

Equality & Disability Duties Screening Template

December 2023 version



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.

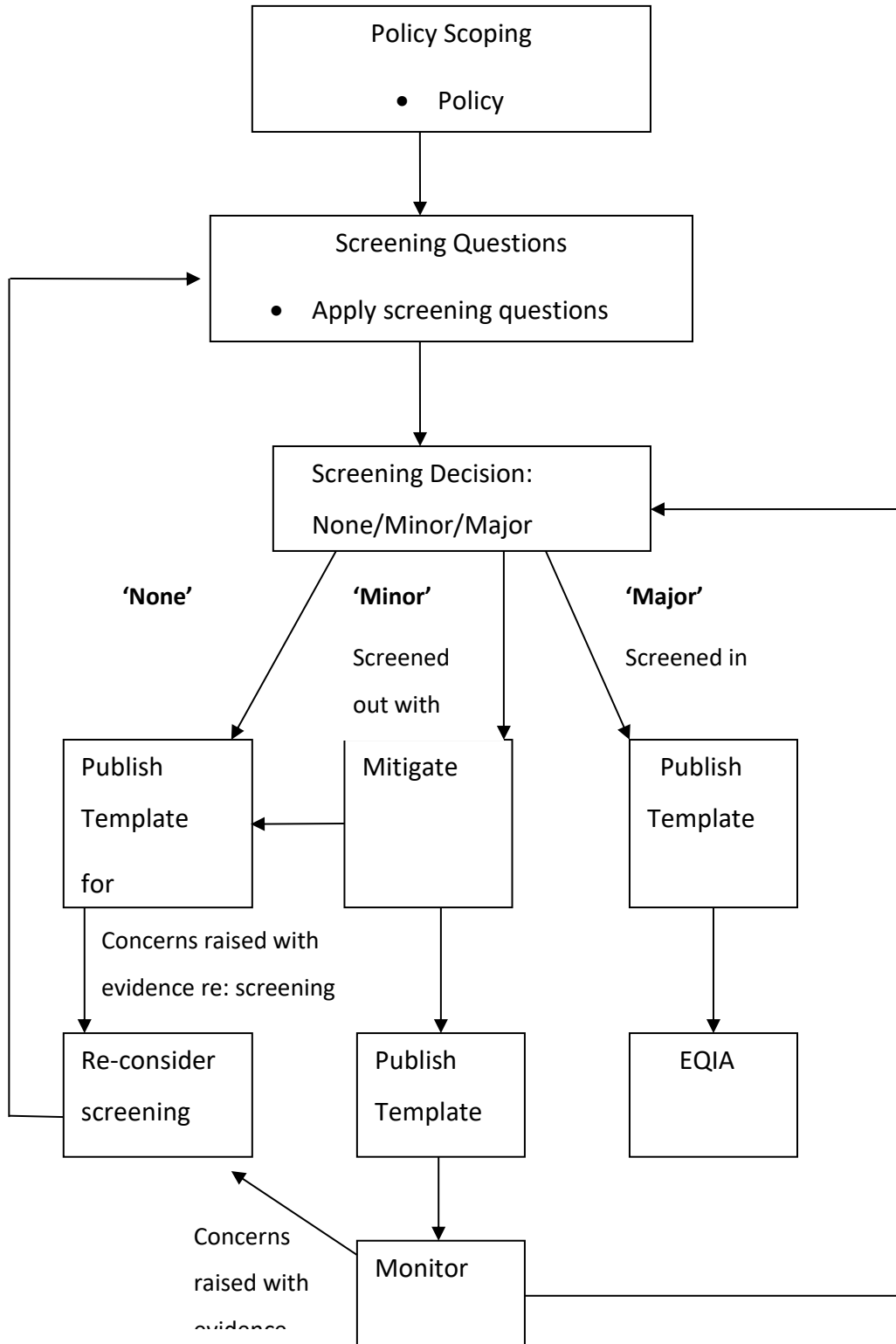
Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality 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 Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025

Is this an existing, revised or new policy?

New policy

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

The United Kingdom leaving the EU and the Common Agricultural Policy (CAP) is the most significant change in policy affecting the agri-food sector in over 40 years. It means that our policies are no longer constrained by existing EU rules and gives us opportunity to develop new approaches and support systems to better address the needs of Northern Ireland agriculture and the environment.

DAERA is introducing new schemes under the transformative Farm Support and Development Programme to develop a sustainable and resilient agricultural industry. These schemes promote more efficient practices through greater innovation, enhanced farmer knowledge and training, whilst protecting the environment, animal health and welfare and public health.

On 24 March 2022 DAERA announced 54 decisions of future agricultural support, which are being taken forward through the Farm Support and Development Programme. This Programme will provide a targeted approach to the provision of agricultural support to help farmers to develop their businesses, no matter where they farm, to become more productive, profitable and resilient, to maximise the sustainable returns from the assets at their disposal and to deliver wider public benefits such as climate change mitigation and enhancing biodiversity.

Farm Sustainability Transition Payment

One of the schemes to be introduced under the Farm Support and Development Programme is the Farm Sustainability Transition Payment (FSTP) which will replace the current Basic Payment Scheme (BPS).

FSTP will provide a basic safety net for farm businesses but will be set at a level which does not blunt innovation or productivity. The payment will be area based, use entitlements and all land-based agriculture and horticulture businesses which meet the eligibility conditions will be eligible to apply.

The FSTP is expected to operate for one year and then be replaced by the full Farm Sustainability Payment (FSP) in 2026. FSP will be subject to a separate equality and disability exercise.

While FSTP will operate in line with most of the rules currently in place for BPS, The Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025 introduce a number of policy changes to allow for the introduction FSP in 2026.

Historic Year's Exercise

An Historic Year's exercise will be implemented in 2026 to ensure that only "active" farm businesses are eligible to claim FSP; thereby removing those who are not actively engaged in agricultural activity. The Historic Reference period has been set by DAERA as 2020 and 2021. To remain eligible a farm business will need to have had in 2020 or 2021:

- Cattle or sheep or reared goats registered on APHIS;
- Reared deer for meat and sold that meat commercially;
- Kept poultry registered with the Department as a commercial flock, or pigs registered on APHIS combined with selling grass as another means of income (not including the sale of agistment grazing rights);

- Farmed at least three hectares of a determined area with an arable or horticultural crop as specified in Schedule 1 (of this SR) declared in an application to the Department for either of those years;
- Been a contract rearer with a contract in place which demonstrated that they managed the livestock and associated grassland, bore the risks in relation to the agricultural activity being carried out and obtained benefits from it.

The historic years requirements will not apply to an applicant who has set up a new farm business in any year following 2021.

Those no longer eligible for FSP will be able to transfer the entitlements that they currently hold, if they choose to do so, by the closure of the 2026 entitlement trading window (15 May 2026). Entitlements not transferred by this date will expire.

These businesses however may be eligible to apply for other funding streams being developed under the Farm Support and Development Programme such as the Farming with Nature Scheme.

Payment Entitlement Transition Requirements

Entitlement leases agreed during the 2025 or 2026 scheme year entitlement trading periods will be limited to one year. This is to ensure that businesses no longer eligible to claim FSP from leasing out their entitlements prior to their expiry for extended periods of time therefore indirectly continuing to benefit from the payment for which they are no longer eligible. If the lessor is not eligible for FSP the entitlements will expire at the end of the lease.

The historic years provisions have been included in this SR to enable DAERA to communicate, during 2025, with those businesses potentially impacted by this policy change to enable them to plan effectively.

Hemp

Land on which certain categories of hemp is grown is currently eligible for BPS and will continue to be so for FSTP and FSP. DAERA, as a Paying Agency for BPS, is required by legislation to analyse the Tetrahydrocannabinol (THC) content of hemp under Article 9 of EU Regulation 639/2014.

The Department of Health licenses the growing of low THC hemp varieties in Northern Ireland. The unlicensed production of hemp is a criminal offence. DAERA does not play a role in licensing or control of the production of hemp. Given that the growing of hemp is already controlled within Northern Ireland, it is not necessary for DAERA to continue to test THC levels in a crop going forward for the purpose of establishing the eligibility of the land on which it is being grown for FSTP or FSP. This has been agreed with DoH.

The Regulation, therefore, introduces an easement by removing the requirement to sample hemp as part of the control process for FSTP from the date this legislation comes into effect. However claimants will still be required to hold a current licence to grow hemp and supply original seed labels upon request to the Department.

Reinstatement of Active Farmer Definition

Farm businesses currently in receipt of BPS must be actively engaged in agricultural activity and meet the active farmer definition. This will continue for FSTP and FSP.

An active farmer is currently defined as “the person having decision-making power, benefits and financial risks in relation to the agricultural activity on the land for which activation (payment) of entitlements is requested”. Agricultural activity includes the production, rearing or growing of agricultural products, including harvesting, milking, breeding animals, and keeping animals for farming purposes, and / or maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries.

The active farmer definition was removed from legislation by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 as the provision was spent given that it related to establishment of entitlements in 2015. However, the recital containing the provision remains and it continues to be applied by DAERA. For legal certainty it is desirable to express it in legislation.

These Regulations reinstate the active farmer definition into law.

The Regulation also introduces a number of additional policies to enable the continued roll out of the Farm Support and Development Programme.

These are -

Young Farmer Payment / Regional Reserve

The Young Farmers’ Payment (YFP) and Regional Reserve (RR) were introduced as compulsory schemes for EU Member States to implement as

part of the 2015 CAP Reforms to encourage generational renewal within the agricultural industry.

The YFP provides an annual top-up to the BPS to those farmers who meet its eligibility requirements.

The RR is used to provide entitlements for Northern Ireland farmers under the BPS in certain situations. The RR enables DAERA to allocate entitlements or to top up existing entitlements to the Regional Average Value (RAV) of entitlements for certain categories of farmers. It is used to allocate payment entitlements to Young Farmers (YFs) and New Entrants (NEs). DAERA may also use it to award entitlements to farmers who were prevented from being allocated entitlements as a result of a force majeure/exceptional circumstances (FM/EC) incident and farmers eligible for revised entitlements following a court ruling or administrative act by DAERA.

The importance of generational renewal is recognised within the Farm Support and Development Programme. Going forward the Farming for the Generations Scheme, included within the Farm Support and Development Programme will be the policy instrument to support generational renewal. This new scheme rather than focusing on purely financial incentives is designed to take a holistic approach to generational renewal which supports the intergenerational needs of the farm family, thereby facilitating a smooth and planned transition and supporting the long-term sustainability of the farm business.

The Regulations therefore establish 2025 as the final year for new applications to the YFP. Successful applicants to the YFP in 2025 will receive

the YFP top-up payment for five years. 2025 will also be the final year that NEs and YFs can obtain entitlements from the RR.

NEs and YFs will retain the right to buy or lease entitlements to allow them access to FSP.

Regional Ceiling

The Regulations remove reference to the total ceiling for Northern Ireland from Regulation (EU) No.1307/2013 of the European Parliament and Council of 17 December 2013 and allows DAERA to determine the ceiling for each scheme year prior to the commencement of payments. The Regulations remove the requirement for DAERA to publish this ceiling and also provide the power to DAERA to make additional payments to BPS, FSTP or FSP eligible farm businesses in a scheme year, if required.

Beef Carbon Reduction Scheme

The Regulations amend The Beef Carbon Reduction Scheme Regulations (Northern Ireland) 2023 to include reference to BPS, FSTP and FSP under the eligibility for payment requirements for that scheme.

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.

The FSTP and FSP are new schemes and are not targeted at any one particular Section 75 category. All eligible farm businesses will benefit from this policy regardless of which section 75 category they fall into.

Who initiated or wrote the policy?

The Department of Agriculture, Environment and Rural Affairs.

Who owns and who implements the policy?

The Department of Agriculture, Environment and Rural Affairs.

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

Other policies with a bearing on this policy

What are they?

- Draft Programme for Government 2024-2027 ‘Our Plan Doing What Matters Most’¹
- DAERA Vision
- DAERA Future Agricultural Policy Framework Portfolio August 2021²

Who owns them?

The Department of Agriculture, Environment and Rural Affairs.

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.

¹ <https://www.northernireland.gov.uk/sites/default/files/publications/newnigov/draft-programme-for-government-our-plan-doing-what-matters-most.pdf>

² [21.22.086 Future Agriculture Framework final V2.PDF \(daera-ni.gov.uk\)](#)

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:

Consideration has been given to the Northern Ireland Life and Times Survey (2022³), 2021 Census of Northern Ireland (phase 1) and the DAERA Farm Equality Indicators Report October 2018 ('Equality Indicators for Northern Ireland Farmers').

In the 2022 Life and Times Survey 36% of the respondents viewed themselves as part of the Protestant Community, 32% as Catholic and 32% as neither. 5% of respondents considered themselves as part of a minority ethnic community while 92% did not, and 3% did not know.

The 2021 Census indicated that religious beliefs across the Northern Ireland community are 37.36% Protestant and 42.31% Catholic. 1.34% indicated that they were other religion, 17.39% indicated that they did not have a religion and 1.6% did not state a religion.

The DAERA Farm Equality Indicators Report 2018 states that 51% of farms in Northern Ireland were farmed by a member of the Protestant community and 42% by a member of the Catholic community.

³ Northern Ireland Life and Times Survey: 2022 (ark.ac.uk)

Catholics were more likely than Protestants to farm on very small farms, with 85% of Catholics farming small farms compared with 68% of Protestants, and only 2% having large farms compared with 10% of Protestant farmers.

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

Political Opinion evidence/information:

The Northern Ireland life and Times Survey 2022 found that 26% of the Northern Ireland population describe themselves as nationalist, 31% as unionist and 38% held neither political opinion (5% either didn't answer or know).

The DAERA Farm Equality Indicators Report 2018 suggested that national identity is a reasonable proxy indicator for the Unionist/Nationalist divide. 44% of farmers have 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.

The DAERA Farm Equality Indicators Report 2018 identified that a higher proportion of those stating as 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. Higher 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 indicated that 96.6% of the population are white. The 2011 Census indicated that 99% of the rural population are white and the farming population has a similar pattern. A small number of migrant workers are also employed within the farming industry. This would support the view that the FSTP and FSP policies set out in this document will mainly impact on white beneficiaries.

DAERA's Equality Indicators Report 2018 stated the proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics. This would support the view that the FSTP and FSP policies set out in this document is likely to affect largely white beneficiaries as this reflects the makeup of the farming population.

Age evidence/information:

The 2021 Census of Northern Ireland reported 326,500 people 65 years and over, comprising 17% of the population.

The NISRA Registrar General Northern Ireland Annual Report 2022⁴ states that in 2022 the Northern Ireland population continued to age with the number of those aged 65 and over increasing by 1.9 per cent to reach 335,400 people (17.6 per cent of the population).

⁴ [Registrar General Northern Ireland Annual Report 2022 \(nisra.gov.uk\)](https://www.nisra.gov.uk/annual-report-2022)

The DAERA Farm Equality Indicators Report 2018 showed that 36% of principal farmers are 65 years and over with 8% under forty years of age, with the average age being 59 years.

Marital Status evidence/information:

The 2021 Census for Northern Ireland indicated that 1,514,743 were aged 16 and over, of this 38% were single (never married or registered a civil partnership), 46% were married or in a civil partnership and 16% were separated, divorced / dissolved civil partnership, widowed / survivor of a civil partnership⁵.

The DAERA Equality Indicators for Northern Ireland Farmers Report 2018 showed that 73% of all farmers are married and living with a wife/husband.

Sexual Orientation evidence/information:

The 2021 Census for Northern Ireland recorded 1,514,745 residents aged 16 and over. Of this population 90% indicated that they identified as straight or

⁵ [census-2021-ms-a30.xlsx \(live.com\)](#)

heterosexual, 2% identified as gay, lesbian, bisexual or other sexual orientation and 8% preferred not to say or state this information⁶.

There are also a number of new and emerging inequalities, for which evidence is limited but would include issues such as, inequalities experienced by transgender people. As further evidence becomes available DAERA will consider the relevance for the Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025.

Men & Women generally evidence/information:

The 2021 Census showed that 51% of the population were female and 49% male. The estimated employment rate in Northern Ireland for those aged 16-64 in 2020 was 74.8% for males (432,000) and 66.5% for females (392,000). The estimated economic inactivity rate (16-64) was 22.8% for males (132,000) and 31.6% for females (186,000). The number of self-employed (aged 16+) in Northern Ireland was estimated at 134,000 in 2019, equivalent to just over 15% of all employed people aged 16+. Self-employment was more likely among employed men than women, 22% of all employed men were self-employed, compared with 8% of all employed women.

The DAERA Farm Equality Indicators 2018 data showed that 91% of farmers in Northern Ireland are males. Female farmers were more likely than their

⁶ [census-2021-ms-c02.xlsx \(live.com\)](#)

male counterparts to farm on very small farms while 87% of women farmers had small farms compared to 75% of male farmers.

Disability evidence/information:

The 2021 Census showed that 12% of Northern Ireland residents report that their day to day activities are limited a lot, and 13% reported that their day to day activity is limited a little⁷.

In Northern Ireland it is estimated that 25% of the population have some form of disability.

The DAERA Farmer Equality Indicators 2018 data indicated that almost a third of farmers (30%) suffered from a disability limiting their day to day activities with 32% of farmers of very small farms declaring they had a long term condition compared to 20% of farmers with large farms.

Some of the differences in farm characteristics by disability may be partly due to the variation in age profiles of those with and without disabilities. The incidence of those reporting that their activities were limited either a little or a lot rises steeply with age.

⁷ [census-2021-ms-d02.xlsx \(live.com\)](#)

NI: IN PROFILE Key statistics on Northern Ireland (nisra.gov.uk) 2022⁸ reports that one in five people have a disability or limiting long-term illness, with 16% of people claiming Disability Living Allowance/Personal Independence Payment.

Dependants evidence/information:

The 2021 Northern Ireland Census showed that 29% of all households have dependent children aged between 0-18⁹.

2020-21 Family Resources Survey, Northern Ireland¹⁰ indicated that 31% of Northern Ireland households have dependent children (those aged 0-16 and person aged 16-19 who are unmarried and in full time non-advanced education).

The most recent data from the 2018 DAERA Farmer Equality Indicators report revealed that almost 40% of households supported by family farms included one or more dependents. Households of medium sized farms were slightly more likely than smaller or larger farms to contain dependents, as were the households of farmers engaged in pig, poultry and mixed farming. Farm households in Disadvantaged Areas (41%) were slightly more likely than

⁸ NI: IN PROFILE | Northern Ireland Statistics and Research Agency (nisra.gov.uk)

⁹ census-2021-ms-a24.xlsx (live.com)

¹⁰ frs-household-2021-tables.ods (live.com)

those in lowland areas (38%) to contain dependants. On arable farms, 30% of farmers had one or more dependent.

NI: IN PROFILE Key statistics on Northern Ireland (nisra.gov.uk) 2022 reports that one in three households have a dependent child¹¹ .

NISRA Women in Northern Ireland 2020 report indicates that over the past 10 years there have been consistently more economically inactive women than men. The most common reason for inactivity among women was family and home commitments. 76% of women with dependent children were economically active, compared with 92% of men with dependent children¹².

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:

¹¹ [NI: IN PROFILE Key statistics on Northern Ireland \(nisra.gov.uk\)](https://www.nisra.gov.uk/in-profile/key-statistics-on-northern-ireland)

¹² [Women in Northern Ireland 2020/2021 | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk/women-in-northern-ireland-2020-2021)

Religious belief

During the pre-engagement stage for the consultation on Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to religious belief.

No specific religious belief issues were raised through the consultation exercise in respect of the Historic Year's non-active business policy change.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific religious belief issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the religious beliefs Section 75 category.

Political Opinion

In response to the 2018 stakeholder engagement on the Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors the Department received one

comment in relation to political opinion that indicated that future agricultural policy should ensure that it does not disproportionately discriminate against one community over the other (nationalist and unionist).

During the pre-engagement stage for the consultation on Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to political opinion.

In relation to the Historic Year's non-active business policy, out of 258 responses received (0.4% of responders), one response highlighted that people should not be penalised for farming a small area. However, the Historic Year's non-active farmer policy does not take farm size into consideration when determining FSTP eligibility.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific political opinion issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the political opinion Section 75 category.

Racial Group

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors, the Department did not receive any responses to indicate that the future agricultural policy framework would create any inequality in respect of a racial group.

During both the pre-engagement and consultation stages of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to racial group.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific racial group issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the racial group Section 75 category.

Age

In response to the 2018 stakeholder engagement on the Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors the Department received a number of responses that included concerns about age discrimination if qualification requirements were introduced for grants and a request to support age proofing of future policies.

During the pre-engagement stage for the consultation on Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs experiences and priorities in relation to equality and no issues were raised to relation to age.

Three respondents who provided comments on the Historic Year's non-active business policy as part of the 2022 consultation on Future Agricultural Policy Proposals, out of 258 businesses that responded (1% of respondents), highlighted that the policy could have implications for generational renewal.

DAERA analysis of the businesses impacted by this policy change indicated that 67% of businesses impacted have a head of holding aged 55 or above. While this is partly explained by the fact that the average age for a farmer in Northern Ireland is 59, as a mitigation DAERA intends to write to farm businesses impacted by the policy change to set out the options open to them. Businesses impacted will have the option to transfer their BPS entitlements before the closure of the 2026 entitlement trading window to realise the monetary value of the entitlements.

DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 September and 10 September 2024. No specific age issues were raised through this consultation process. Closing applications to the RR and YFP has the potential to have a greater impact on younger farmers. However, the introduction of the new Farming for the Generations policy instrument in 2026 is intended to mitigate this by providing a holistic approach to generational renewal which supports the intergenerational needs of the farm family, thereby facilitating a smooth and planned transition and supporting the long-term sustainability of the farm business. A pilot Farming for the Generations Scheme is already in operation and the evaluation of this pilot will inform the development of the full scheme ensuring that support better supports generational renewal. In addition, NEs and YFs will retain the right to buy or lease entitlements to allow them access to FSP.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) it is considered that these elements of the Regulations do not impact on the age Section 75 category.

Marital status

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors, the Department did not receive any responses to indicate that the future agricultural policy framework would create any inequality in respect of marital status.

During both the pre-engagement and the consultation stages of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to marital status.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific marital status issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the marital status Section 75 category.

Sexual orientation

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider

farming, food and environmental sectors, the Department did not receive any responses to indicate that the future agricultural policy framework would create any inequality in respect of sexual orientation.

During both the pre-engagement and the consultation stages of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to sexual orientation category.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific sexual orientation issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the sexual orientation Section 75 category.

Men and Women Generally

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors, the Department did not receive any

responses to indicate that the future agricultural policy framework would create any inequality in respect of men and women generally.

During both the pre-engagement and the consultation stages of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to the men and women category.

In addition, DAERA Officials consulted on proposals for the future of the R R and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific men and women generally issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the men and women generally Section 75 category.

Disability

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors, the Department did not receive any

responses to indicate that the future agricultural policy framework would create any inequality in respect of disability.

During both the pre-engagement stage of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to disability.

The 2021 consultation on Future Agricultural Policy Proposals for Northern Ireland, received 1 response that raised potential lack of access to schemes due to disability.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific disability issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the disability Section 75 category.

Dependants

In response to the 2018 stakeholder engagement on Northern Ireland Future Agricultural Policy Framework from stakeholders representing the wider farming, food and environmental sectors, the Department did not receive any responses to indicate that the future agricultural policy framework would create any inequality in respect of dependants.

During both the pre-engagement and the consultation stages of seeking views on the Future Agricultural Policy Proposals for Northern Ireland, stakeholder input was sought on needs, experiences and priorities in relation to equality and no issues were raised in relation to dependants.

In addition, DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 and 10 September 2024. No specific issues were raised through this consultation process.

Given that the other changes introduced by the Regulations maintain the status quo or introduce easements (such as removing the requirement to provide hemp samples) the Regulations as a whole do not impact on the dependant's Section 75 category.

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.

Part 2. 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.

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

The policy changes being introduced through this Regulation are considered to have no differential impact on the Religious Belief category. No impact on equality of opportunity is expected.

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

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

Equality Commission monitoring guidelines for public authorities suggest that community background/religion is a reasonable proxy indicator for the unionist/nationalist divide. Applying this principle to the likely impact of this Regulation suggests that there should be no differential impact on those of differing political opinion.

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

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

The policy changes being introduced through this Regulation are considered to have no differential impact on the 'Racial Group' category. No impact on equality of opportunity is expected.

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

Details of the likely policy impacts on Age:

The Department of Agriculture, Environment and Rural Affairs 2018 Equality Indicators for Northern Ireland states that the average age of farmers in Northern Ireland was 59 years.

DAERA analysis of the businesses impacted by the historic years non-active business policy change indicated that 67% of businesses impacted have a head of holding aged 55 or above. This policy may therefore have a minor impact on the 'Age' Section 75 category. While this is partly explained by the fact that the average age for a farmer in Northern Ireland is 59 as a mitigation DAERA intends to write to farm businesses impacted by the historic year non-active business policy to set out the options open to them. Businesses impacted will have the option to sell their BPS entitlements before the closure of the 2025 entitlement trading window to realise the monetary value of the entitlements.

DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 September and 10 September 2024. No specific age issues were raised through this consultation process. Closing applications to the RR and YFP has the potential to have a greater impact on younger farmers. However, the introduction of the new Farming for the Generations policy instrument in

2026 is intended to mitigate this by providing a holistic approach to generational renewal which supports the intergenerational needs of the farm family, thereby facilitating a smooth and planned transition and supporting the long-term sustainability of the farm business. A pilot Farming for the Generations Scheme is already in operation and the evaluation of this pilot will inform the development of the full scheme ensuring that support better supports generational renewal. In addition, NEs and YFs will retain the right to buy or lease entitlements to allow them access to FSP.

What is the level of impact? Minor Major None

(select as appropriate)

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

The policy changes being introduced through this Regulation are considered to have no differential impact on the 'Marital Status' category. No impact on equality of opportunity is expected.

What is the level of impact? Minor Major None

(select as appropriate)

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

The policy changes being introduced through this Regulation are considered to have no differential impact on the ‘Sexual Orientation’ category. No impact on equality of opportunity is expected.

What is the level of impact Minor Major None

(select as appropriate)

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

The policy changes being introduced through this Regulation are considered to have no differential impact based on gender. No impact on equality of opportunity is expected.

What is the level of impact? Minor Major None

(select as appropriate)

Details of the likely policy impacts on *Disability*:

The policy changes being introduced through this Regulation are considered to have no differential impact on the ‘Disability’ category. No impact on equality of opportunity is expected.

What is the level of impact? Minor Major None

(select as appropriate)

Details of the likely policy impacts on *Dependants*:

The policy changes being introduced through this Regulation are considered to have no differential impact on the ‘Dependants’ category. No impact on equality of opportunity is expected.

What is the level of impact? 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:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Political Opinion - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Racial Group - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Age - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote

equality of opportunity for those affected by the policies contained with this Regulation.

Marital Status - If Yes, provide details:

(insert text here)

If No, provide reasons

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Sexual Orientation - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Men and Women generally - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Disability - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

Dependants - If Yes, provide details:

(insert text here)

If No, provide reasons:

DAERA actively seeks opportunities to better promote equality of opportunity. It is unlikely that there will be any facility to better promote equality of opportunity for those affected by the policies contained within this Regulation.

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*:

The policies contained within this Regulation are not expected to impact on good relations between people of different religious beliefs. However, DAERA is proactive in improving good relations between people of different religious belief and will review any issues identified during the implementation of the policies contained within this Regulation.

What is the level of impact? Minor Major None

(select as appropriate)

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

The policies contained within this Regulation are not expected to impact on good relations between people of different political opinion. However, DAERA is proactive in improving good relations between people of different political opinion and will review any issues identified during the implementation of the policies contained within this Regulation.

What is the level of impact? Minor Major None

(select as appropriate)

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

The policies contained within this Regulation are not expected to impact on good relations between people of different racial groups. However, DAERA is proactive in improving good relations between people of different racial groups and will review any issues identified during the implementation of the policies contained within this Regulation.

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:**

(insert text here)

If No, provide reasons:

The policies contained within this Regulation are likely to have no impact on promoting good relations between people of different religious beliefs. However, DAERA is proactive in improving good relations between people of different religious belief and will review any

opportunities identified during the implementation of the policies contained within this Regulation.

Political Opinion - If Yes, provide details:

(insert text here)

If No, provide reasons:

The policies contained within this Regulation are likely to have no impact on promoting good relations between people of different political opinion. However, DAERA is proactive in improving good relations between people of different political opinions and will review any opportunities identified during the implementation of the policies contained within this Regulation.

Racial Group - If Yes, provide details:

(insert text here)

If No, provide reasons:

The policies contained within this Regulation are likely to have no impact on promoting good relations between people of different racial groups. However, DAERA is proactive in improving good relations between people of different racial groups and will review any opportunities identified during the implementation of the policies contained within this Regulation.

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.

There are no potential impacts on people with multiple identities from the policies contained within this Regulation.

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?

It is very unlikely that there will be any facility within the policies contained within this Regulation to promote positive attitudes towards people with disabilities.

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

It is very unlikely that there will be any facility within the policies contained within this Regulation to increase the participation by disabled people in public life.

Part 3. Screening decision (Please delete as appropriate)

1. “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.

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.

In implementing the policies contained in this Regulation, the Department has had due regard in the need to promote equality of opportunity and will not have an identifiable impact because of an individual’s religious belief, political opinion, racial group, marital status, sexual orientation, gender, disability or whether or not he/she has dependents.

The intention of introducing FSTP and FSP is to provide a basic safety net payment to eligible farm businesses set at a level which does not blunt

innovation or productivity. This will be achieved by setting new eligibility criteria. (detailed in Part 1 – Policy Scoping) which apply to all applicants.

The FSP policy has been identified as having a minor impact on the ‘Age’ Section 75 category. This policy is therefore screened out with a mitigation included to address this issue.

Analysis of the businesses impacted by the FSP historic years non-active businesses policy change indicated that 67% of businesses impacted have a head of holding aged 55 or above. While this is partly explained by the fact that the average age for a farmer in Northern Ireland is 59 as a mitigation DAERA intends to write to farm businesses impacted by the historic year non-active business policy to set out the options open to them. Businesses impacted will have the option to transfer their payment entitlements before the closure of the 2026 entitlement trading window to realise the monetary value of the entitlements.

In addition, the RR and YFP policy changes have been identified as potentially having a minor impact on the ‘Age’ Section 75 category. These policy changes have also been screened out with a mitigation included to address the issue identified.

DAERA Officials consulted on proposals for the future of the RR and YFP with industry representatives through the Agricultural Policy Stakeholder Group on 13 August 2024 and followed up on 3 September and 10 September 2024. No specific age issues were raised through this

consultation process. However, DAERA recognises that closing applications to the RR and YFP has the potential to have a greater impact on younger farmers. However, the introduction of the new Farming for the Generations policy instrument in 2026 is intended to mitigate this by providing a holistic approach to generational renewal which supports the intergenerational needs of the farm family, thereby facilitating a smooth and planned transition and supporting the long-term sustainability of the farm business. A pilot Farming for the Generations Scheme is already in operation and the evaluation of this pilot will inform the development of the full scheme ensuring that support better supports generational renewal. In addition, NEs and YFs will retain the right to buy or lease entitlements to allow them access to FSP.

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.

(insert text here)

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	
Social need	
Effect on people’s daily lives	
Relevance to a public authority’s functions	
Total score	

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:

General scheme monitoring –

Work has been undertaken to ensure that all relevant farm business information and metrics will be gathered through the FSTP/FSP application process to enable full monitoring and tracking of FSTP/FSP progress.

Metrics have also been established as part of the pilot Farming for the Generation Scheme to enable full monitoring and tracking and to inform the development of the full Farming for the Generations Scheme when it is introduced. This includes undertaking a longitudinal study to monitor the impact on farm businesses and Section 75 categories.

In addition, any future policy changes with the potential to impact Section 75 groups identified as a consequence of the roll out of the Farm

Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025 will undergo equality impact assessments.

Good Relations:

General scheme monitoring –

Any future policy changes with the potential to impact Section 75 groups identified as a consequence of the roll out of the Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025 will undergo equality impact assessments.

In addition, DAERA will monitor FSTP/FSP impacts on good relations through engagement with industry stakeholders.

Disability Duties:

General scheme monitoring –

Any future policy changes with the potential to impact Section 75 groups identified as a consequence of the roll out of the Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025 will undergo equality impact assessments.

Comments from all the Section 75 groups are welcome, especially if any group considers that it is significantly affected by the decisions.

In addition, DAERA will monitor FSTP/FSP impacts on disability duties through engagement with industry stakeholders.

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 identified

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

None identified

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) -

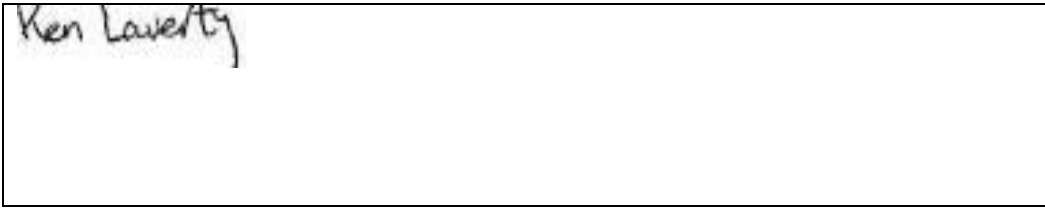
Name: Ken Laverty

Grade: DP

Branch: Farm Sustainability & Development Policy Branch

Date: 24/1/25

Signature: please insert a scanned image of your signature.



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

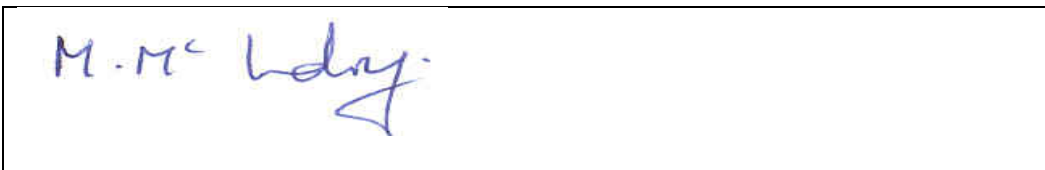
Name: Martin McKendry

Grade: G3

Branch: Head of FFrag

Date: 25/1/25

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

Capacity, Capability, Equality & Diversity Branch

Jubilee House

111 Ballykelly Road

LIMAVADY

BT49 9HP

Email: equality@daera-ni.gov.uk

Tel: 028 7744 2027



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

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.

Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.

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:

Equality Unit,
Equality & Diversity Branch

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