

Equality & Disability Duties Screening Template

November 2024



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

www.daera-ni.gov.uk

*Sustainability at the heart of a living,
working, active landscape
valued by everyone.*

Screening flowchart and template (taken from Section 75 of the Northern Ireland Act 1998 - A Guide for public authorities April 2010 (Appendix 1)).

Introduction

Part 1. Policy scoping – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues. This section also includes two questions related to the Disability Duties.

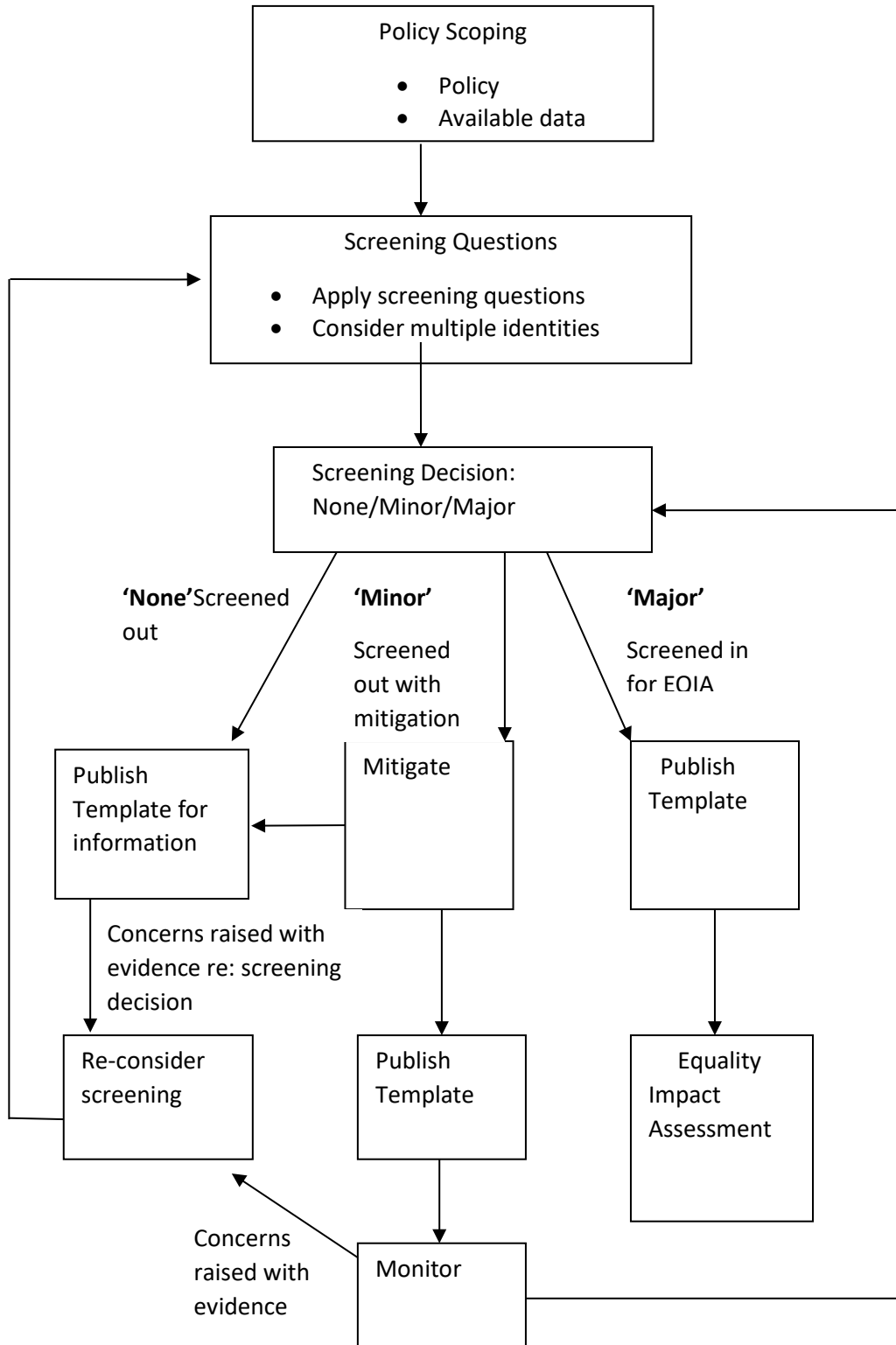
Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment, or to introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Consideration of Human Rights – please note this is not a Human Rights Screening form but rather a prompt that impacts on Human Rights should be considered.

Part 6. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

A screening flowchart is provided below.



Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. 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.

Public authorities 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

The Revised Operational Protocol to assess the impacts of air pollution on the natural environment.

Is this an existing, revised or new policy?

The Revised Operational Protocol replaces the previous Operational Protocol used by NIEA up to 19 December 2023.

The Revised Operational Protocol will be published following the SEA Environmental Report consultation. The Revised Operational Protocol may be subject to future revision if new scientific and/or legal evidence emerges that must be taken into consideration.

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

The Revised Operational Protocol

DAERA, in its role as the appropriate nature conservation body in Northern Ireland as set out in The Conservation of Habitats and Species Regulations 2017, Section 5, has a duty to provide advice to planning authorities and other competent authorities on the potential impacts of air pollution, including ammonia, from plans and projects, on designated sites and protected habitats.

NIEA performs this function for terrestrial/freshwater environments, on behalf of DAERA. This advice is provided through the use of an Operational Protocol. The Operational Protocol is also used by NIEA in consideration of the air quality impacts on designated sites from intensive agricultural and industrial activities requiring a Pollution Prevention and Control (PPC) permit.

The Operational Protocol provided to competent authorities must be in line with legislation for protected sites including:

- (a) The Conservation (Natural Habitats etc.) Regulations (NI) 1995: Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), Ramsars.
- (b) The Environment (NI) Order 2002: Areas of Special Scientific Interest (ASSIs).

The scale of the challenge in protecting sensitive sites from air pollution in Northern Ireland is illustrated as follows: almost all protected sites in Northern Ireland are experiencing levels of ammonia air pollution and nitrogen deposition that are known to be harmful to habitat composition and plant health. Ammonia emissions from agriculture can have direct, toxic effects on plants. In addition, nitrogen deposition of ammonia from farming as well as nitrogen oxides from industry and road transport can occur at long distances from emissions sources and change the species composition of sensitive sites and habitats.

The estimated proportions of protected sites in NI experiencing exceedance of damage thresholds and critical loads in 2021 were as follows¹:

	Sites exceeding critical levels of ammonia concentrations (Critical Level)		Sites exceeding critical loads for N deposition (Critical Load)
	>1 µg m ^{3*}	>3 µg m ^{3**}	
ASSI	98.6%	12.8%	99.5%
SAC	100%	14.8%	100%
SPA	100%	14.3%	100%

¹ Trends Report 2022: Trends in critical load and critical level exceedances in the UK

*Critical levels are set at $1 \mu\text{g}/\text{m}^3$ for lower plants such as mosses and lichens, and $3 \mu\text{g}/\text{m}^3$ for higher plants. Ammonia emissions come predominantly from farms and farming activities such as manure handling, storage and spreading. N-deposition includes ammonia and other air pollutants such as nitrogen oxides from industry and road transport.

The Department, as Statutory Nature Conservation Body, has a duty to provide accurate advice to inform planning and permitting decisions where there could be additional impacts on NI's protected sites, given that there is already such widespread exceedance of damage thresholds.

This advice can be provided either by DAERA (NIEA) considering every individual application on a detailed case-by-case basis, or through DAERA providing Standing Advice that sets out in detail the factors that planning authorities must consider in assessing air pollution impacts and assessments of planning applications. Standing Advice includes permissible pollution limits relative to the damage thresholds of designated sites and habitats. DAERA's approach is to provide Standing Advice and then assess air pollution assessments that have been prepared using the guidelines that are set out in the Standing Advice.

This Standing Advice is also referred to as the Operational Protocol (OP).

The previous Standing Advice/OP used by DAERA was developed in 2012, and a supplementary note was issued in 2018. Since 2012, the body of scientific evidence on the impacts of air pollution on designated sites and protected habitats has greatly increased. Recent case law concerning planning decisions in relation to air quality impact assessments must also be taken into consideration.

The Department has also been under investigation by the UK Office for Environmental Protection (OEP) since May 2023 over its use of the previous air pollution assessment protocol in complying with the requirements of legislation to protect sensitive sites and habitats. A commitment by the Department to develop a revised assessment protocol that delivers compliance with legislation has been a key factor in the OEP's decision to withhold

legal action against the Department. These factors underpin the need for new Standing Advice/OP.

As well as its use by planning authorities in assessing the air quality impacts of (predominantly agricultural) planning applications, Standing Advice/OP is also used by NIEA regulatory functions (Industrial Pollution and Radiochemical Inspectorate, IPRI) in consideration of the air quality impacts on designated sites from intensive agricultural and industrial activities requiring a Pollution Prevention and Control (PPC) permit. It is also used in planning applications submitted to the Department for road schemes.

The predominant use of the Standing Advice/OP has been in the assessment of air pollution (ammonia) from agricultural facilities and activities – for example, in assessing ammonia emissions from poultry houses, pig farms, slurry storage and spreading, regarding their impacts on nearby sensitive protected or designated sites, such as peatlands, whose sensitivity to these pollution emissions is known and quantified.

The air pollutants of concern when considering the impacts of industrial facilities or road schemes are nitrogen oxides from combustion processes.

The outcome of the air pollution impact assessment process is that a planning application could be refused, based on the damage from air pollution that could be caused to nearby protected sites, or that permitting for a development (even existing, where permits are periodically reviewed) could be refused or made conditional. This could relate to, for example, farm development (farm expansion / erection of additional sheds / increased numbers of livestock etc), or to a new road scheme.

Alternatively, applications could be accepted, providing that there is mitigation to reduce levels of air pollution, for example, fitting air scrubbers to livestock sheds, covering slurry stores, or using low-emissions manure spreaders. For road schemes, this could involve changing proposed routes so that traffic emissions do not affect nearby sensitive sites.

Are there any Section 75 categories which might be expected to benefit from the intended policy? Yes No (select as appropriate)

If so, explain how.

All categories and people of Northern Ireland benefit from the delivery of a scientifically robust, evidence-informed Revised Operational Protocol for the protection of our natural environment which supports sustainable development.

Who initiated or wrote the policy?

The Revised Operational Protocol was written by DAERA and NIEA.

Who owns and who implements the policy?

The Revised Operational Protocol is owned by DAERA and NIEA and will be implemented by NIEA.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? Yes No (select as appropriate)

If yes, are they (please select as appropriate)

Financial

Legislative

other, please specify:

Main stakeholders affected

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

- Staff
- Service users
- Other public sector organisations
- Voluntary/community/trade unions
- Other, please specify

Rural community – There will be impacts on the rural community for:

- Farms with intensive agricultural activities who are seeking a new Pollution Prevention and Control (PPC) permit, a permit review, or a permit modification.
- Farms and agri-business projects seeking planning approval with potential impacts via air pollution, including ammonia, on designated sites and protected habitats.
- Other plans and projects, such as road-building schemes, which have potential impacts via air pollution, on designated sites and protected habitats.
- All residents of Northern Ireland due to improved air quality.

A Rural Needs Impacts Assessment is also being conducted on the policy.

NB: Equality impacts are felt to be most relevant to the farming community in Northern Ireland, since the OP/Standing Advice has by far the greatest impact on the agriculture sector. Therefore Section 75 groups have been considered in terms of how they relate to the farming community in NI.

The impact that may be felt to the wider community in NI (excluding farmers) would be in relation to rural dwellers, who could be expected to experience **less additional** air pollution due to expansion of the existing agriculture industry, or less air pollution arising from agricultural activities due to mitigation of existing emissions sources.

Overall, this would be a net **benefit** in terms of human health.

Other policies with a bearing on this policy

What are they?

The Programme for Government - Northern Ireland Executive
 The Environmental Improvement Plan for Northern Ireland - DAERA
 The draft Green Growth Strategy – Northern Ireland Executive

The Farm Support and Development Programme – DAERA
The New Capital Investment Measure – DAERA
The Peatland Strategy - DAERA
The NI Climate Action Plan – NI Executive
Plus other policies set out in the Strategic Environmental Assessment Environmental
Report consultation document.

Who owns them?

See above.

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. The Commission has produced this guide to [signpost to S75 data](#).

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

Please ensure all data used is the most current and up to date available. You should verify this by contacting the Departmental Statisticians.

Religious belief evidence/information:

The following sources were used to obtain evidence:

- 2021 Census of Northern Ireland.
<https://www.nisra.gov.uk/system/files/statistics/census-2021-main-statistics-for-northern-ireland-phase-1-statistical-bulletin-religion.pdf>
[Census 2021 main statistics religion tables | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#)
- RETOPEA.EU Online resources for learning with history on religious toleration and peace
<https://retopea.eu/s/en/item/7867#:~:text=Catholics%20live%20largely%20in%20the,and%20Protestants%20in%20the%20east.>
- 2018 DAERA Equality Indicators Report. [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021. [NI: IN PROFILE Key statistics on Northern Ireland \(nisra.gov.uk\)](#)
- (NISRA Labour Force Survey Annual Report 2019 [Annual Report Tables 2019 | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#)

In 2021, the main current religions were: Catholic (42.3%); Presbyterian (16.6%); Church of Ireland (11.5%); Methodist (2.3%); Other Christian denominations (6.9%); and Other religions (1.3%). In addition, 17.4% of our population had 'No religion' – this is a marked increase on 2011 when 10.1% had 'No religion'. This points to the increased secularisation of our population.

Combining current religion and religion of upbringing gives 45.7% of the NI population were 'Catholic', 43.5% were 'Protestant, Other Christian or Christian related' and 1.5% were from other non-Christian religions. The remaining 9.3% of the population neither belonged to nor were brought up in any religion.

Catholics predominate in the West and South of Northern Ireland. Whereas in contrast, Protestants are heavily represented in the East, North and Greater Belfast areas. The 2018 DAERA Equality indicators Report found that overall 42% of farmers were Catholic and 51% were Protestant or another Christian religion. 6% were of ‘other’ or no religion.

In addition, the 2018 DAERA Equality indicators Report found differences within the main religious categories for some farm types.

The 2018 DAERA Equality indicators Report found differences in farm size by farmer religion. For example, 81% of farms designated as ‘Large’ farms were owned by Protestant and other Christian, compared to 14% of ‘Large’ farms being owned by Catholic farmers. For ‘Medium’ sized farms the figures were 71% Protestant and other Christian vs 24% owned by Catholic farmers. 62% of ‘Small’ farms were designated Protestant and Other Christian, vs 33% designated as Catholic. Only for the ‘Very Small’ farm size category was there a slight majority (48%) of farms designated as Catholic, vs 46 designated as Protestant/Other Christian.

For those farming in mainly Severely Disadvantaged Areas 56% were Catholic and 26% were Protestant and other Christian. For those farming in mainly Disadvantaged Areas 29% were Catholic and 33% were Protestant and other Christian. For those farming in mainly lowland areas 15% were Catholic and 41% were Protestant and other Christian.

For most farm types, there was a greater proportion of farms designated as Protestant/Other religion, compared to Catholic, for example:

Farm type	Protestant/Other	Catholic
Pigs	74	17
Poultry	66	30
Dairy	75	20
Cereals	79	16
General cropping	73	21

Overall, Catholic farmers were more likely to be engaged in cattle and sheep farming in Less Favoured Areas, with over three quarters of all Catholic farmers (77%) engaged in this type of farming activity compared to less than half (45%) of all Protestant farmers. In contrast, a much higher proportion of total Protestant (16%) than total Catholic (5%) farmers were dairy farmers, and twice as many Protestant (25%) as Catholic (12%) farmers were lowland cattle and sheep farmers.

The Revised Operational Protocol will reduce levels of ammonia emissions, in particular reducing harmful impacts of these emissions on protected sites in Northern Ireland. Protected sites are Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Areas of Special Scientific Interest (ASSIs). These sites have protected status because of their particular habitat and species characteristics, which are vital for protecting and supporting biodiversity and the health of our natural environment.

Figure 1 shows the distribution of SACs and SPAs in Northern Ireland for illustrative purposes. Many of the SACs and SPAs are on land hitherto classified as Disadvantaged Areas or Severely Disadvantaged Areas.

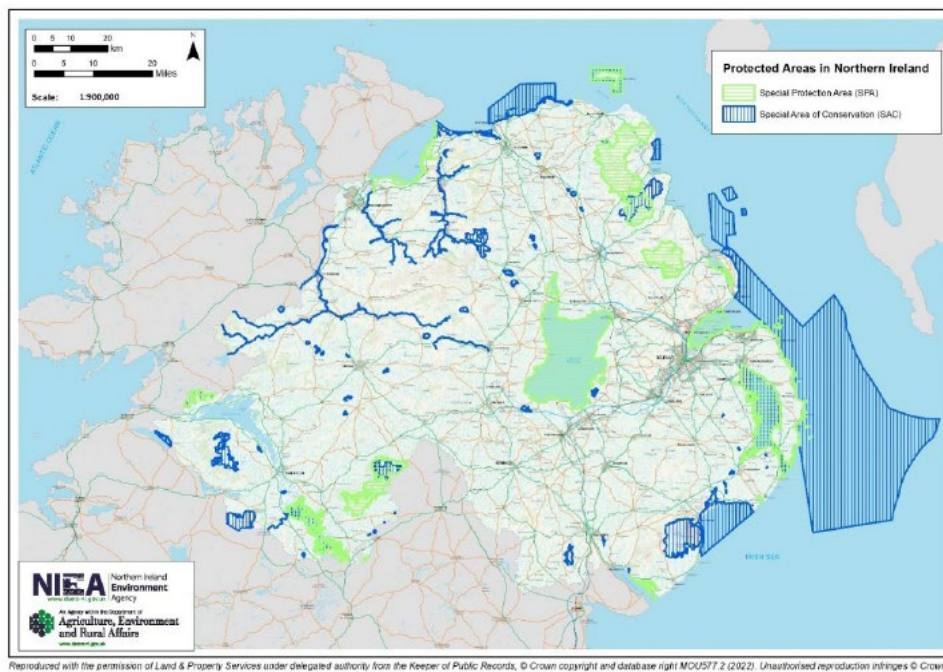


Figure 1 - Map showing distribution of SACs and SPAs

Since the proposed policy/assessment process concerns assessment of any plans/projects/applications that are within a specified boundary of SPAs and SACS, a consideration of land area that falls within these zones is shown below (**Figure 2**).

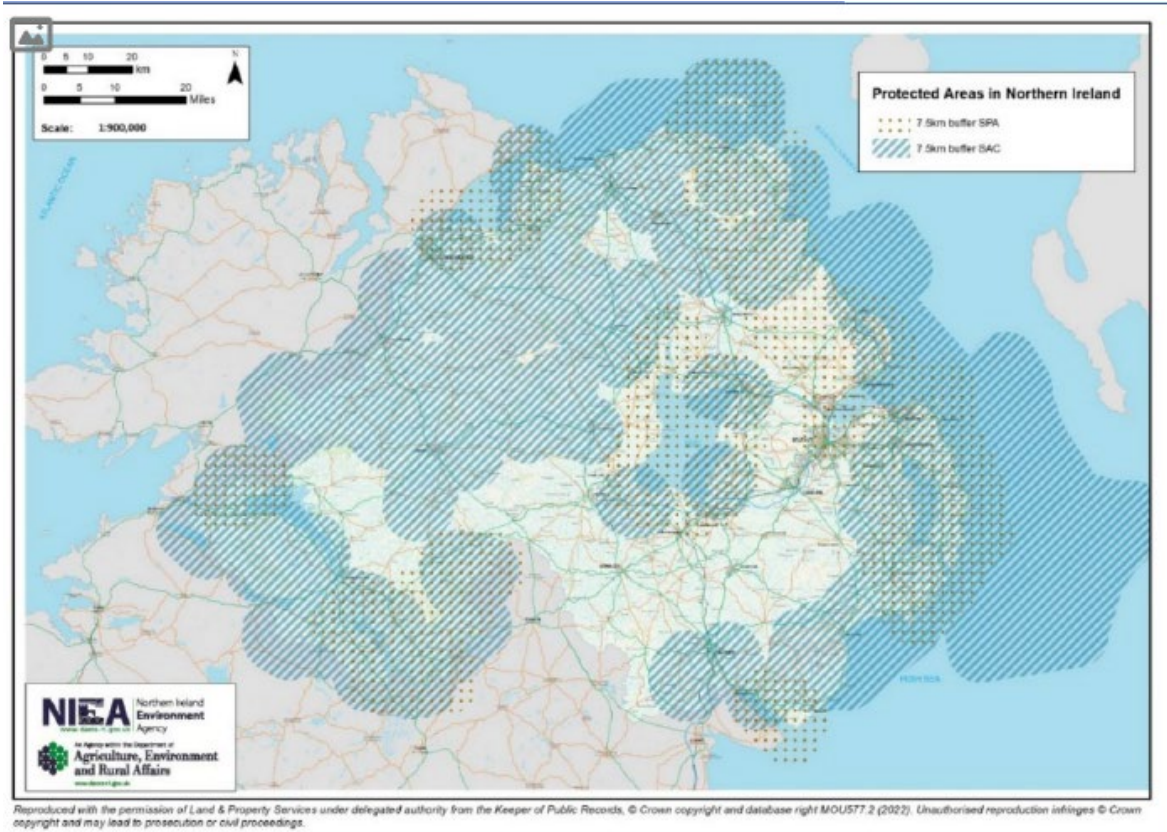


Figure 2 – Map showing NI land area within 7.5km of SACs and SPAs (76% of NI landmass).

Figure 3 shows the distribution of ASSIs in Northern Ireland.

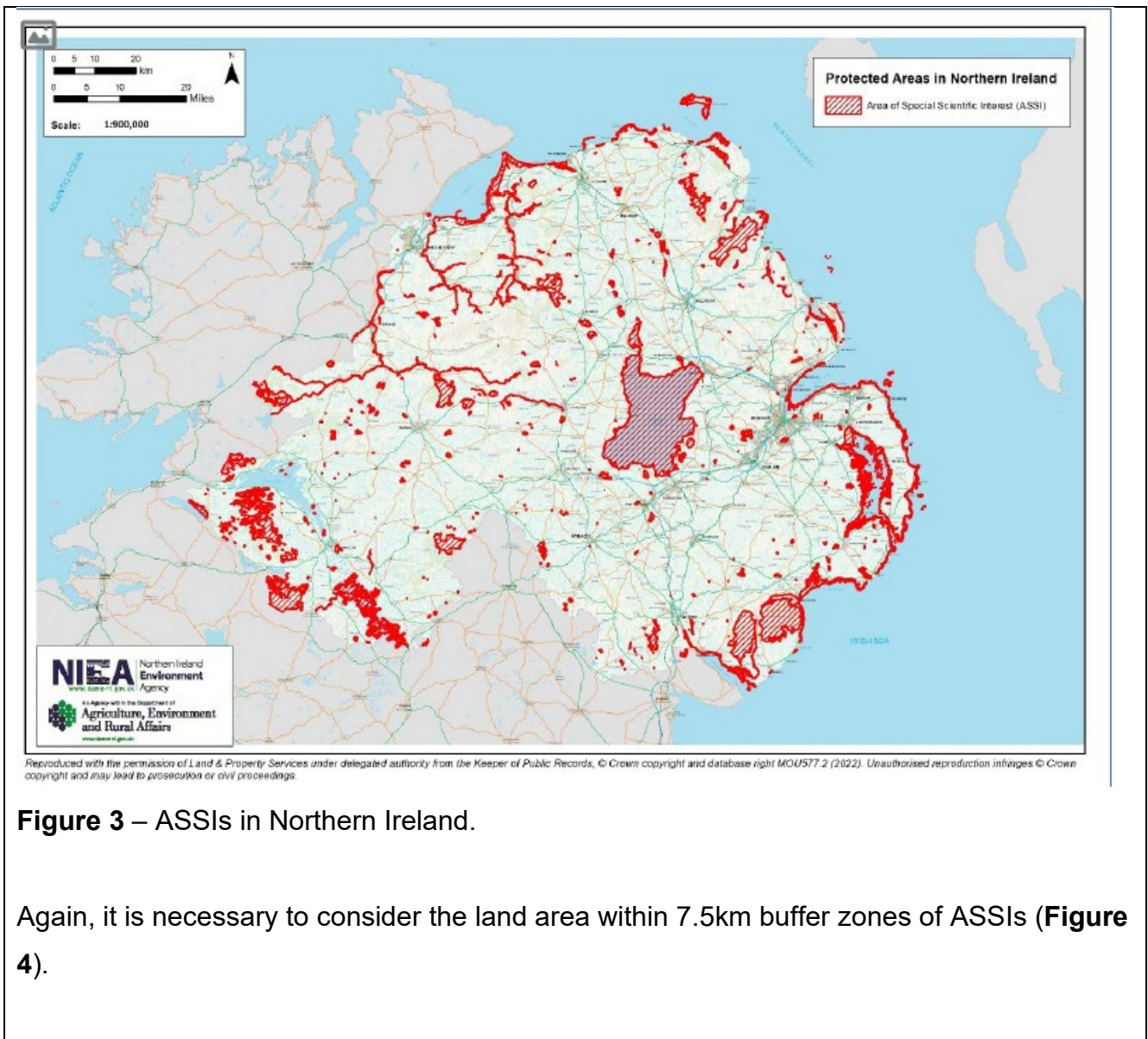


Figure 3 – ASSIs in Northern Ireland.

Again, it is necessary to consider the land area within 7.5km buffer zones of ASSIs (**Figure 4**).

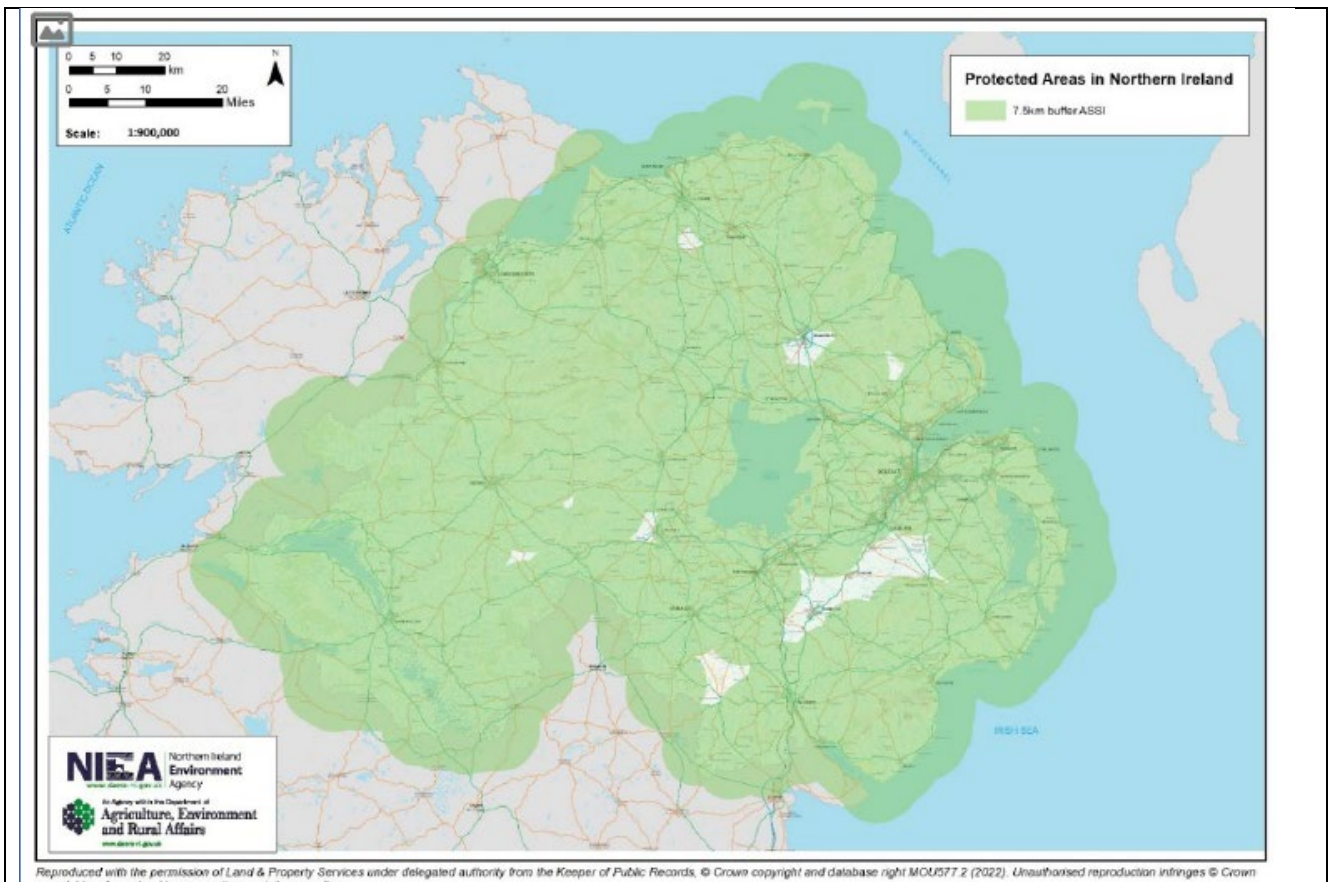


Figure 4 – Land area of Northern Ireland falling within 7.5km of ASSIs (97% of land area).

The preceding figures show that almost all of the land area in Northern Ireland falls within the scope of this proposed policy/assessment procedure, and that there are no areas in particular that are affected more than others.

Political Opinion evidence/information:

Sources:

- 2021 Census of Northern Ireland. [Census 2021 main statistics religion tables | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk/census-2021-main-statistics-religion-tables)
- 2018 DAERA Equality Indicators Report. [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](https://www.daera-ni.gov.uk/equality-indicators-report)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021. [NI: IN PROFILE Key statistics on Northern Ireland \(nisra.gov.uk\)](https://www.nisra.gov.uk/northern-ireland-in-profile)

- NI Life and Times Survey 2023 : POLPART2 (ark.ac.uk): https://www.ark.ac.uk/nilt/2023/Political_Atitudes/POLPART2.html

NI Life and Times Survey - 2023: POLPART2 (ark.ac.uk) reports 15% of the population supported the Democratic Unionist Party, 19% Sinn Féin, 10% Ulster Unionist Party, 7% Social Democratic and Labour Party, 22% Alliance Party, 4% Green Party, 3% Other Party, 10% none of these, 1% provided another answer and 8% replied 'I don't know'.

In the 2018 DAERA Equality indicators Report 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only, with 8% stating another identity or a combination of more than one identity.

However, the religious profile varied across farm characteristics, with the proportions stating a British only identity increasing with farm size, from 40% of those in very small farms to 65% of those in large farms.

A much higher proportion of those stating an Irish only or Northern Irish only identity farmed on very small farms (85% and 81% respectively) than those stating a British only identity (69%). In contrast, the proportion of those stating a British only identity farming on large farms (9%) was more than double that of those who stated Irish only (2%) or Northern Irish only (4%) identities. High proportions of dairy farmers (62%) and those engaged in mixed farming (63%) stated a British only identity.

More than three quarters of those describing their identity as Irish only (77%) and two-thirds of those with a Northern Irish only (68%) identity were engaged in cattle and sheep farming in Less Favoured Areas, compared to less than half (48%) of farmers of British only identity.

In contrast, those stating a British only identity were much more likely to be engaged in farming cattle and sheep in lowland areas, dairy farming, or other types of farming activity, than those stating an Irish only or Northern Irish only identity. Farmers with an Irish only

identity were almost twice as likely to farm in Severely Disadvantaged Areas (55%) than farmers with a British only identity (28%).

The proportion of those with a Northern Irish identity farming in Severely Disadvantaged Areas was also very high at 48%. On the other hand, the proportion of those describing themselves as British only who farmed in lowland areas (39%) was more than twice that of those with an Irish only identity (15%) and much higher than those with a Northern Irish only identity (24%).

Racial Group evidence/information:

- The 2021 Census of Northern Ireland [Census 2021 main statistics ethnicity tables | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#)
- 2018 DAERA Equality Indicators Report. [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021
- Northern Ireland Good Relations Indicators Annual Update November 2019. The Executive Office. [Northern Ireland Good Relations Indicators Annual Update 2019 – Report \(executiveoffice-ni.gov.uk\)](#)
- Northern Ireland Racial Equality Indicators Baseline Report: 2014 - 2017 (November 2018). The Executive Office. [Racial Equality Indicator Baseline Report 2014 - 2017 \(executiveoffice-ni.gov.uk\)](#)
- Poverty and Ethnicity in Northern Ireland. Joseph Rowntree Foundation. 2013. <http://www.jrf.org.uk/publications/poverty-ethnicity-northern-ireland>

- Racial Equality Strategy 2015-2025. OFMDFM [Racial Equality Strategy 2015-2025 \(executiveoffice-ni.gov.uk\)](https://www.executiveoffice-ni.gov.uk)

The 2001/02 Social Survey of Farmers and Farm Families across Northern Ireland outlined that the farming population was overwhelmingly white and that there was no difference in racial group by type or size of farm. This survey was conducted nearly 20 years ago and the racial group statistics in both the 2021 census and DAERA's Equality Indicators Report (2018) reflect similar findings to the 2001-02 survey.

The 2021 Census of Northern Ireland found that over 96.55% of the population state their ethnic origin to be white. DAERA's Equality Indicators Report (2018) stated that the proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics.

Age evidence/information:

- 2018 DAERA Equality Indicators Report. [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](https://daera-ni.gov.uk)
- The 2021 Census of Northern Ireland [Census 2021 main statistics demography tables – age and sex | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021
- 2024 Population estimates for the UK, England, Wales, Scotland, and Northern Ireland: mid-2022
<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/annualmidyearpopulationestimates/mid2022>

- 2016 EU Farm Structure Survey Northern Ireland. DAERA. [European Union Farm Structure Survey 2016 | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](https://www.daera-ni.gov.uk/eu-farm-structure-survey-2016)
- Northern Ireland Labour Market Statistics (2024) <https://www.economy-ni.gov.uk/news/northern-ireland-labour-market-statistics-6>

The age distribution of the farming community is different from that of the general population, with a much higher proportion of older people involved in the farming sector.

2024 UK Population estimates showed that the median age of the NI population in mid-2022 was 40. According to the latest Labour Force Survey (October 2024), The proportion of people aged 16 to 64 in work (the employment rate) was 70.2%.

The 2018 DAERA Equality Indicators Report found the average age of farmers in Northern Ireland was 59 years. Only 8% of farmers were aged under 40 years, and more than a third (36%) were aged 65 years or older.

There was little variation in the age profile of farmers by farm size, although farmers of very small farms (which account for three-quarters of all farms in Northern Ireland) had a slightly older age profile than those of larger farms. There was also little variation in age across farming activity type. However, farmers engaged in cattle and sheep farming, general cropping and horticulture had the oldest age profiles, while pig and poultry farmers had the youngest age profiles.

Poultry farmers were around twice as likely to be aged under 40 as other farmers. There was virtually no difference in age profile across land type. However, farmers aged under 40 were slightly more likely to farm in Severely Disadvantaged Areas than older farmers.

Marital Status evidence/information:

- NISRA Census 2021: Main statistics for Northern Ireland Statistical bulletin Marital or civil partnership status & Household relationships (couples) 21 March 2023

<https://www.nisra.gov.uk/system/files/statistics/census-2021-main-statistics-for-northern-ireland-phase-3-statistical-bulletin-household-relationships-version-1.pdf>

- 2018 DAERA Equality Indicators Report

The 2021 Census data shows 46% of people over 16 in Northern Ireland are currently married or in a civil partnership (2021 Census) with a further 38% classed as single (never been married/civil partnered) and the remaining 16% separated, divorced or widowed.

The 2018 DAERA Equality indicators Report found that almost three quarters (73%) of farmers were married, with the proportion of married farmers increasing with farm size; 84% of farmers of large farms were married, compared to 71% of farmers of very small farms. Conversely, twice as many farmers (18%) of very small farms were single as farmers of medium sized (9%) or large farms (9%). Across farm activity types, a very high proportion of pig farmers (88%) and farmers engaged in horticulture (88%) in 2010-11 were married. Lowland farmers were slightly more likely to be married (77%) than farmers in Disadvantaged (73%) or Severely Disadvantaged (71%) Areas.

Sexual Orientation evidence/information:

- Main statistics for Northern Ireland Statistical bulletin Sexual orientation 21 March 2023

<https://www.nisra.gov.uk/system/files/statistics/census-2021-main-statistics-for-northern-ireland-phase-3-statistical-bulletin-sexual-orientation.pdf>

- Northern Ireland Life and Times Survey 2023, ARK
<https://www.ark.ac.uk/nilt/2023/Background/ORIENT2.html>
- [DAERA Audit of Inequalities 2021-2025](#)

For the first time information on sexual orientation was collected in the 2021 Census. 90% of the population identified as 'straight or heterosexual'. 2.1% identified as LGB+ ('lesbian, gay, bisexual or other sexual orientation'), and 7.9% either did not answer the question or ticked 'prefer not to say'. More urban Local Government Districts showed a higher percentage of people who identified as LGB+.

The 2023 NILT Survey shows that 93% of people in NI are heterosexual and 3% are homosexual, and 4% were bisexual.

The DAERA Inequalities Report 2021-2025 points to a study carried out in 2016 by The Rainbow Project (supported by DAERA), which showed that LGB&T (Lesbian, Gay, Bisexual and Transgender) people living in a rural area are less likely to be 'out' than those living in an urban area are. They are also more likely to report needing the support of an LGB&T community-based organisation but not accessing services compared to those living in an urban area.

Additionally, LGB&T people living in a rural area are twice as likely not to access the services they need because they are not 'out' compared to those living in an urban area. LGB&T people living in a rural area were three times as likely not to access services they are aware of because it is too far to travel compared to those living in an urban area. Seven in every eight LGB&T people living in a rural area feel that it is important to have access to an LGB&T support service in their local area.

There is no data specifically available on the sexual orientation of farmers in the DAERA Equality Indicators Report.

Men & Women generally evidence/information:

- The 2021 Census of Northern Ireland [Census 2021 main statistics demography tables – age and sex](https://www.nisra.gov.uk/census-2021-main-statistics-demography-tables-age-and-sex) | Northern Ireland Statistics and Research Agency (nisra.gov.uk)

- United Nations Framework Convention on Climate Change COP 25 2019. Gender & Climate Change - Gender Action Plan [Microsoft Word - 1921501E.docx \(unfccc.int\)](#)
 - The European Commission ‘A Union of Equality: Gender Equality Strategy 2020-2025’ [EUR-Lex - 52020DC0152 - EN - EUR-Lex \(europa.eu\)](#)
 - [NISRA Statistical Release: Women in Northern Ireland 2020/21](#)
 - NISRA Statistical Bulletin 2022 Mid-year Population Estimates for Northern Ireland <https://www.nisra.gov.uk/system/files/statistics/Statistical%20Bulletin%20-%202022%20Mid-year%20Population%20Estimates%20for%20Northern%20Ireland.pdf>
- DAERA Equality indicators Report 2018 <https://www.daera-ni.gov.uk/publications/equality-indicators-report>
- Census 2021, Topic report Research on measuring gender identity February 2021 <https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/census-2021-topic-report-research-on-measuring-gender-identity.pdf>
 - NI Life and Times Survey 2023, <https://www.ark.ac.uk/nilt/2023/Background/GENDERID3.html>

The 2021 Census data showed that 49 per cent of all usual residents in Northern Ireland are male, with 51 per cent of the population female.

The Census Topic Report on measuring gender identity cites a Northern Ireland Life and Times Survey (NILT) run by Queen’s and Ulster Universities, which has included a gender identity question. This research has indicated that the number of people living in Northern Ireland who would self-identify as transgender is small.

From 2016-18 less than five persons in a total sample of 3,600 survey respondents identified as transgender (or around 0.1%). Figures from more recent NILT surveys (for example 2023 and 2022), do not include any transgender figures (e.g. 51% ‘man’, 49%

'woman', 0% 'my gender is not listed'); however, this could be because of a small non-zero number of responses for the latter category that is not accounted for in numerical rounding.

The NISRA Statistical Report 'Women in Northern Ireland 2020/21' shows that the employment rate for females in NI was consistently lower than for males in the previous ten years. Although the number of employees in NI was similar for males and females in 2021, the number of self-employed males was more than two and a half times the number of self-employed females. Around 3 in 5 females were in flexible work compared to 2 in 5 males. Just under a third of working age women were economically inactive, compared to just under a quarter of men. Females reported lower levels of opportunities for career progression (by 9%) and a lower proportion with earnings above the Real Living Wage (by 5%) than males.

At 30 June 2022, Northern Ireland's population was estimated to be 1.91 million people. Between mid-2021 and mid-2022, the population of Northern Ireland increased by 6,000 people (0.3 per cent). Just over half of the population (50.8 per cent) were female, with 970,600 females compared to 939,900 males (49.2 per cent).

The Agricultural census in Northern Ireland June 2018 (published Jan 2019) states that 92.5% of Northern Ireland farmers are male and 7.5% female.

The 2018 DAERA Equality indicators Report found that 91% of main farmers were male and 9% were female. Female farmers were more likely than their male counterparts to farm on very small farms - 87% of women farmers had small farms compared to 75% of male farmers. Farmers engaged in 'Other types' of farming (such as running specialist horse farms) were twice as likely to be women as were farmers engaged in other activity types.

A higher proportion of female (86%) than male farmers (78%) were engaged in cattle and sheep farming, and a much lower proportion (4% of female compared to 12% of male farmers) were dairy farmers. Female farmers were also more likely to farm in Less Favoured Areas. Forty-four percent of women farmers farmed in Severely Disadvantaged Areas compared to 39% of male farmers. Some of the gender differences in farm characteristics may be partly due to the differing age profiles of male and female farmers.

Female farmers had an older age profile than their male counterparts, with 4% of female farmers aged under 40, compared to 8% of male farmers, and 45% of female farmers aged 65 or over, compared to 35% of male farmers.

Disability evidence/information:

- The 2021 Census of Northern Ireland [Census 2021 main statistics health, disability and unpaid care tables | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021
- 2018 DAERA Equality Indicators Report
- Continuous Household Survey DAERA 2018/19. [Continuous Household Survey | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)

The 2021 Census of Northern Ireland showed that around 11.5% of the population found their day-to-day activities to be limited a lot due to a disability and around 12.9% found their activities limited a little.

In Northern Ireland, it is estimated that 24.3% of the population have some form of disability. Among farmers, the figure is slightly higher; the 2018 DAERA Equality indicators Report found that almost a third (30%) of farmers stated that they had a long-term illness or disability which limited their daily activities with the incidence of disability inversely related to farm size. The proportion of farmers of very small farms stating that their activities were limited a lot (16%) was twice that of farmers of large farms (8%). Farmers in disadvantaged areas (16%) were slightly more likely than lowland farmers (12%) to state that their activities were limited. The incidence of those reporting that their activities were limited either a little or a lot rises steeply with age.

Dependants evidence/information:

- The 2021 Census of Northern Ireland [Census 2021 main statistics demography tables – household relationships | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk/census-2021-main-statistics-demography-tables-household-relationships)
- Northern Ireland: In Profile. Key Statistics on Northern Ireland. NISRA, March 2021
- Labour Force Survey – Women in Northern Ireland. NISRA, 2020. <https://www.nisra.gov.uk/labour-force-survey-women-northern-ireland-2020>
- NISRA Birth Statistics published November 2022 <https://www.nisra.gov.uk/publications/birth-statistics>

The 2021 Census of Northern Ireland showed that around 31% of NI households have dependent children with the number of households having no children 53%.

The average age of first-time mothers has increased from 28 to 29 years since 2015, according to the Northern Ireland Statistics and Research Agency (NISRA) in November 2022.

The 2018 DAERA Equality indicators Report found that two fifths (40%) of all farm households contained children under 18 years old, elderly disabled people, or both. Households of medium sized farms were slightly more likely than smaller or larger farms to contain dependants as were the households of farmers engaged in pig, poultry or mixed farming. Farm households in Disadvantaged Areas (41%) were slightly more likely than those in lowland areas (38%) to contain dependants.

Further consideration of policy aspects

The Revised Operational Protocol applies to all of NI (subject to the Zone of Influence of 7.5 km) as it relates to the assessment of air pollution impacts on protected sites from multiple

sources (agriculture, roads, industry), however the primary impacts will be felt in the agriculture sector.

The proportion of Northern Ireland's land area that is within the Zone of Influence of any protected site is 97% (see **Figures 1-4**). Therefore, there is no particular geographic area that would not be affected by the policy.

However, one aspect of the policy has potential for differentiation: this is the 'Site Relevant Threshold' element. Basically: the policy has 'triggers' for the amount of permissible air pollution from development activity before there is considered to be a potential for damage, and therefore when a full, detailed air quality assessment must be undertaken.

The main trigger/threshold in use is called the De-Minimis Threshold, and it is based on a worst-case scenario of agricultural density: in other words, it assumes an already high density of farming in the vicinity of the farm in question. The Site Relevant Threshold approach allows for some flexibility, by examining the actual density (number of farms that are low emitters – larger farms are already covered elsewhere in the process) in the vicinity of the farm in question, and where this number is low, a higher pollution threshold can be used.

This means that in areas where the risk of proliferation of farming is low, then a farm/activity in question may be allowed to emit a higher amount of pollution to a protected site.

This leads to the question of whether there are any areas in particular in Northern Ireland where farm density/proliferation is low and whether these areas and any communities/Section 75 groups associated with them may experience differential impacts from the proposed policy and its use of the Site Relevant Threshold. The most useful indicator available for geographic differentiation in relation to agricultural activity is the status of land area according to whether it is classed as economically favourable.

From the preceding data, it is apparent that Catholic / Nationalist / farmers who identify as Irish, are more likely to farm in Disadvantaged Areas and Severely Disadvantaged Areas, and are more likely to own smaller farms, compared to their Protestant / Unionist / British

counterparts. There are also lesser differentials based on disability, dependants, female farmers and marital status.

Figure 5 below shows a map of Lowland Areas, Disadvantaged Areas (DA) and Severely Disadvantaged Areas (SDAs).

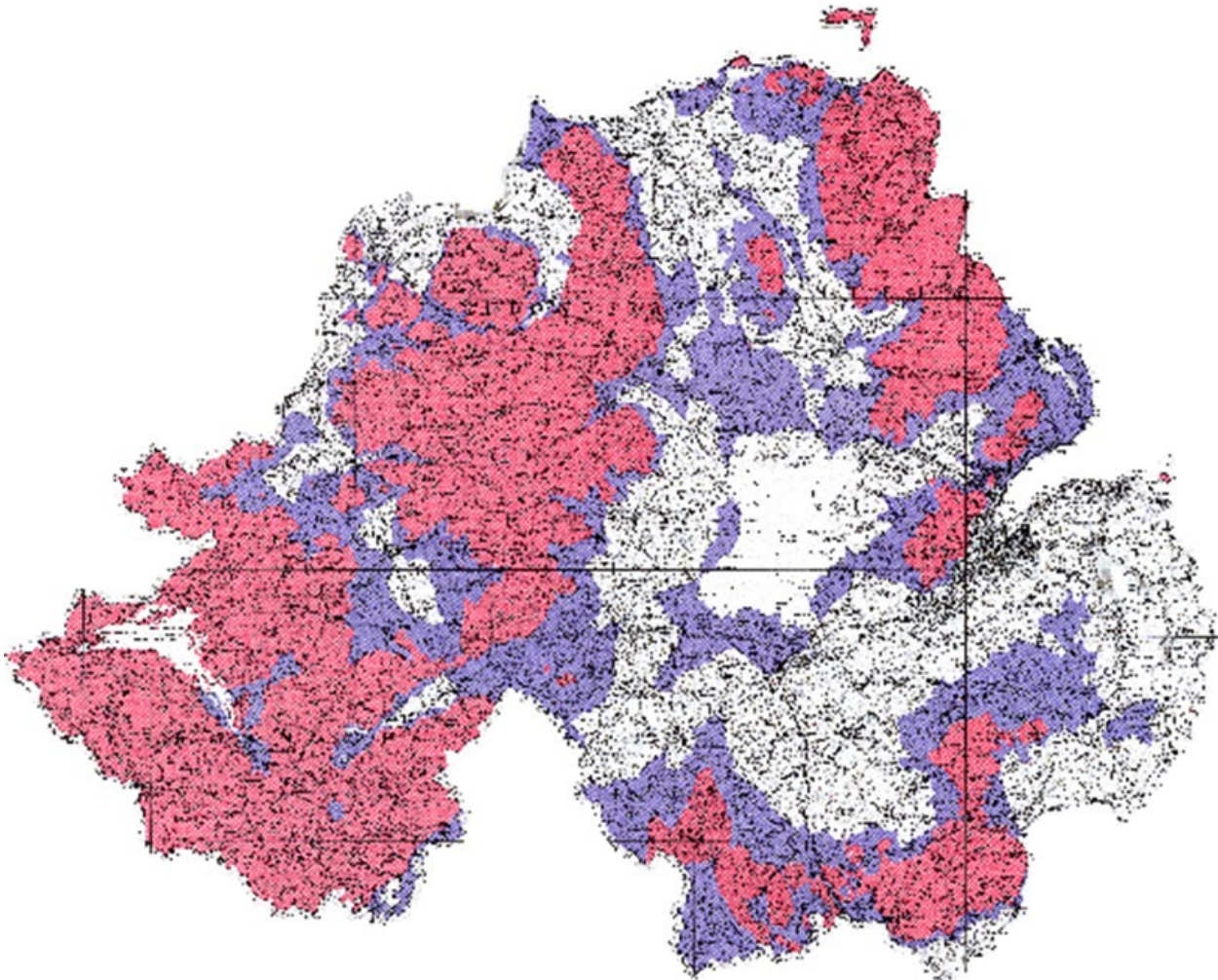


Figure 5 - Map showing spatial distribution of agricultural lowland areas (white), DAs (blue) and SDAs (red): Source = DAERA statistics, ArcGIS generated map.

The part of Northern Ireland designated as Lowland is centred around the Lough Neagh basin, Lagan Valley, Northeast Down and Ards Peninsula. A further portion to the North is in North Antrim and North Derry.

SDAs are concentrated in Fermanagh and West Tyrone as well as portions of South Armagh and South Down as well as Northeast Antrim.

Current information (as of March 2024) shows recent farm activity according to these land classifications, according to DAERA’s most current figures (number of planning applications in the planning consultation layer of ArcGIS), as set out in the following table:

	Lowland	DA	SDA	Total
Number of applications	243	264	193	700
Percentage of total	34.7	37.7	27.6	100

Note that these are approximate values as some applications lie over more than one area type. Note also that the number of planning applications here is not referring only to ‘live’ applications but for the most part to facilities that are already built and in operation.

The proportion of planning applications in the system is approximately comparable between both Lowland and DA areas. There is a lower proportion of applications in the SDA areas; however, it is important to bear in mind that SDA areas, by virtue of land type (Mourne Mountains, Garron Plateau, Sperrins) are not as suitable for agriculture, and as a result would not expect to see comparable levels of farm activity, or indeed comparable levels of applications for farming in the future.

Another consideration of the Site Relevant Threshold approach is that when assessing ‘risk proliferation’ and therefore whether higher levels of pollution are permitted, only ‘small’ emitters are counted, because larger emitters are dealt with elsewhere in the process.

It is not possible to directly correlate small emitters with small farms, because low emissions from a farm **to a protected site** could be because:

- The farm has high emitting activities, but on a small scale, close to the protected site;
- The farm has low emitting activities on a large scale, close to the protected site;
- The farm has high emitting activities on a large scale, but at a greater distance away from the protected site;

- The farm has high emitting activities on a large scale, close to the protected site, but includes mitigation measures that limit the emissions.

Farms that are classed as being 'high emitters' and therefore do not feature in the estimation of the Site Relevant Threshold, are considered on their own merits elsewhere in the assessment process.

In summary:

It is not possible to say that the Site Relevant Threshold will preferentially favour agricultural planning applications in:

- SDAS / DAs / Lowlands
- Areas with differing compositions of farm density or farm size.

Conclusion

There is no evidence that the Revised Operational Protocol, including its Site Relevant Threshold approach, will favour any particular area of Northern Ireland, and, by extension, any Section 75 groups associated with these particular areas. This applies to both perceived negative impacts/disadvantages to farmers by way of impeded agricultural business opportunities, and to positive impacts to the population as a whole by way of potentially reduced air pollution.

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 of the needs, experiences and priorities for each of the Section 75 categories below:

Religious belief

None in particular identified.

Political Opinion

None in particular identified.

Racial Group

None in particular identified.

Age

None in particular identified.

Marital status

None in particular identified.

Sexual orientation

None in particular identified.

Men and Women Generally

None in particular identified.

Disability

None in particular identified.

Dependants

None in particular identified.

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4.

If the public authority’s conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen

the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority’s conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority’s conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

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 it would be appropriate to conduct an equality impact assessment in order to better assess them;
- 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 amongst 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

- 1) The policy has no relevance to equality of opportunity or good relations.
- 2) 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 evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of 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 equality categories?** Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

In general:

The Revised Operational Protocol will impact farmers and those in the agricultural sector. Information is available on various population characteristics are specific to the farming sector in Northern Ireland – age, marital status, men and women etc, which is not specific to particular areas. Some Section 75 characteristics (religion and political persuasion) do have geographical characteristics, with particular religions and political beliefs specific to areas and locales. However, the Revised Operational Protocol applies equally across all areas of Northern Ireland, and while there will be impacts felt by individuals in the different groups, there is not predicted to be any differential impact.

Details of the likely policy impacts on *Religious belief*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Political Opinion*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Racial Group*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Age*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Marital Status*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Sexual Orientation*:

What is the level of impact Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Men and Women*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Disability*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Dependants*:

What is the level of impact? Minor Major None

(select as appropriate)

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Yes No (select as appropriate)

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

Religious Belief - If Yes, provide details:

If No, provide reasons:

Political Opinion - If Yes, provide details:

If No, provide reasons:

Racial Group - If Yes, provide details:

If No, provide reasons:

Age - If Yes, provide details:

If No, provide reasons:

No opportunities identified.

Marital Status - If Yes, provide details:

If No, provide reasons

No opportunities identified.

Sexual Orientation - If Yes, provide details:

If No, provide reasons:

No opportunities identified.

Men and Women generally - If Yes, provide details:

If No, provide reasons:

No opportunities identified.

Disability - If Yes, provide details:

If No, provide reasons:

No opportunities identified.

Dependants - If Yes, provide details:

If No, provide reasons:

No opportunities identified.

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on *Religious belief*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Political Opinion*:

What is the level of impact? Minor Major None
(select as appropriate)

Details of the likely policy impacts on *Racial Group*:

What is the level of impact? Minor Major None
(select as appropriate)

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

Detail opportunities of how this policy could better promote good relations for people

within each of the Section 75 Categories below:

Religious Belief - If Yes, provide details:

If No, provide reasons:

No opportunities identified. The aim of the Revised Operational Protocol is to provide compliance with legal environmental obligations on the Department and applies equally across NI.

Political Opinion - If Yes, provide details:

(insert text here)

If No, provide reasons:

No opportunities identified. The aim of the Revised Operational Protocol is to provide compliance with legal environmental obligations on the Department and applies equally across NI.

Racial Group - If Yes, provide details:

(insert text here)

If No, provide reasons:

No opportunities identified. The aim of the Revised Operational Protocol to provide compliance with legal environmental obligations on the Department and applies equally across NI.

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? If so, please detail below.

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

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

N/A

DAERA also has legislative obligations to meet under the [Disability Discrimination Order](#). Questions 5 - 6 relate to these.

Consideration of Disability Duties

5. Does this proposed policy or decision provide an opportunity for DAERA to better promote positive attitudes towards disabled people?

No.

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

No.

Part 3. Screening decision (Please delete as appropriate)

1. “Screened in” for equality impact assessment.
2. “Screened out” with mitigation or an alternative policy proposed to be adopted.
3. “Screened out” without mitigation or an alternative policy proposed to be adopted.

If the decision is **not to conduct an equality impact assessment**, please provide details of the reasons.

As discussed, the Revised Operational Protocol will apply across Northern Ireland and there is no evidence that suggests that there will be differential impact on any of the Section 75 groups.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should **be mitigated or an alternative policy be introduced** - please provide details.

If the decision is to **subject the policy to an equality impact assessment**, please provide details of the reasons.

(insert text here)

All public authorities’ equality schemes must state the authority’s arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: [A Practical Guide to Equality Impact Assessment](#)

Mitigation

When the public authority concludes that the likely impact is ‘minor’ and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations? Yes No
 (select as appropriate)

If so, ***give the reasons*** to support your decision, together with the proposed changes/amendments or alternative policy.

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘screened in’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

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 equality impact assessment.

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

Priority criterion	Rating (1-3)
Total score	4

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority’s Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

Yes No (select as appropriate)

If yes, please provide details.

(insert text here)

Part 4. Monitoring

Section 75 places a requirement on DAERA to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity. Please note the following excerpt from The Equality Commission for Northern Ireland in relation to monitoring:

A system must be established to monitor the impact of the policy in order to find out its effect on relevant groups. The results of ongoing monitoring must be reviewed on an annual basis. The public authority is required to publish the results of this monitoring. And they must be included in the public authorities’ annual review on progress to the Equality Commission. The Equality Scheme must specify how and where such monitoring information will be published. It is therefore essential that monitoring is carried out in a systematic manner and that the results are widely and openly published.

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

Further advice on monitoring can be found at: [ECNI Monitoring Guidance for Public Authorities](#)

Outline what data you will collect in the future in order to monitor the impact of this policy or decision on equality, good relations and disability duties.

Equality:

Planning applications and outcomes in Lowland areas/DAs/SDAs

Good Relations:

Planning applications and outcomes in Lowland areas/DAs/SDAs

Disability Duties:

N/A

Part 5. Consideration of Human Rights

7. The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in N Ireland. Indicate below by deleting Yes/No as appropriate, any potential adverse impacts that the policy or decision may have in relation to human rights issues.

See Annex A for brief synopsis on each of the Human Rights Articles & Protocols.

Right to Life	Article 2	No
---------------	------------------	----

Prohibition of torture, inhuman or degrading treatment	Article 3	No
--	------------------	----

Prohibition of slavery and forced labour	Article 4	No
Right to liberty and security	Article 5	No
Right to a fair and public trial	Article 6	No
Right to no punishment without law	Article 7	No
Right to respect for private and family life, home and correspondence	Article 8	No
Right to freedom of thought, conscience and religion	Article 9	No
Right to freedom of expression	Article 10	No
Right to freedom of peaceful assembly and association	Article 11	No
Right to marry and to found a family	Article 12	No
The prohibition of discrimination	Article 14	No
Protection of property and enjoyment of possessions	Protocol 1 Article 1	No
Right to education	Protocol 1 Article 2	No
Right to free and secret elections	Protocol 1 Article 3	No

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

None

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

None

Part 6 - Approval and authorisation

Before signing off this screening template please confirm that you have completed all the actions listed below.

I can confirm that all the actions listed below have been completed -

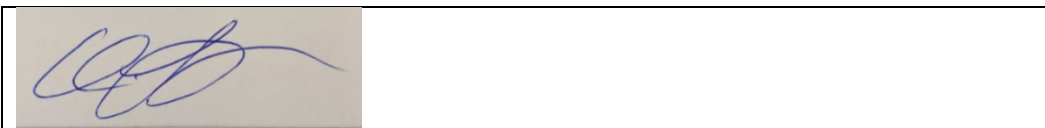
- I have explained any technical issues in plain English (easily understood by a 12 year old)
- I have used the most relevant, current & up to date data available
- I have added evidence and explained my assessments in full
- I have provided a brief note to justify my decision to 'Screen In' or 'Screen Out'
- A copy of this screening template and the final decision has been sent to the Equality Unit for their consideration before it has been forwarded for sign-off

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

Name: Keith Finegan **Grade:** PSO

Branch: AQBU **Date:** 29/11/24

Signature: please insert a scanned image of your signature.



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

Name: David Reid **Grade:** G3

Branch: NIEA **Date:** 03/12/24

Signature: please insert a scanned image of your signature.



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 the

public authority's website as soon as possible following completion and made available on request.

Please save the final signed version of the completed screening form in the CM container (AE2-19-11940) below as soon as possible after completion and forward the CM link to Equality Branch at equality@daera-ni.gov.uk. The screening template must be saved to the container in **HTML format** (not PDF) in order to comply with accessibility requirements. The screening form will be placed on the DAERA website and a link provided to the Department's Section 75 consultees.



Strategic
Management DAERA

For more information about equality screening, contact:

DAERA Equality Unit

Equality & Diversity Branch

Jubilee House

111 Ballykelly Road

LIMAVADY

BT49 9HP

Email: equality@daera-ni.gov.uk

Tel: 028 7744 2027



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

www.daera-ni.gov.uk

Annex A

Synopsis of Human Rights Act Articles & Protocols

ARTICLE 2

Right to life

1. Everyone’s right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.
2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:
 - a. In defense of any person from unlawful violence;
 - b. In order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
 - c. In action lawfully taken for the purpose of quelling a riot or insurrection.

ARTICLE 3

Prohibition of torture

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

ARTICLE 4

Prohibition of slavery and forced labour

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. For the purpose of this Article the term “forced or compulsory labour” shall not include:
 - a. Any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
 - b. Any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
 - c. Any service exacted in case of an emergency or calamity threatening the life or well-being of the community;

- d. Any work or service which forms part of normal civic obligations.

ARTICLE 5

Right to liberty and security

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:
 - a. The lawful detention of a person after conviction by a competent court;
 - b. The lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
 - c. the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
 - d. the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
 - e. The lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
 - f. The lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.
2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.
3. Everyone arrested or detained in accordance with the provisions of paragraph 1(c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.
4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.

5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.

ARTICLE 6

Right to a fair trial

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
 - a. To be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - b. To have adequate time and facilities for the preparation of his defense;
 - c. To defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
 - d. To examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - e. To have the free assistance of an interpreter if he cannot understand or speak the language used in court.

ARTICLE 7

No punishment without law

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.
2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognised by civilised nations.

ARTICLE 8

Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 9

Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of

public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10

Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 11

Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

ARTICLE 12

Right to marry

Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

ARTICLE 14

Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol 1

ARTICLE 1

Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Protocol 1

ARTICLE 2

Right to education

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Protocol 1

ARTICLE 3

Right to free elections

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

For further information:

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