seat belt and head rest on the passenger side, and an interior mirror that he can use. Sometimes, as part of the Agency's quality control procedures, a supervising examiner comes along as well. His job is to sit in the back and check that the standard of assessment is appropriate - he takes no part in the test.

The on-road part of the test lasts for about 40 minutes. Where possible it will include some driving on dual carriageways or other higher-speed roads, and some manoeuvres such as an emergency stop, a reverse parking exercise and a turn in the road. After the test the examiner will tell the candidate whether they have passed or failed, and offer a more detailed debriefing. The candidate's

driving instructor or parent, or whoever has come with them to the test as their accompanying driver, may sit in on the debrief if the candidate wants them to.

After the debrief, the candidate gets a certificate, if they have passed, and a copy of the test report form, which includes more information about becoming a safe driver for life. Similar procedures apply to tests in other kinds of vehicles such as motorcycles, buses and lorries.

Appropriate arrangements are made for people with special needs. A person whose first language is not English may bring a translator with them, for example, and illustrated instruction cards are available for people who are deaf or hard of hearing.

Currently around 43,000 people take a practical driving test in Northern Ireland each year, and the pass rate is just over 50%.

Driving Theory Test

Before learner drivers are allowed to take the practical driving test, they have to pass the theory test, which is run by the Driver & Vehicle Testing Agency. In Northern Ireland the test is taken in one of six test centres, located in Ballymena, Belfast, Londonderry, Newry, Omagh and Portadown.

People can book a test either by ringing the theory test call centre and paying by credit card, or by sending an application form through the post with a cheque or postal order. There are four different kinds of theory test – for drivers of cars, motorcycles, buses and lorries.

When a candidate arrives at the test centre, staff check that they have a booking and a valid provisional licence for the type of test they want to do. The

candidate then goes to a workstation, and their test comes up on a computer screen. It consists of 35 multiple-choice questions, and 30 right answers are needed for a pass. Answers are selected just by touching the screen. People with dyslexia or any kind of literacy or learning difficulties are allowed extra time to complete the test, if they need it, and they may also choose to listen to the test through headphones. An audio version is available in some ethnic minority languages for people whose first language is not English, while anyone whose language is not catered for may be accompanied by a translator. For people who are deaf or hard of hearing, an on-screen video version of the test is available in sign language. The result of the test, which also gives more information about any wrong answers, is printed out and handed to the candidate a few minutes after they have finished.

Around 40,000 people take the theory test each year in Northern Ireland, and the pass rate at present is about 66%.

Register Of Approved Driving Instructors

Before anyone can charge for teaching people to drive on public roads, they have to be registered with the Driver & Vehicle Testing Agency as an approved driving instructor, or hold a temporary licence as a trainee instructor.

Becoming an approved instructor involves a three-part qualifying examination - a written test, a practical driving test, and a test of the ability to instruct. In addition, the candidate has to have held a clean driving licence for a specified period, and satisfy the Agency that they are a “fit and proper person” to be on the register. All three parts of the examination have to be completed within two years of passing the first part.

A trainee licence, which may be issued to anyone who meets the same licensing and fitness criteria and who has applied for the written test, lasts for six months, half of which must include direct personal supervision by an approved instructor. A full instructor's licence lasts for four years, during which the instructor must undergo at least one check test by one of the Agency's supervising examiners, to ensure that their instruction is up to the required standard.

There are just under 800 approved driving instructors on the register at present, while temporary licences are held by about 60 trainee instructors.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Year 1

Driving Test Theory Procedures will be impact assessed for race and disability.

Year 2

Qualifying Procedures for Registration as a Driving Instructor will be impact assessed for gender, race and disability.

Year 3

Practical Driving Test and Vehicle Test will be impact assessed for gender, race, disability and age. The Vehicle Test assessments will be carried out in the context of the installation of new equipment.

TRANSPORT LICENSING AND ROAD SAFETY

Road Freight Operator Licensing

Under the Transport Act (NI) 1967, the Department has responsibility for the grant of Road Freight Operator Licences to persons who wish to operate goods vehicles to carry other people's goods for reward. In granting an operator licence the Department must be satisfied that an applicant satisfies certain criteria as laid down in EC Directives in relation to i) financial standing; ii) professional competence and; iii) good repute. Road Freight Operator Licences are granted for national or international operations and may be revoked or suspended if an operator no longer satisfies the requirements under which the licence was granted or fails to comply with any of the conditions of the licence. An applicant who is aggrieved at a decision not to grant an operator's licence may ask for the decision to be reviewed by the Department. A licence holder may appeal against revocation or suspension of a licence to a County Court. There are approximately 900 valid freight operator licences currently in Northern Ireland. An operator's licence costs £35.00 and is valid for 5 years.

Road Freight Vehicle Licensing

Under the Transport Act (NI) 1967, the Department has responsibility for the grant of Road Freight Vehicle Licences to persons who hold a Road Freight Operator's Licence. The grant of a Road Freight Vehicle Licence is subject to the Department being satisfied that the vehicle is taxed and holds a current Goods Vehicle Certificate confirming road worthiness. There are

approximately 5,300 valid vehicle licences currently in Northern Ireland. A licence costs £48.00 and is valid for one year.

Road Service Licensing (referred to as **Road Passenger Licensing** in draft Equality Scheme)

Under the Transport Act (NI) 1967, a person who wishes to carry passengers by road for reward is required to hold a Road Service Licence granted by the Department. This requirement applies to operators of vehicles (ie minibuses, buses and coaches) which are capable of carrying more than 8 passengers. Before granting a licence, the Department must be satisfied that the applicant meets certain criteria which are set in EC Directives in relation to i) financial standing; ii) professional competence; and iii) good repute. Road Service Licences are granted for national and international operations and may be revoked or suspended if an operator ceases to satisfy the requirements under which the licence was granted or fails to comply with any of the conditions of the licence. An applicant who is aggrieved at a decision not to grant an operator's licence may ask for the decision to be reviewed by the Department. A licence holder may appeal against revocation or suspension of a licence to a County Court. There are currently approximately 120 licensed operators with a total of 2,300 licensed vehicles. A Road Service Licence costs £39.00 and is valid for one year.

Taxi Licensing

Under Article 79A of the Road Traffic (NI) Order 1981 the Department is responsible for the grant of taxi driver licences. In granting a licence, the

Department must be satisfied that an applicant is a fit and proper person of good repute and medically fit. In determining good repute the Department takes into account an applicant's record of convictions (if any) and assesses medical fitness by reference to a medical report provided by the applicant's GP. Failure to meet these requirements will result in the Department refusing to issue a licence. An applicant who is refused a licence has the right of appeal to a Magistrates Court or a County Court. There are approximately 10,000 current taxi driver licences; a licence costs £58.50 and is valid for 5 years.

Public Service Vehicle (PSV) Licensing

Under Article 60 of the Road Traffic (NI) Order 1981, a public service vehicle (such as taxis and buses) is not permitted to stand or ply for hire or carry passengers for hire unless it has a Public Service Vehicle Licence. In granting a licence, the Department must be satisfied that the vehicle meets prescribed public service vehicle standards for roadworthiness and suitability and that the applicant is of good repute. For the purposes of assessing vehicle roadworthiness and suitability, the vehicle is subject to an annual test by the Driver and Vehicle Testing Agency and in determining good repute the Department takes into account an applicant's record of convictions (if any). There are currently approximately 9,400 PSV licences of which 7000 are for taxis and 2400 are for buses. A PSV licence costs £32.50 and is valid for one year.

Enforcement

The objectives of the Department's enforcement activities are:

1. to ensure fair competition in the road haulage and passenger transport industries, particularly in the hire and reward sectors;
2. to ensure that goods and passenger carrying vehicles used on the public road do not constitute a hazard to road safety or the environment; and
3. to ensure that such vehicles used on the public road and their operators and drivers comply with the statutory licensing and roadworthiness requirements.

The enforcement activities include carrying out roadside examinations, weighbridge operations, inspections of operating centres, vehicle emission checks, complaint and accident investigations and, where appropriate, prosecuting offenders. To undertake these functions, enforcement staff are authorised either as vehicle examiners or traffic examiners and have powers to stop most goods and passenger carrying vehicles on public roads.

Road Safety Education

The road safety education and training budget for 2000/01 totals £850K. This will be used for the provision of road safety teaching aid materials to schools for teacher training, and for making arrangements for the practical training of road users. The budget includes funding of £170K for road safety activities carried out by the Road Safety Council of Northern Ireland, ROSPA (NI) and Disability Action.

The Department's Road Safety Education Officers continue to have a close working relationship with the education authorities and staff are located in each of the Board areas. Schools based Cycling Proficiency Training is encouraged in primary schools with almost 10,000 pupils being trained annually. Secondary and grammar schools are encouraged to develop better and more mature attitudes to road behaviour in general and to driving in particular. Road Traffic Studies are included in the timetable of 161 schools as part of their curriculum and, of those schools, 73 offer Motor Vehicle and Road User Studies as a GCSE subject.

Road Safety Advertising

The Department's road safety advertising is aimed at raising awareness of road safety among road users in Northern Ireland and influencing their behaviour in order to reduce the number and severity of road traffic casualties.

Excessive speed and alcohol consumption by road users continue to be the principal causes of road deaths and serious injuries in Northern Ireland. Campaigns to tackle these problem areas are designed to inform and to change the attitude and behaviour of road users. Other campaigns address seatbelt wearing, penalty points and general road user vulnerability. The advertising and publicity budget for 2000/01 is £600K.

A draft Road Safety Strategic Plan, which will have as its focus a new casualty reduction target for 2010, will be published for consultation in the Autumn of this year.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Year 2

Road Safety Education and Advertising will be impact assessed for race, age and disability.

Year 3

Taxi driver licensing procedures (where licences are issued for 5 instead of 10 years after 40) will be impact assessed under age and disability.

LOCAL GOVERNMENT

General Exchequer Grant

DOE provides direct support to the 26 district councils by way of General Exchequer Grant. The Grant consists of two elements – a derating element and a resources element. The former compensates councils for the loss of rate income due to the statutory derating of certain properties; while the latter provides additional finance for those councils whose rateable valuation per head of population falls below a standard determined each year by the Department.

Distribution of the resources element of the Grant, currently some £18m, is determined by a statutory formula set out in the Local Government & c. (Northern Ireland) Order 1972. The formula is complex and can result in wide variations year-on-year. The Department is undertaking a review of the formula to address these problems and to incorporate into a new formula factors which will take account of relative socio-economic disadvantage between districts.

Local Government Legislation

(i) Pension Scheme for Local Government Employees

The pension scheme for local government employees is governed by the Local Government Pension Scheme Regulations (Northern Ireland) 2000. It is modelled on similar schemes in England, Wales and Scotland and will be

reviewed in the light of recent and proposed legislative changes to those schemes.

The Northern Ireland scheme covers not only employees of local councils but also employees of other bodies such as the Northern Ireland Housing Executive, various housing associations, and schools and colleges (non-teaching staff).

The scheme is administered by the Northern Ireland Local Government Officers' Superannuation Committee, which is the statutory body established to maintain a fund to provide benefits for members. The Committee is appointed by the Department for a four year term and consists of a Chairman and ten other members equally representative of employee and employer organisations.

(ii) Compensation Scheme for Local Government Employees in respect of Redundancy and Premature Retirement

The compensation scheme for local government employees is governed by the Local Government (Compensation for Premature Retirement) Regulations (Northern Ireland) 1983, as amended. It is modelled on similar schemes in England, Wales and Scotland and will be reviewed in the light of recent legislative changes to those schemes.

The scheme applies to local councils and certain other bodies specified in the regulations. The compensation is awarded at the employer's discretion and the cost is met by the employer.

(iii) Best Value Regime Legislation

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 introduced compulsory competitive tendering (CCT) for a specified range of district council services. Article 19 of the Order identifies a series of issues (“non-commercial considerations”) which councils cannot take into account in awarding contracts. These include the terms and conditions of employment which prospective contractors apply to their workers, their internal management arrangements and any political, industrial or sectarian affiliations of contractors or their directors, partners or employees. This legislation mirrors provision made in GB under the Local Government Act 1988.

In England and Wales, the Local Government Act 1999 has repealed CCT, establishing in its place a legislative framework for a new regime of Best Value. The prevailing definition of non-commercial considerations was identified as an equality issue, and the new Act therefore makes legislative provision for amending the definition. In Northern Ireland, preparatory work has commenced on equivalent Best Value legislation, and we anticipate making similar provision. Timing of the new legislation is dependent on the Assembly’s legislative programme. Consultation and impact assessment is likely in the next 12 months.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Year 1

Review of General Exchequer Grant (Resources Element)

The replacement formula which emerges from the review will be subject to Impact Assessment over all 9 Section 75 categories. It is in Year 1 because of the large amount (£18 million) of expenditure involved.

Local Government Compensation for Redundancy and Premature Retirement Regulations will be impact assessed for gender, age, marital status, dependants, and sexual orientation.

Year 2

Local Government Pension Scheme Regulations will be impact assessed for the same 5 categories.

PLANNING

Planning Fees

Article 127 of the Planning (Northern Ireland) Order 1991 enables the Department to make Regulations for the payment of a fee of the prescribed amount in respect of every application for permission, consent etc. made to the Department. 'Planning fees', as they are called, are prescribed in the Planning (Fees) Regulations (Northern Ireland) 1995.

The level of planning fees is reviewed annually and fees are set to recover the costs incurred in determining planning applications. There are certain exemptions from planning fees and instances where reduced fees are payable. The former include applications which involve development within the curtilage of an existing dwellinghouse for the purpose of providing means of access to or within the dwellinghouse for a disabled person or of providing facilities for the persons greater safety, health and comfort.

The income from planning fees in 1999/2000 was £8.3M.

Planning Policies

Planning policies are set out in the Planning Strategy for Rural Northern Ireland and in Planning Policy Statements. The Planning Strategy for Rural Northern Ireland is progressively being replaced by Planning Policy Statements. Planning Policy Statements (PPSs) set out the policies of the Department of the Environment on various aspects of land use planning. Their

contents and those parts of the Planning Strategy for Rural Northern Ireland that remain, are taken into account in preparing development plans and can also be material to decisions on individual planning applications and planning appeals.

There are currently 9 Planning Policy Statements –

PPS1 - General Principles

PPS 2- Planning and Nature Conservation

PPS 3- Development Control: Roads Considerations

PPS 4- Industrial Development

PPS 5- Retailing and Town Centres

PPS 6- Planning, Archaeology and Built Heritage

PPS 7- Quality Residential Developments – Consultation Draft

PPS 8- Open Space, Sport and Recreation - Consultation Draft

PPS 9- The Enforcement of Planning Control

All are available on the Planning Service website
<http://www.doeni.gov.uk/planning/index.htm>

Development Planning

Development Plans set out detailed policies and specific proposals for the development and use of land in Northern Ireland. The development plan is fundamental in providing:

- a framework for investment by public, private and community sectors;
- certainty for those wishing to develop and those affected by development proposals;
- a framework for positive co-ordination of public policies in ‘joined-up’ Government;
- general and specific land allocations for the full range of land uses needed to support the life of the local community and social and economic progress;
- a process for involvement and ‘ownership’ by local communities wishing to influence the future development of their areas in a positive manner; and,
- a process to translate to local level the guiding principles and objectives of the draft Regional Strategic Framework.

The Development Plan programme is reviewed annually and published in the Planning Service’s Corporate and Business Plans. The current programme stretching to 2005 will result in 13 area development plans covering the 26 District Council areas. The position regarding existing development plans and plans at various stages of preparation is available on the Planning Service website at <http://www.doeni.gov.uk/planning/index.htm>.

Conservation Area Programme

Article 50 of the Planning (NI) Order 1991 provides the Department with the power to designate an area of special architectural or historic interest as a Conservation Area. Individually tailored conservation-led enhancement strategies may also be prepared for certain Conservation Areas and consideration given to making Directions under Article 4 of the Planning (General Development) Order (NI) which withdraws certain permitted development rights. The programme of work in relation to Conservation Areas is reviewed annually.

Since 1975 the Department has designated 53 Conservation Areas in Northern Ireland ranging in scale from Belfast City Centre, through town centres such as Armagh, Enniskillen and Newry, to small villages such as Caledon, Glenarm, Gracehill and Moira and relatively small residential parks and streets such as Malone Park, Adelaide Park and McMaster Street in Belfast.

Townscape Heritage Initiative*

The Townscape Heritage Initiative Scheme (THI) was launched in April 1998 and is supported by Heritage Lottery Funds (HLF). The THI focuses on Conservation Areas, aiming, in partnership with the public, private and voluntary sectors to create exemplars of conservation practice and management. It is concerned primarily with securing the long-term future of the built heritage by –

* This initiative is supported by the Department, not “owned”.

- repairing built fabric;
- restoring authentic details and materials;
- securing the continued use of historic buildings;
- bringing vacant floor space in historic buildings back into use; and
- facilitating a high standard of design and materials in filling gap sites in key frontages.

The Conservation Areas successful in attracting HLF funding totalling £8M in the 1998 and 1999 rounds of the scheme were:

- Caledon
- Moneymore/ Draperstown
- Downpatrick
- Saintfield
- Killough
- Omagh
- Newry (Canal Street)
- Carnlough
- Dromore (Co. Down)
- Dungannon

- Newtown Stewart
- Lisburn (Bridge Street)
- Randalstown.

Development Control

Development Control includes -

- the determination of applications for planning permission and conservation area, advertisement and listed building consents;
- the provision of guidance on development proposals; and,
- investigating alleged unauthorised development and taking appropriate action.

The Planning Service processed 22,182 planning applications in 1999/2000. These ranged in scale, importance and complexity from minor house extensions to major residential, industrial and retail development. It also received 2,478 requests for a determination as to whether a proposed development required a formal planning application and 1,442 pre-application enquiries from potential applicants seeking an initial view of their proposals and relevant advice.

The Planning Service investigates unauthorised development with a view to bringing development that is considered acceptable under planning control and having what is unacceptable stopped, altered or removed. During 1999/2000 the Planning Service investigated 2,678 alleged infringements of planning law, resolved 1,167 cases, issued 82 Enforcement Notices and 2 Stop Notices.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Within three years of the approval of the Equality Scheme the Planning Service will conduct equality impact assessments on all of its main sub-policy areas – Planning Subordinate Legislation; Planning Policy Statements; Development Control Advice Notes.

Within each sub-policy area assessments have been prioritised on the basis of the relevance of particular policies to equality of opportunity.

Summary Timetable

- Year 1 -** Review of Planning Fees;
2 Development Control Advice Notes;
1 Planning Policy Statement;
1 Development Plan.
- Year 2 -** 1 Development Control Advice Note;
3 Development Plans.

- Year 3 -**
- 1 Planning Policy Statement;
 - 2 Development Control Advice Notes
 - 3 Development Plans.

Further details of the Planning impact assessment programme are set out at Annex E.

ENVIRONMENT AND HERITAGE

In pursuance of its overall strategic objective which is “to protect, conserve and enhance the natural and built environment for the benefit of present and future generations” the Department is responsible for a number of policy areas.

Protecting the Quality of Air, Land and Water/ Waste Management

Development of policy and legislation, mainly arising from EU requirements, on a broad range of environmental issues designed to control and reduce pollution of air, land and water.

Monitoring and measuring of polluting impacts and regulating of emissions to air and discharges to water.

The framework for the development of sustainable waste management practices is set out in the Waste Strategy for Northern Ireland published in March 2000.

Conserving Nature and the Countryside

Development of policy, legislation and implementation arrangements to ensure proper protection of the natural environment. Wildlife species, their habitats and the rural landscape on a broader scale are safeguarded through designating and managing sites of scientific interest, identifying and promoting the sustainable management of protected landscapes and promoting the enjoyment of the countryside and its wildlife.

Access to the Countryside

The development of opportunities for walking and other countryside recreational activities. This includes grant-aid to councils for the establishment of suitable routes. Access is also promoted through country parks, nature reserves and state care monuments.

Protecting, Recording and Conserving Historic Monuments and Buildings/Access to Built Heritage

Recording and protecting the built heritage through scheduling of monuments and putting in place management agreements, listing buildings of special architectural or historic interest and generating high quality records of historic monuments and buildings. Many of the monuments held in state care are open to the public for study, education and tourism. Information on the built heritage is also made available.

Education

One of the operational objectives of the Environment and Heritage Service is to promote awareness and appreciation of the environment and heritage of Northern Ireland. The Service's published education strategy emphasises partnership - encouraging action at a local level and making environmental information available.

Promotion of Sustainable Development.

Promotion of sustainable development principles in all the activities of government and wider society is part of the Department's strategic aim.

The widely accepted definition of Sustainable Development is that of the Brundtland Commission; "Development that meets the needs of the present, without compromising the ability of future generations to meet their own needs".

A UK Sustainable Development Strategy "A Better Quality of Life" was published in May 1999.

It set out 4 parallel objectives:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

The UK Strategy recognised that the devolved administrations have a key role to play in establishing their own sustainable development policies, which reflect their institutions, landscape, culture and way of life.

The commitment of the Executive Committee will be required to align all actions of the Administration with Sustainable Development objectives and to make Sustainable Development a key cross-cutting theme in the Programme of Government.

POLICIES SELECTED FOR IMPACT ASSESSMENTS

Year 2

Access to Built Heritage will be impact assessed for gender, disability, age and dependants.

Much work has been done in recent years in making monuments/buildings accessible to the disabled. The timing reflects the fact that there has been work on this in the last few years, thus year 1 would be unnecessarily soon.

Pollution Control will be impact assessed for disability and age.

Year 3

Access to the Countryside will be impact assessed for gender, disability, age and dependants.

Education Policies will be impact assessed for gender, race, disability and age.

Waste Management will be impact assessed for disability and age.

The Year 3 programming reflects the relative significance of the policies to equality of opportunity. It also reflects the modest nature of education policies and the launch earlier this year of a Waste Management Strategy tying an equality impact assessment into a review of operations after 3 years.

LOCAL GOVERNMENT AUDIT

The Role of Local Government Audit

Local Government Audit Office employs 20 staff and its functions include the formal audit of the 26 District Councils, the Northern Ireland Housing Executive, the Fire Authority for Northern Ireland, the Northern Ireland Local Government Officers' Superannuation Committee and the Local Government Staff Commission.

The responsibilities of Local Government Auditors in relation to District Councils are set out in the Local Government Act (Northern Ireland) 1972 and other subsequent legislation pertaining to local government. This legislation provides for auditors to audit and report on the accounts of the 26 district councils. In addition it gives auditors responsibility for carrying out value for money studies, certifying rate of return statements for defined activities, and considering as appropriate the issue of prohibition orders and making application for judicial review. Local Government Auditors are also involved in certifying claims for government grant and reviewing performance indicators under the Citizen's Charter.

Audits are conducted in accordance with a Code of Audit Practice that embodies best professional practice with respect to standards, procedures and techniques to be adopted by auditors in discharging their functions. The Code was published in September 1998 and circulated to councils.

Local Government Auditors have been given a role in the Best Value initiative in terms of reviewing councils' Performance Improvement Plans. While, in due course, legislation is expected to cover the Best Value initiative it has

commenced on a partnership basis involving District Councils, the Local Government Division of the Department of the Environment and the Local Government Audit Office. This has involved significantly more work by Local Government Auditors.

While Local Government Auditors are employed by the Department of the Environment for the purposes of salaries and expenses, case law has established the independent nature of the Local Government Auditor's role.

Notwithstanding this, it was proposed that to enhance the independence of the audit of public sector bodies in Northern Ireland that Local Government Audit (and Health Audit) would transfer on attachment to the Northern Ireland Audit Office. In order to effect this change it will be necessary to amend existing legislation which will have to come before the New Assembly in due course.

CORPORATE SERVICES

Corporate Services is a central division within the Department. Its aim is to support the Minister, Permanent Secretary and Senior Management and oversee the provision of resources to the Department to enable it to achieve its business aims.

The Division comprises the following branches:

Finance

The role of this branch is to provide relevant financial information to the Minister, Secretary, Senior Management, the Department generally and to external organisations, particularly the Department of Finance and Personnel. The branch also seeks to obtain adequate resources for the assessed needs of the Department and ensures the continued implementation of Resource Accounting and Budgeting principles.

Central Management

The Branch provides support services for DOE's Permanent Secretary and develops corporate Departmental policy across a wide range of subject areas and activities including New Targeting Social Need, Human Rights and Equality; Business and Strategic Planning; Emergency Planning; Public Appointments; Service First; Open Government and Freedom of Information; and Electronic Service Delivery. The Branch is the main contact point for the

NI Assembly in its dealings with the Department and provides a central liaison role between the Department and the Departmental Committee.

Information Office

Among the main roles of the Information Office are the provision of a quality PR service for the Minister; the provision of a professional reactive PR service to the media – ensuring that officials are available to respond to journalists' queries; and support for the Department's Internal Communications Strategy including the production of an in-house journal for staff.

Private Office

This Branch provides timely, high quality support to the Departmental Minister. The Private Office manages the Minister's Programme and ensures that the Minister is involved in a broad range of Departmental activities as well as providing briefings for the Minister for events and meetings and handling Ministerial correspondence and Assembly Questions.

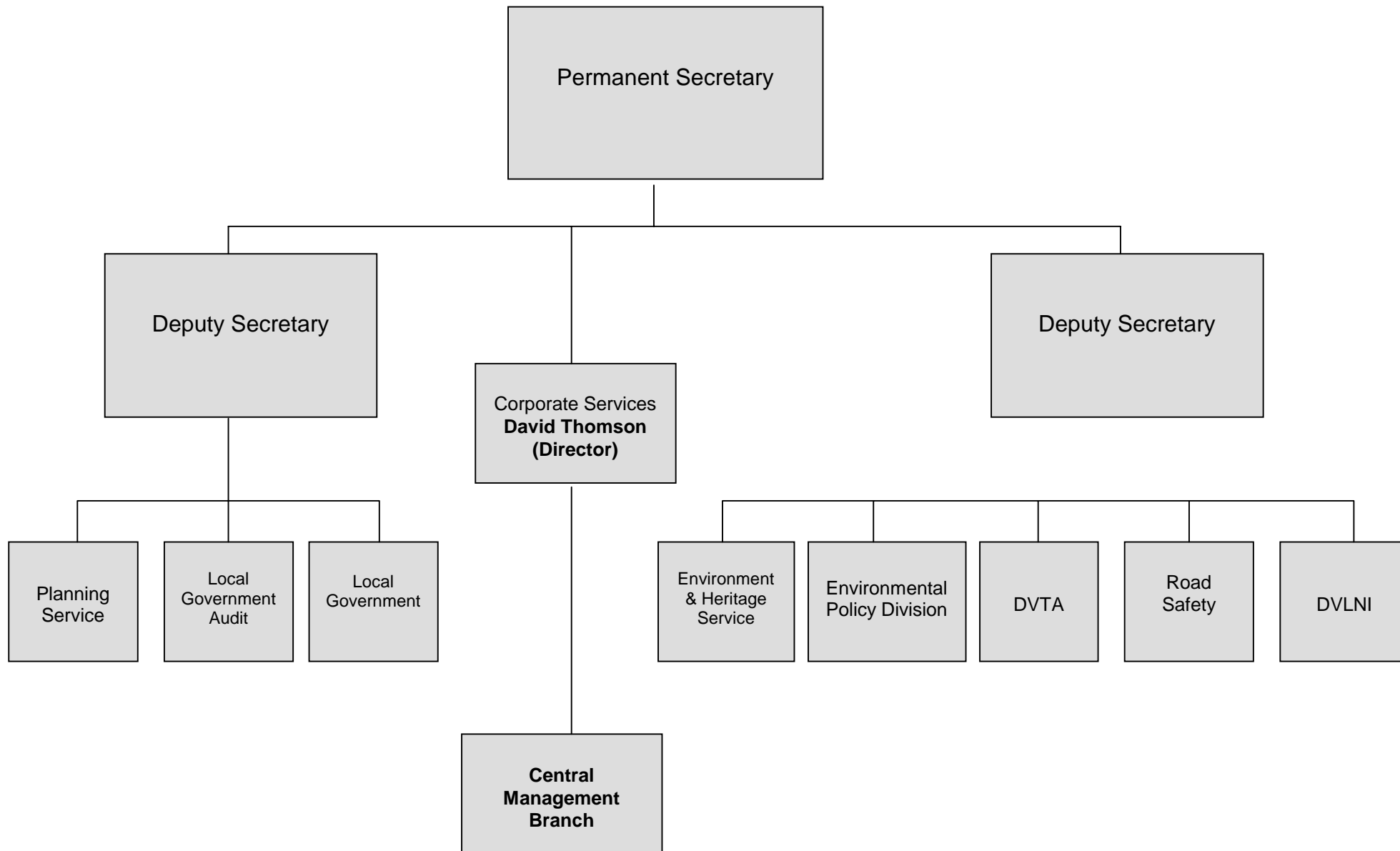
Offices of Permanent Secretary and Director – These are two small offices supporting the Secretary and Divisional Director.

Personnel – Corporate Services Division has a small Personnel Branch however the Personnel Services for DOE are, in the main, being delivered by the Department for Regional Development Personnel Division and operational activity largely falls to DRD.

The Division will participate in interdepartmental structures to support impact assessments of central NICS policies such as employment and procurement.

It will seek to develop the relationship between New TSN and the statutory obligation.

DOE Structure



MAIN GROUPS RELEVANT TO THE SECTION 75 CATEGORIES FOR NORTHERN IRELAND PURPOSES

Category	Main Groups
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief.
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party.
Racial group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people of mixed ethnic origin.
‘Men and women generally’	Men (including boys); women (including girls); and transgendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people.
Age	For most purposes the main categories are: children under 18; people aged between 18 and 65; and people over 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age.
‘Persons with a disability’	Persons with a physical, sensory or learning disability as defined in sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995.
‘Persons with dependants’	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person.
Sexual orientation	Heterosexuals; bisexuals, gays, lesbians.

CONSULTATION ON DRAFT EQUALITY SCHEME

1. This Annex outlines the background to the consultation exercise on the draft Equality Scheme and addresses the comments received on the scheme generally and on Departmental policy areas.
2. The draft Equality Scheme issued on 10 April for consultation with a closing date for responses of 5 June 2000. Over 430 copies were circulated to organisations and groups at Table C and about 30 further copies issued on request.
3. In addition, the Equality Unit in OFMDFM met with NICEM, Disability Action, RNIB, RNID, Making Women Seen and Heard, NIVCA, and CoSo to discuss general concerns on behalf of all Departments. Notes of these discussions were circulated to all Departments. OFMDFM offered to act as facilitators for meetings with other Departments but the offer was not taken up.
4. Forty-three groups and organisations responded substantively to the draft Equality Scheme. A list of the groups is attached at Appendix 1. The Department offered to meet with all 43 groups, at any time, to discuss issues relevant to Equality of Opportunity.
5. The comments put forward by the groups were both helpful and constructive. They were a main tool in the revision of the draft scheme. All comments put forward relevant to the Department were considered. The Department's response to the comments are set out in the following tables which address comments on the scheme generally and on specific Departmental policy areas. For the sake of brevity and ease of reference

comments have been summarised and presented under broad headings with the group or groups making the comments identified by the reference number assigned to them in Appendix 1.

- 6.** The Department is willing to discuss queries arising from the responses with any of the groups. Issues can also be addressed in the context of the further work to be carried out on screening with the Equality Commission with selective consultation.

CONSULTATION RESPONSES ON SCHEME GENERALLY

COMMENT	RESPONSE
Top Level Commitment (4, 20, 21, 24 25, 26, 29, 36, 37, 38)	
Scheme should contain an introductory statement signed by the Minister and Permanent Secretary specifying the purpose of the scheme and the public authority's commitment to the statutory duties and to making the necessary resources available.	General introductory statement amended accordingly.
Information On Department's Functions & Policies (20, 24, 26, 29, 30, 32, 36, 39)	
Give more information on functions and policies and relevance to equality of opportunity. Provide a definition of policy areas. Make clear all functions are included. Include CMB functions as it controls Department's budgets.	Scheme has been amended accordingly. Annex A provides further information on all functions and policies including CMB.
Specific Arrangements For Taking Equality of Opportunity Work Forward (3, 4, 5, 7, 11, 17, 19, 20, 26, 29, 30, 32, 34, 37, 39)	
Arrangements should be more clearly described with named contacts, organisation chart showing where responsibility will lie and outline of how and when progress will be reviewed by the Permanent Secretary and Minister. Spell out functions of CMB and how it is affected by the statutory duty. Are any new structures likely to be developed?	A more detailed explanation has been included in the Scheme.

COMMENT	RESPONSE
<p>Responsibility for Public Procurement, Finance and Employment Policies (9, 12, 17, 20, 21, 23, 25, 27, 26, 29, 30, 31, 32, 36, 37, 39, 43)</p>	
<p>Department should address employment, finance and procurement policies including Health and Safety and child care policies within its own ambit. Consider ways of employing disabled and other representatives of Section 75 categories.</p>	<p>The Department will provide such information which may be required by DFP in carrying out equality impact assessments on employment and procurement and will participate in any steering group established by DFP to oversee the assessments. Financial allocations for policies/functions are the responsibility of the NI Assembly's Executive Committee.</p>
<p>Contracted Out Services (3, 43)</p>	
<p>Include the procurement of contracted out services. Cover legislation in contract documentation.</p>	<p>These have been considered and are covered under the relevant functions and policies headings. This is under consideration.</p>
<p>Corporate and Business Plans (5, 14, 15, 24, 25, 26, 29, 30, 32, 36, 39)</p>	
<p>Reflect statutory duty in Corporate and Business Plans and integrate in staff appraisal system with strong sanctions.</p>	<p>Objectives and targets have been built into the Department's plans. Staff performance will be monitored in light of the statutory duty and other job requirements.</p>
<p>Good Relations (2, 37)</p>	
<p>Include a statement of commitment to Good Relations, carry out an audit, implement recommendations and review progress.</p>	<p>Noted. The Department will contribute to the OFMDFM equality impact assessment on mainstreaming community relations and draw on it in developing our response to the good relations obligations.</p>

COMMENT	RESPONSE
Presentational Points (11, 22, 34, 43)	
Provide an index. Use larger print. Split Table C into C1 and C2. Consult Plain English Society.	Agreed. A summary of the final scheme will be prepared in plain English.
Resources (3, 12, 17, 26, 30, 32, 37, 39)	
Make an unqualified commitment to allocating the necessary resources; identify the resources needed – make resources available for appointment and training of Departmental Equality Officers.	Commitment given to make the necessary resources available in terms of time, people and finance. Work is in hand to identify the additional resources which will be required.
Grouping of Policies for Assessment (4, 20, 26, 29, 32, 34)	
Concerned about proposal to group policies.	The proposal has been dropped.
Annual Statement (4, 12, 25, 26, 30, 32, 39)	
Should be comprehensive, with Action Plan, timing specified, made public and consulted on.	The statement will be comprehensive. The timing will be agreed with the Equality Commission. Outcome will be published in the Equality Commission's Annual Report.
NDPB's (4, 34)	
Spell out purpose of liaison. Public bodies should not pass responsibility for assessments to other bodies.	Done. Agreed.

COMMENT	RESPONSE
Review of Scheme (4, 30, 32, 39)	
<p>Review should be in 3 years and cover all policy areas. It should be subject to full consultation and recommendations fully implemented.</p>	<p>The Review must be carried out <u>within</u> 5 years. It is too early to decide the optimum timing of the review. This will be done in liaison with the Equality Commission. The review will take account of any guidance issued by the Equality Commission.</p>
Screening (4, 7, 15, 16, 17, 18, 20, 23, 25, 26, 29, 30, 32, 34, 37, 39, 43)	
<p>Wide ranging criticisms that the screening process was not comprehensive or transparent. Policies should not be excluded through lack of evidence or conflicting legal obligations. Insufficient detail provided on policies; not clear if all policies have been covered. Need for linkages with NDPB's and other Departments. Everything should be screened in. Screening should not have been carried out. Exclusions should be reviewed annually. There should be no budgetary constraints. Impact Assessment Programme should be less than 3 years.</p>	<p>The Scheme undertakes to carry out further work on screening to reconsider the areas screened out in liaison with the Equality Commission and the Voluntary and Community Sector. All policies with significant implications for equality of opportunity will be considered irrespective of parity requirements with GB or EC. Guidelines permitted screening at this stage. Screening is designed to ensure that resources are applied as effectively as possible but all policies with significant implications for equality of opportunity will be impact assessed. Three years is considered a reasonable timetable in view of the number of impact assessments required. Areas where there are linkages with other bodies have been identified. The responses to specific screening suggestions are set out in the table answering comments on Departmental policies.</p>
Delete reference in 3.2(d) to the past.	Agreed.

COMMENT	RESPONSE
Timetable (15, 18, 27, 29, 30, 32)	
<p>More information is required on prioritisation. Prioritise in consultation with those affected. Difficulty in using social need when Departments have not yet agreed on definition/monitoring. Review of everything in Year 1.</p>	<p>Additional information about policies is provided in Annex A. Consultation on the scheme included the programme/timetable for impact assessments. A general assessment based on the relative importance within the Department was made. Specific queries are answered in the section on the Department's policies. Unrealistic to expect heavy programme of assessments to be carried out in Year 1.</p>
<p>Reference to resources unhelpful.</p>	<p>Agreed. This has been deleted.</p>
Future Policies (4, 19, 20, 26, 29, 32)	
<p>Concern about the absence of new policies for impact assessment. How was decision reached: was there consultation? Outcome should be reported in the annual review.</p>	<p>This is largely a presentational point as future policies are included in Tables A&B. Local Government Best Value is a new policy anticipated in the next 12 months. Equality of Opportunity will be addressed as part of the normal consultation processes for new policies and legislation. Annual review will cover new policies.</p>
Consultation – Table C (4, 15, 20, 26, 29, 30, 32, 33, 34, 39, 41)	
<p>New groups must have opportunity to join. Lists should be in alphabetical order. Wider ranges of representatives of Section 75 categories should be included in liaison with NICVA and NICEM.</p>	<p>Agreed. List is categorised by subject area. List will be expanded in light of research and/or representations.</p>

COMMENT	RESPONSE
How was list compiled? More locally based and regional groups should be included. Groups don't need to prove an interest. All groups should be consulted.	List was compiled using business area contacts, lists of community and voluntary organisation and Section 75 groups provided by OFM/DFM.
Should include all NICS Unions.	Agreed.
Consultation – Suggestions for improved consultation (4, 7, 8, 9, 10, 12, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 29, 32, 33, 35, 36, 37, 38)	
A great number of useful suggestions were received to ensure timely, open and fully inclusive consultation. These included the use of plain English; use of imaginative and simple methods of consultation; creation of a Departmental Forum for consultation; utilisation of guidelines emerging from the Compact; seeking advice from specialist groups; Cross-Department consultations; use of modern methodologies; need for ground level consultation; need to improve public awareness and the need to use alternative forms of consultation to engage groups fully. Need to specify what documentation will be available and who will be consulted about what. Clarify references in scheme and consult with those adversely affected by legislation, etc.	All the suggestions have been noted and will be reflected in Internal Guidelines on Consultation which will be prepared. The scheme specifies who will be consulted in what circumstances. All in Table C1 will be consulted on matters relevant to the duties and impact assessments. Those adversely affected by legislation, strategies and reviews will be consulted in the context of the equality impact assessment.
Consultation – Funding (5, 15, 20, 21, 23, 25, 27, 30, 32, 36, 39, 43)	
Core funding should be available to help groups with capacity building and to participate in consultation exercises.	The Department has no powers to approve such funding.

COMMENT	RESPONSE
Consultation – Targeting (4, 5, 11, 16, 18, 20, 22, 25, 26, 27, 30, 32, 36, 39, 43)	
The need for special efforts and facilities to target marginalised groups, old, young, women, those with learning difficulties and ethnic minorities was emphasised strongly.	To help develop new approaches a conference is to be arranged to address the difficulties posed by groups which have been traditionally marginalised. It will also consider how children can be consulted on policy issues on which they have an interest.
Target groups on whom policies impact and show how their views will be weighted.	Noted.
Consultation – Timescale (4, 11, 18, 20, 21, 24, 26, 27, 29, 36, 38)	
A number of groups argued that the 8 week period for consultation was insufficient.	The 8 weeks is a minimum period. Longer periods for response will be provided where possible or necessary due to the complexity of the subject matter. For example, the consultation period for Planning issues is normally 3 months.
Consultation – Emergency Policies (4, 19, 20)	
Concern was expressed about the lack of consultation on policies implemented urgently.	A commitment has been given to discuss such policies where a significant impact on equality of opportunity is identified with the Equality Commission and key voluntary and community umbrella groups.

COMMENT	RESPONSE
Consultation – Monitoring (10, 18, 27, 30, 32, 33, 39)	
<p>What is the criterion of success in consultation: the response rate? Clear guidelines required on post-consultation procedures. Information on consultation should be collated.</p>	<p>The content of consultation responses will be the most significant factor in determining success. The acceptability and effectiveness of consultation methods and exercises will be considered in the Department’s Annual Report on the Equality Scheme.</p>
Consultation – Accessible Formats (4, 11, 12, 18, 20, 26, 29, 30, 32, 39)	
<p>All relevant documentation and information should be available in accessible format and language, including Irish, in a timely fashion. Provision of text phone or minicom details of the scheme would have been useful. Consideration should be given to provision of information to those with learning difficulties.</p>	<p>Appropriate information will be available in a timely fashion in accessible format and language on request</p> <p>Noted.</p>
Monitoring (4, 5, 15, 16, 17, 18, 20, 23, 25, 26, 27, 29, 30, 32, 36, 39, 43)	
<p>Groups highlighted the need for the review of monitoring to be carried out as soon as possible and emphasised the importance of the early development of comprehensive baselines and measurable targets. Each scheme should have Action Plans. Review should apply to all policy areas.</p>	<p>Agreed.</p>
<p>Specify existing monitoring and methodology.</p>	<p>Proposed reviews will do this.</p>
<p>Publish the results of the review.</p>	<p>Agreed.</p>

COMMENT	RESPONSE
Consider race equality audit.	Noted.
Commission research to cover groups. Use community and voluntary sector in data collection and resource them to do so.	Proposed review should identify gaps and data collection opportunities. The Department has no powers to fund the community and voluntary sector for this purpose.
Consult on adverse impacts and publish results of special monitoring.	Adverse impacts will be consulted on as part of impact assessment. Results of special monitoring will be published.
Mitigative action should be mandatory.	Steps to mitigate adverse impacts will be taken whenever possible.
Monitoring results need to be seen to have an impact on the review and development of policy.	Agreed.
Monitoring should cover all 9 groups. Special effort needs to be given to monitoring for black and ethnic minorities.	Effective monitoring should cover all 9 groups relative to the impact of a particular policy. Noted
Review monitoring methods annually.	The review of monitoring should also cover methods and means of review.
Request for monitoring material in accessible formats (4, 20, 26, 29)	
Request should not have to be in writing.	Agreed.
Inform general public and all Table C about availability of all material.	Public will be informed. All groups in Table C1 will be notified and appropriate groups in Table C2, depending on the subject matter.

COMMENT	RESPONSE
Charges for monitoring information (4, 20, 26, 29, 30, 32, 37, 39, 43)	
There should be no charges for material provided.	Agreed.
Circulation of Monitoring Material (4, 26, 30, 32, 39, 43)	
Consider circulation of published information to public and special libraries.	Material will be accessible to libraries on the Internet.
Circulate material as soon as it is available.	Material will be circulated promptly and regularly.
Ensure website is fully accessible to disabled.	Efforts will be made to ensure website is as user friendly as possible.
Press Coverage (29, 30, 32, 39)	
The availability of material should be advertised in local papers and papers relevant to Section 75 groups.	The use of the 3 Belfast daily newspapers, at least 2 local newspapers for rural issues is considered to be generally sufficient. However, consideration will be given to the use of papers relevant to Section 75 groups for impact assessments which may be of significance to a particular group.
Training Suggestions (7, 10, 14, 17, 19, 20, 23, 27, 30, 32, 36, 39, 43)	
All staff should be offered training tailored to grade. Training should be comprehensive and provided in a wide context highlighting attitudes such as racism and ageism. Training should include modern consultation methodologies and link in with policy appraisal.	Noted.

COMMENT	RESPONSE
Specialist Training (2, 5, 9, 14, 19, 23, 24, 26, 27, 29, 30, 32, 39, 43)	
<p>Specialist training should be supplied and more details provided, perhaps a training resource pack made available to the public. Provide training on good relations.</p>	<p>Training programmes and course contents are being considered or developed at present. We intend to assess the need for specialised training in communicating with and understanding the needs of traditionally marginalised groups, including input from appropriate external specialists. Further information about training courses will be provided in the Annual Report.</p>
<p>Representatives of Section 75 groups should be involved in training.</p>	<p>Many specialist training companies engage representatives of Section 75 groups.</p>
<p>Training on impact assessment should be provided.</p>	<p>Agreed.</p>
Effectiveness of training (30, 32, 39)	
<p>Evaluate and review the effectiveness of staff equality training.</p>	<p>This will be carried out using existing methodologies. The effectiveness of training will also be reviewed in the Annual Report.</p>
Training to Date (4, 14, 20)	
<p>The circulation of an information circular to SO level and above is insufficient to meet legislative requirement.</p>	<p>This will be complemented by specific awareness and specialised training, as appropriate.</p>
Timing of Training (25)	
<p>Train all staff in 1 year.</p>	<p>A 2 year training programme is considered to be reasonable in light of the staff numbers involved. To train all staff in 1 year would not be possible or compatible with other training obligations.</p>

COMMENT	RESPONSE
Public Access to Information and Services (9, 12, 18, 29, 30, 32, 36, 39, 43)	
Information and services should be available in Irish.	Key documents will be available in Irish in accordance with the Good Friday Agreement.
A monitoring system should be set up to monitor access.	Agreed. This will be addressed by the review of monitoring.
Wider media coverage should be considered.	Use of the 3 daily newspapers and at least 2 local papers for area coverage is regarded as satisfactory. However, wider coverage will be used where it would clearly be beneficial.
<p>Establish a translation and interpreting policy service to ensure cover for black and ethnic minority and deaf users of service.</p> <p>Review the accessibility of major publications.</p> <p>Assessment methods and procedures should be publicly accessible including reviews of dates.</p> <p>Consider services which could be offered on a outreach basis.</p> <p>All databases to be publicly accessible.</p>	All suggestions will be taken into account in the review of arrangements.
Impact assess the location of Departments jobs.	This will be considered in conjunction with any impact assessment carried out by DFP.

COMMENT	RESPONSE
Publication of the Scheme (5, 8, 26, 29, 30, 32, 39)	
Department should publicise the availability of the reviewed scheme using also voluntary and community publications.	Not agreed. Widespread publication of the revised scheme may be counter-productive in view of the commitment to consider screening further. Final scheme will be published widely.
Copy of the revised scheme should go to all consultees.	Copies of the revised scheme are going to all who participated in the consultation exercise.
Revised scheme should contain responses on points not accepted.	Agreed.
Final scheme should be published in periodicals which target Section 75 groups.	The Press Statement regarding the final scheme will appear in the 3 daily newspapers. A summary of the scheme in plain English will be published in Community and Voluntary publications.
Make scheme available to staff in alternative formats.	Agreed.
Final scheme to go to all consultees.	Final scheme will go to all on Table C1.
Complaints (4, 29, 30, 32, 38, 39, 43)	
There should be a named contact for complaints.	Agreed.
Complaints should be answered in accessible formats, if necessary.	Agreed.
Complaints should have a response time of less than 10 days.	Complaints will be responded to as quickly as possible but it may not be practicable to collate the background data within such a short period of time.

COMMENT	RESPONSE
Register of complaints should be maintained and considered in the review of the scheme.	Agreed.
Complaints should be made anonymously or through representative organisation.	All complaints will be considered and acted upon.
Action Plan (5, 30, 32, 37, 39)	
Schemes should include a summary action plan for impact assessments, including timetable and details of other Departments & NDPBs involved and how further consultation or screening will be carried forward.	Agreed.
Annex A (4, 13, 15, 43)	
Several suggestions for change to this Annex were put forward covering definition of disability, children and sexual orientation, religious belief.	Annex has been amended on advice of OFMDFM to reflect most of the suggestions.
New TSN (25, 30, 32, 35, 37, 39)	
Need to demonstrate an integrated approach to New TSN.	Agreed.
Scheme should be rural proofed and sensitive to the needs of the community it serves.	Scheme is focused on Section 75 categories, not directly area based. Area impacts will be picked up and considered, as appropriate, in the inter-relationship with New TSN.

COMMENT	RESPONSE
Annex B (4, 11, 20, 29, 30, 32, 37, 39, 43)	
<p>Concerns about disproportionate differentials. Needs to be amended to address positive discrimination. Will adequate consideration be given to impact assessments in future policy making/development?</p> <p>Methodology needs to be clear.</p> <p>Up to date data should be used.</p> <p>Is it guidance or actual procedures?</p> <p>The absence of a disability question in the next census will increase the need to obtain expensive research data from other sources.</p>	<p>Noted.</p> <p>Annex B has now been dropped from the scheme pending the outcome of work to be commissioned by the Equality Commission on impact assessment in the near future, in addition to guidance from the Equality Unit of OFMDFM.</p> <p>This has been drawn to the attention of NISRA.</p>

CONSULTATION RESPONSES ON DEPARTMENTAL POLICY AREAS

COMMENT	RESPONSE
DRIVER AND VEHICLE REGISTRATION AND LICENSING	
Driver Licensing (24, 36)	
Requirement to produce a birth certificate has an impact on race – Asylum seekers and Nomadic Travellers.	Impact assessment will be expanded to cover race.
DRIVER VEHICLE TESTING	
Vehicle Test (4)	
Table A (a) applies Table B tick race	Agreed Agreed, gender, disability and age will also be impact assessed.
Practical Driving Test (4, 20, 26, 36)	
Should be screened in under Table A for all categories a to d. Table B should include race.	Agreed Agreed
Driving Theory Test (4, 36)	
Should be screened in under Table A. Table B should be ticked for race.	Agreed Agreed
Register of Approved Driving Instructors (4, 20, 36)	
Table B should be ticked for more than gender and disability. Table B should be ticked for race.	Agreed Agreed

COMMENT	RESPONSE
TRANSPORT LICENSING AND ROAD SAFETY	
Taxi Licensing (4)	
Table A (a) should be ticked as disabled are under-represented.	Agreed
Table B – disability should be ticked.	Agreed
Road Safety Education Road Safety Advertising (4, 13, 20, 26)	
Table A, (b) and (c) should be ticked to cover accessibility issues for disabled and older people.	Agreed
Crucial for children and young people to be consulted on Road Safety Education and Advertising.	<p>Advertising All road safety advertising is tested on members of the public at the planning and development stages of commercial production, to help understand the attitude and behaviour of the target audience. Measurement of public attitudes to the issues being addressed and of the impact and recognition of advertising campaigns is ongoing throughout the life of each campaign.</p> <p>Education Road Safety Education Officers (RSEOs) provide road safety teaching material to teachers who in turn decide how and when road safety should be taught. Effective teaching not only imparts a message to children but also encourages two way communication to ensure that the message is understood. Teacher training organised by RSEOs includes discussion on the main factors associated with child road traffic casualties and recommendations on the suitability of teaching material to inform children.</p>

COMMENT	RESPONSE
	The Department publishes a Road Safety Teaching Aid Calendar annually. In preparing the current calendar children and teachers from 20 primary schools were consulted earlier this year about proposed changes. Consultation with teachers takes place on a regular basis and with children from time to time.
Have to consider training and education for people with learning difficulties or for whom English is not a first language.	Impact Assessments will be carried out for race, age and disabled categories.
Road Safety has an equality of opportunity impact.	Now included for impact assessment.

COMMENT	RESPONSE
LOCAL GOVERNMENT	
General Exchequer Grant (20)	
More information on this policy is required.	Background information is provided at Annex A.
Table B race and disability should be ticked.	Agreed; impact assessments will now be carried out on all 9 categories.
Local Government Legislation (1, 4, 36, 41)	
All Local Government Legislation should be subject to full impact assessment and monitoring under race and disability.	Relevant pieces of Local Government Legislation now included for impact assessment.
Local Government and Superannuation legislation should be screened in and impact assessed for age, marital status, dependants, sexual orientation and gender.	Agreed
Legislation for travellers should not be screened out.	This is now the responsibility of the Department for Social Development.
PLANNING SERVICE	
Planning Policies (4, 13, 15, 16, 20, 24, 25, 26, 36)	
Planning Service should have a wider remit in advising developers regarding accessibility. Consideration should be given to making access a condition of planning consent.	Planning Service cannot exceed its statutory authority. Widening the remit of the Planning Service could be considered if new planning legislation goes ahead. This will be subject to equality impact assessment as appropriate.

COMMENT	RESPONSE
Will new policies not flow from the Regional Development Strategy?	This is the responsibility of the Department for Regional Development (DRD).
Restrictions in relation to the building of houses in rural areas can mean that disabled people are disadvantaged since their houses require more space for circulation.	Present rural policies do not disadvantage people with disabilities since each case is considered individually. Responsibility for policies for reviewing/ replacing current housing in rural areas lies with DRD's Regional Planning Division.
Planning Development Control Advice Note (DCAN) on Access for Disabled People – This should be in Year 1 to fit in with the preparation requirements of Government's timetable on 2004 Disability Discrimination Act Access Rights.	Producing the DCAN in 2001/02 (Year 2) is compatible with the 2004 date.
Planning on Open Space, Sport and Recreation – It is planned to carry out this impact assessment in Year 3. This should be given a higher priority because of its relevance to children and young people – particularly vulnerable children in disadvantaged areas.	Consultation took place last year. The final version of this Planning Policy Statement has not yet been published and is scheduled for 2000/01. Scheduling the review and equality assessment for Year 3 allows a reasonable period to assess the operation of the PPS.
Table A – functions and policies and Table B – policies and categories – All boxes in table A relating to Planning Service should be ticked and all boxes in Table B relating to Planning Service should be ticked with the possible exception of marital status and sexual orientation. Those policies and functions which are not included in the Equality Scheme should be highlighted with an explanation of	The ticks in tables A and B are based on the existing level of knowledge and belief. Ticking some of the boxes requires evidence and there is no evidence to support placing ticks in these boxes at this time. A commitment has been given to look again at all policies screened out.

COMMENT	RESPONSE
why this is so.	
<p>Procedure for Participation and Consultation – This should be included in Table B with all categories ticked, with the possible exception of marital status and sexual orientation.</p>	<p>There are no plans to assess procedures for participation and consultation separately. These will be open to comment in all consultations on impact assessments. Work is currently in hand on developing consultation methods within the Planning Service. Planning Service has a statutory responsibility to consult widely in the course of preparing Area Plans which set policies and proposals for specific areas and guide subsequent development. In order to improve the consultation process with community groups, and by implication the 9 categories set out by Section 75, Planning Service is currently working with Community Technical Aid. This has the objective of capacity-building and ensuring that all the 9 categories covered by Section 75 engage in a meaningful way in the consultation process.</p>
<p>Consultation Process – Consideration should be given to making the consultation process more inclusive. Examples of positive practice undertaken in other Planning Authorities in GB could provide illustrations of how to consult in a more inclusive way eg encouraging minority ethnic groups to participate.</p>	<p>Suggestions on consulting minority ethnic groups to participate have been noted. Guidance on consultation will be developed in the context of the Equality Scheme to ensure that it is as inclusive and effective as possible.</p>
<p>Policies and Area Plans should all be assessed for their impact on women, people with disabilities, people of different races etc. For example in Plymouth the Local Authority paid consultants to assess the different impacts current local</p>	<p>Local Plans in England are not the same as Area Development Plans in Northern Ireland so a comparison is not necessarily appropriate. Race has now been included as a category for the assessment of Development Plans. Impact assessments will also be carried out on religion,</p>

COMMENT	RESPONSE
plan policies have on men and women.	political opinion, gender, disability and age.
Development Plans – Does the list produced in the Equality Scheme include all development plans due to be produced within the next three years?	The list in the Equality Scheme is not of Plans that will be produced in the next three years but of Plans that will be worked on during the next three years. Their completion will in most cases be beyond the three year period as the process is a lengthy one.
Process of equality impact assessments – At present a lack of available statistics could be used as an excuse for concluding that a policy has no disproportionate impact. Publicly available dis-aggregated statistics are required as well as a genuine commitment to relevant and appropriate consultation.	There will be great difficulties with the availability of relevant spatial data that can be used for planning purposes. Much of the data currently available is ward-based and not necessarily useful for plan and policy making. Further consideration will need to be given to this problem.
Development Control Advice Notes and Planning Policy Statements – These are excluded from the Equality Scheme.	This is incorrect – these are included in the Equality Scheme.
It is questionable whether the needs of Irish Travellers have been taken into account by the authorities and there is evidence to prove that Irish Travellers are discriminated against both directly and indirectly by current planning policy. Departments might screen their policies but they must also take into account cultural differences. The Planning Department must begin to make their policies more flexible to allow for cultural differences and to give Irish Travellers equality with regards to planning issues.	Race has now been ticked for Development Plans which are the most likely policies to impact on Travellers as a group.

COMMENT	RESPONSE
<p>Form of consultation documents – Care should be taken with the format and layout of the document. Alternative formats should be provided for the relevant target groups.</p>	<p>Agreed. Consultation process under consideration.</p>
<p>Screening of Policies – DOE should reconsider broadening its consideration of policy areas under Planning so that the potential impact of Criterion C is built on.</p>	<p>Criterion C has been ticked where appropriate.</p>
<p>Section 75 Categories – Table B – The finding under Table B that there is no impact on race in relation to Development Plans and Planning Policy Statements and Development Control Advice Notes is incorrect eg provision of sites for Travellers, language barriers amongst members of the Asian community running catering premises.</p>	<p>Race has been ticked for Development Plans and Development Control Advice Notes. It is not considered to be an issue in the Planning Policy Statements.</p>
<p>Conservation Area Programme (4, 26)</p>	
<p>Table A criteria (b) and (c) should be ticked in relation to disability access issues. Should be screened in for impact assessment.</p>	<p>We have been unable to identify disabled access issues within Conservation Areas. Conservation Areas may have been confused with buildings.</p>

COMMENT	RESPONSE
Townscape Heritage Initiative (THI)(4)	
As above	The initiative and decisions about assisting THI projects are the responsibility of the Heritage Lottery Fund. Planning Service helps groups prepare projects and provides advice on assessing proposals. Thus THI cannot be in DOE's Equality Scheme work programme.
Development Control (20)	
Arrangements for assessing compliance with section 75 duties – The Scheme appears to suggest that several functions, including development control, do not meet the equality of opportunity criteria.	There are practical difficulties in contemplating subjecting each planning decision to an equality impact assessment. The line taken is that development control policies – development plans, planning policy statements and development control advice notes – are subject to impact assessment and therefore decisions taken in accordance with them are compliant.
ENVIRONMENT AND HERITAGE SERVICE	
Pollution Control (26)	
Table A – (b) & (c) Should Be Ticked.	Agreed
Waste Management (26)	
Table A – (b) & (c) Should Be Ticked.	Agreed
Access to the Countryside (4, 19, 21)	
Table A – (c) should be ticked.	Agreed

COMMENT	RESPONSE
Table B should be ticked for gender and dependants and age.	Agreed
Access to Built Heritage (4, 17)	
Table B should be ticked for gender and dependants and age.	Agreed
Education Policy (4, 17, 19, 21)	
Table A – (a) & (c) should be ticked.	Agreed
Table B – age, gender and race should be ticked.	Agreed
General EHS (15, 25)	
Build on (c) in Table A. Include more categories in Table B.	Additional boxes have been ticked.
Tick all boxes in Table A. Tick all boxes in Table B but sex and marital status.	Not accepted; no justification for indiscriminate coverage.
Sustainable Development (20, 21, 26)	
Should be screened in. Table A – boxes (b) & (c) should be ticked.	Not accepted; sustainable development is an overarching conceptual policy the practical effects of which will be worked out through numerous other specific policies across a wide range of environmental, economic and social activities. Many of these policies, including the sustainable development content will themselves be subject to equality impact assessment on the ground.

SUBSTANTIVE COMMENTS ON DRAFT EQUALITY SCHEME

Reference Number	Group/Organisation
1	NILGOSC
2	Community Relations Council
3	Viridian
4	Disability Action
5	Lesbian Line
6	Youth Council
7	Equality Forum
8	RUC
9	Deaf Association
10	Newry and Mourne Women
11	Women's Forum NI
12	NIPSA
13	Save the Children
14	Community Relations Training/Learning Consortium
15	CTA
16	The Royal Town Planning Institute
17	Age Sector Reference Group

Reference Number	Group/Organisation
18	MENCAP
19	NI Women's European Platform
20	Committee on the Administration of Justice (CAJ)
21	Volunteer Development Agency
22	Women's Information Group
23	Multi-Cultural Resource Centre
24	Traveller's Movement (NI)
25	Northern Ireland Voluntary Trust
26	NICVA
27	Women's Support Network
28	NI Association for the Care and Resettlement of Offenders
29	NI Committee Irish Congress of Trade Unions
30	POBAL
31	Institute of Directors
32	Falls Community Council
33	Women's Resource & Development Agency
34	Derry Well Women
35	Rural Community Network
36	NICEM
37	Equality Commission
38	Amalgamated T&G Ireland
39	West Belfast Economic Forum

Reference Number	Group/Organisation
40	Training for Women Network
41	Derry City Council
42	Down District Council
43	Fermanagh Women's Network

EXPLANATORY NOTE ON PLANNING POLICIES**Planning Policies****1. Planning Policy Statements (PPS)**

Title	Review
Car Parking	Year 1
Open Space, Sport, and Recreation	Year 3

2. Development Control Advice Notes (DECAN)

Title	Review
DECAN 4 – Hot Food Bars	Year 1
DECAN 8 – Small Unit Housing – New Development in Existing Residential Areas	Year 1
DECAN 11 – Access for People with Disabilities	Year 2
DECAN 9 – Residential and Nursing Homes	Year 3
DECAN 13 – Creches, Day Nurseries and Pre School Play Groups	Year 3

3. Development Plans

Title	Review
Derry Airport Local Plan	Year 1
Ards/ Down	Year 2
Banbridge/ Newry & Mourne	Year 2
Magherafelt	Year 2
Belfast Metropolitan Area	Year 3
North East/ Limavady	Year 3
Antrim/ Ballymena/ Larne	Year 3

The current Development Plan Programme aims to provide up to date Plans covering all District Council areas by 2005. However, the Programme is reviewed annually with the Minister and timing may also be affected by events beyond the Agency's control. The Programme is, therefore, indicative. The Programme beyond Year 3 is also subject to review. Equality assessments will be completed for each Plan as part of

the plan-making process but it should be noted that some Development Plans do not need to be reviewed or replaced during the current programme. The plan-making process involves wide consultation and normally includes a public inquiry.