

Section 75 Policy Screening Form

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

You should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy or policy area:

| |
|---|
| Design Guide for Travellers' Sites in Northern Ireland (2019) |
|---|

Is this an existing, revised or a new policy/policy area?

| Existing | Revised | New |
|----------|---------|-----|
| ✓ | | |

Brief Description

This technical guide is intended to support the provision of appropriate, cost effective facilities for Travellers living in Northern Ireland. It seeks to outline the key issues, including the relevant planning context, that must be considered and identify the main design and management elements necessary to create high quality and sustainable Traveller sites.

This guidance is primarily intended to apply to caravan sites for Travellers (as defined under the Caravans Act) and addresses the three site categories listed below:

- Serviced Site

This is a range of managed accommodation where Traveller families have a permanent base to park their caravan or erect timber framed sectional buildings; where electricity, water and sewerage are provided and where other facilities such as communal or individual amenity units may be provided.

- Transit Site

This is a permanently operational facility where Travellers may park their caravans on a temporary basis and where electricity, water and sewerage services are provided.

- Emergency Halting Site

This is a temporary (normally less than 28 days) place to park with basic facilities managed under Co-operation Policy principles. They may not require planning permission if they are in use for fewer than 28 days.

What is it trying to achieve? (intended aims and outcomes)

This Design Guide for Travellers sites in NI 2019 is a technical guide intended to apply to the development of caravan sites for Traveller accommodation as defined under the Caravans Act (Northern Ireland) 1963 as amended the Caravans Act (Northern Ireland) 2011. It is updating the current Design Guide for Travellers NI 1997 published by the former Department of the Environment. The revised guide details current Health and Safety, Fire Safety and Building regulation requirements for Traveller sites, bringing the details in the Design Guide up to current requirements.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

| YES | NO | N/A |
|-----|----|-----|
| ✓ | | |

If YES, explain how.

The Design Guide for Travellers Sites in NI 2019 brings the current Design Guide for Travellers sites 1997 up to date with current Health and Safety, Fire Safety and Building Regulation requirements which will have a positive benefit for travellers wishing to live on Traveller sites.

Who initiated or wrote the policy?

The previous *Design Guide for Travellers' Sites in Northern Ireland* was produced by the Department of the Environment (DOE) in 1997. The updated guide has been produced by DfC in consultation with key stakeholders. It is a technical guide.

Who owns and who implements each element of the policy?

The DfC has produced the guide to be implemented by the NIHE, local councils and Housing Associations.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

| YES | NO | N/A |
|-----|----|-----|
| | ✓ | |

If YES, are they

Financial: YES (If YES, please detail)

N/A

Legislative: Y / N (If YES, please detail)

N/A

Other, please specify:

N/A

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

Staff:

N/A

Service users:

Members of the Traveller community who may use Traveller accommodation sites in the future.

Other public sector organisations:

NIHE is responsible for the provision and management of accommodation for the Traveller community. Local councils are responsible for Planning Control for new sites and providing adequate services to traveller sites.

Voluntary/community/trade unions:

Registered housing associations may use the guide if implementing accommodation schemes covered by the guide.

Other, please specify:

N/A

Other policies with a bearing on this policy

What are they and who owns them?

- New Policy on Accommodation For Travellers (August 1999) - DOE
- Designing Gypsy and Traveller Sites – Good Practice Guide, (May 2008) – DCLG
- Outlining Minimum Standards for Traveller Accommodation (March 2009) – Equality Commission for Northern Ireland (ECNI).
- The Regional Development Strategy 2035, (March 2012) – DfI
- Traveller Accommodation Needs Assessment (March 2015) – NIHE.
- Designing Gypsy and Traveller Sites – Good Practice Guide, (May 2015) – Welsh Government.
- Strategic Planning Policy Statement for Northern Ireland (SPPS) (September 2015) - Department for Infrastructure (DfI)

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

| Section 75 Category | Details of Evidence/Information |
|---------------------|--|
| All categories | The guidance has been updated to reflect technical and environmental changes that have occurred since the original guide was produced, particularly changes relating to the Reform Of Local Government and updates to planning policy, Fire Safety and Health and Safety Guidance. Given the technical nature of the amendments, there is no Section 75 evidence or information available to help inform the guide. The guide does not have any significant implication for equality of opportunity. |

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

| Section 75 Category | Details of Needs/Experiences/Priorities |
|---|---|
| Person with different religious belief. | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Political opinion | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Racial / ethnic group | The Irish Traveller community is defined as an ethnic minority by the Race Relations Order 1997. However as the guide is purely technical in nature there is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Age | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Marital status | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Sexual orientation | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Men and women generally | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Disabilities & without | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |
| Dependants & without | There is no evidence of any different needs, experiences and priorities for this group in relation to the updated Design Guide. |

Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy **out**. If a policy is 'screened out', you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and hence it would be appropriate to conduct an EQIA;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns among affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the impact on the group i.e. minor, major or none.

Screening questions

| 1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 grounds? Minor/Major/None | | |
|---|--|-----------------------------------|
| Section 75 Category | Details of Policy Impact | Level of Impact? Minor/Major/None |
| All categories | The updated design guide is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories. | None |

| 2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories? | | |
|---|-------------------------|--|
| Section 75 Category | If Yes, provide details | If No, provide reasons |
| All categories | | No - the guidance will not offer any opportunity to better promote equality of opportunity for people within any of the section 75 categories. |

| 3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? Minor/Major/None | | |
|--|---|----------------------------------|
| Good Relations Category | Details of policy impact | Level of impact Minor/Major/None |
| Religious belief | The updated guide is not expected to have any impact on good relations between people of different religious beliefs. | None |
| Political opinion | The updated guide is not expected to have any impact on good relations between people of different political opinion | None |
| Racial group | The updated guide is not expected to have any impact on good relations between people of different racial group. | None |

| 4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? | | |
|---|-------------------------|--|
| Good relations category | If Yes, provide details | If No, provide reasons |
| | | No - the guidance will not offer any opportunity to better promote good relations between people of different religious belief, political opinion or racial group. |

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

The updated design guide is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories, including those who fall into multiple identities.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

[Empty box for providing details of data on the impact of the policy on people with multiple identities.]

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please underline one):

- 1. Not be subject to an EQIA (with no mitigating measures required)**
- 2. Not be subject to an EQIA (with mitigating measures /alternative policies)**
- 3. Not be subject to an EQIA at this time**
- 4. Be subject to an EQIA**

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

A full EQIA is not considered necessary. This screening exercise has not indicated any adverse impacts on any of the section 75 categories due to the purely technical nature of the guidance. The Design Guide for Travellers Sites NI 2019 will have a positive effect on the traveller community as it has updated guidance on Health and Safety, Fire Safety and Building Regulations to current guidelines.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? YES / NO

If YES, when & why?

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for EQIA.

| Priority criterion | Rating (1-3) |
|--|--------------|
| Effect on equality of opportunity and good relations | |
| Social need | |
| Effect on people’s daily lives | |
| Relevance to a public authority’s functions | |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Any further comments on the screening process and any subsequent actions?

Part 4: Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007). The Commission recommends that where the policy has been amended or an alternative policy introduced, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

As this guide is of a technical nature and is not expected to impact adversely on people within any of the Section 75 groups, Section 75 monitoring is not required.

Part 5: Approval and Authorisation

| Screened by: | Position/Job Title | Date |
|---------------------|---------------------------|--------------|
| Geraldine Devine | Deputy Principal | 12 June 2019 |
| | | |
| Approved by: | | |
| Jenny McGuigan | Grade 7 | 12 June 2019 |
| | | |

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on your website as soon as possible following completion and made available on request.