**DEPARTMENT OF AGRICULTRE, ENVIRONMENT AND RURAL AFFAIRS**

**Equality and Human Rights**

**Screening Template**

**DAERA Equality** and **Human Rights**

# Screening Template

DAERA has a statutory duty to screen. This includes our strategies and plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help business areas consider the likely equality and human rights impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed, contact - equalitybranch@daera-ni.gov.uk. All screening exercises must be supported by evidence and cleared at Grade 3 level.

The accompanying Screening Guidance note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties**[[1]](#footnote-1)** and what they mean in practice is available on the Equality Commission’s website.

The screening template has 4 sections to complete. These are:

**Section A** - asks you to provide details about the policy / decision that is being screened.

**Section B** - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

**Section C** - has 4 key questions in relation to obligations under the Disability Discrimination Order and the Human Rights Act.

**Section D** - is the formal record of the screening decision.

Section A

Details about the policy / decision to be screened

|  |
| --- |
| Title of policy / decision to be screened:-   NIEA Policy Position Statement on the Establishment and Management of Statutory Nature Reserves    |

|  |
| --- |
| Brief description of policy / decision to be screened:- This Policy Position Statement relates specifically to statutory Nature Reserves (declared under enabling legislation) and replaces the statement published in 2006 and subsequent re-draft in 2012. Reference: DAERA Document AE1/16/496035 NIEA Policy Position Statement on the Establishment and Management of Statutory Nature Reserves McCann, Hugh 28/11/2016 at 15:20. The Statement outlines:• How statutory Nature Reserves can continue to make a valuable contribution to the protection of biodiversity and the delivery of nature conservation objectives • The basis for selecting individual sites as (National) Nature Reserves, including new sites, is based on evaluation of sites against 10 core principles • The declaration processes• The management principles for nature reserves. • The circumstances under which the de-designation of a site may be considered and the process for doing so.*(Explain - Is this a new, revised or existing policy? Are there financial / legislative / procurement implications?)*The earlier version of this Policy was screened and is saved in HPRM as DOE Document. DO1/11/147197 NIEA Statement of Policy on Statutory Nature Reserves - Equality Assessment Revised Bleakley, Bob 24/05/2011 at 16:22. |

|  |
| --- |
| Aims and objectives of the policy / decision to be screened:- Statutory Nature Reserves in UK are declared by the national statutory nature conservation bodies in each country (Natural England, Scottish Natural Heritage and Natural Resources Wales), and managed either directly by them, by voluntary conservation bodies or by local council authorities. They are places which are important for wildlife and natural features. There are currently 353 National Nature Reserves (NNRs) nationally in the UK, 224 in England, 41 in Scotland, 76 in Wales and 12 in Northern Ireland. Appendix 2 is a list of the current 12 NNR and 37 Nature Reserves (NRs) in NI.In reviewing and renewing its policy on the establishment and management of statutory nature reserves, NIEA has undertaken an analysis of the value of statutory nature reserves in delivering Government objectives. This resulting Policy Position Statement explores and affirms the role statutory nature reserves play in conservation management in Northern Ireland and in providing places for people to connect with wildlife. Nature Reserves contain a wide range of species and habitats, plant and animal communities, geology and landforms. Their declaration is a public recognition by Government of their importance and affords statutory protection under planning regulations.The Statement defines the drivers for the declaration and management of nature reserves and the way that the statutory nature reserve series can contribute to the long-term protection of biodiversity and geodiversity in Northern Ireland. UK Country Conservation Agencies have now recognised that the NNR accolade is superseded by other national and international designations and that the role of NNRs is to continue to protect nationally important sites while making them available for public access and / or for research. Their role as people-focused designations is now deemed to be more important than formerly. NNRs allow people to experience nature and may contribute to the rural economy through delivery of management and as visitor attractions. The NIEA vision for Nature ReservesA suite of Nature Reserves and National Nature Reserves reflecting the natural heritage of Northern Ireland, contributing to its protection and managed, using best practice, to conserve and showcase features of interest for the benefit of present and future generations. Aimsi. Utilise Nature Reserves and National Nature Reserves to maximise the delivery of the Government‘s responsibilities and targets for conserving the natural heritage of Northern Ireland under National, European and other International obligations. ii. Maintain a series of Nature Reserves which reflects the range of major habitat types, earth science strata and landforms in Northern Ireland with at least one good example of each as NNR and manage them to an exemplary standard.iii. Use Nature Reserves to further our understanding of ecosystem functions which contribute to a healthy and resilient wider environment in Northern Ireland. iv. Maximise the public benefit deriving from the nature reserve series.ObjectivesIn pursuit of these aims and the realisation of the vision, NIEA has identified the following over-arching objective:The declaration of a suite of statutory nature reserves for Northern Ireland to reflect the diversity of its natural heritage.This will be delivered through the following sub-objectives:i. declare (as resources allow) any new or extended (N)NRs to recognise their contribution to achieving NI’s Biodiversity targets by providing reservoirs for biodiversity;ii. recognise the supporting role Nature Reserves can play in the programme of ASSI, SAC and SPA declaration, monitoring and management through having direct management control with the scope to develop and demonstrate best management practice;iii. provide opportunities for the public to experience natural and semi-natural habitats and landscape features and to interact with our native flora and fauna, where it is appropriate and practicable to do so, and, though visiting reserves, through publications and on-line information, to increase understanding and appreciation of the environment and public commitment to its protection and enhancement;iv. de-declare sites that no longer meet the essential criteria.  |

|  |
| --- |
| **On whom will the policy / decision impact?**Consider the internal and external impacts (both actual or potential) Staff:  On NIEA staff charged with the selection, declaration and management of statutory nature reserves.     Service users; On contractors or partners engaged by or subject to a management agreement with NIEA over the management of statutory nature reserves. Rural community may wish to highlight NR as a local asset for residents and visitors.Other public sector organisations:  those wishing to use statutory nature reserves for study and/or research.   voluntary / community groups / trade unions, No not specifically.others, please specify   On members of the public wishing to visit statutory nature reserves.    |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Are there linkages to other NI Departments / NDPBs?

|  |
| --- |
| A number of statutory nature reserves are on land owned by other NI Departments, notably DARD Forest Service and Crown Estate.  |
| Under the legislation these bodies are competent authorities and assist with the PfG to deliver Biodiversity.  |
| Some statutory nature reserves are on land owned or leased by voluntary conservation bodies: the National Trust, RSPB and Ulster Wildlife Trust. They are known as approved bodies but there is no official list. |
| Some NIEA-owned nature reserves are managed under agreement by such voluntary conservation bodies. |

 |

Section B

1. **What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?**

|  |  |  |
| --- | --- | --- |
| Section 75 category  | Details of likely impact | Level of impact? Minor/Major/None |
| Religious belief |  | None |
| Political opinion  |  | None |
| Racial group  |  | None |
| Age |  | None |
| Marital status  |  | None |
| Sexual orientation |  | None |
| Men and women generally  |  | None |
| Disability |  | None |
| Dependants  |  | None |

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

|  |  |  |
| --- | --- | --- |
| **Section 75 category**  | **If Yes, provide details**  | **If No, provide reasons** |
| **Religious belief** |  | No. None of the section 75 categories impact on the selection for statutory designation as NR/NNR. |
| **Political opinion**  |  | No |
| **Racial group**  |  | No |
| **Age** |  | No |
| **Marital status** |  | No |
| **Sexual orientation** |  | No |
| **Men and women generally**  |  | No |
| **Disability** |  | No |
|  **Dependants** |  | No |

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

|  |  |  |
| --- | --- | --- |
| **Good relations category**  | **Likely impact?**  | **Level of impact? Minor/Major/None**  |
| **Religious belief** | Nature Reserves could be utilised by groups to explore a neutral subject. | None |
| **Political opinion**  |  | None |
| **Racial group** |  | None |

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

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details**  | **If No, provide reasons** |
| Religious belief |  | No. Visitor use of statutory nature reserves is driven by interest in nature rather than by any of the Section 75 group attributes. |
| Political opinion  |  | No, as above. |
| Racial group  |  | No, as above. |

**Available evidence**

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below along with details of the different groups you have met and / or consulted with to help inform your screening assessment.

|  |  |
| --- | --- |
| **Section 75 category**  | **Details of evidence / information and engagement** |
| Religious belief  | **No specific information has been gathered to inform this policy. The categories of visitors to statutory nature reserves are not likely to be impacted by the designation. If a survey was to be done it would be better to do one for an access to the countryside policy.**  |
| Political opinion  | **None, as above.** |
| Racial group  | **None, as above.** |
| Age  | **None, as above.** |
| Marital status  | **None, as above.** |
| Sexual orientation | **None, as above.** |
| Men & women generally | **None, as above.** |
| Disability | **None, as above.** |
| Dependants | **None, as above.** |

|  |
| --- |
| **No evidence held? Outline how you will obtain it:** **There are no plans to undertake evidence gathering research.** |

Section C

DAERA also has legislative obligations to meet under the Disability Discrimination Order and Human Rights Act (insert links) Questions 5 -9 relate to these two areas.

Consideration of Disability Duties

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

|  |
| --- |
| **Explain your assessment in full** No. Statutory nature reserves are declared primarily to conserve their scientific interest and to provide for study and research. Public access is provided only where this can be accommodated without damaging that interest or opportunity. Where easy access cannot be provided without damage to the habitat or wildlife it will not be provided. Where, however, public access is acceptable and DDA-compliant facilities can be provided without loss of scientific interest and resources are available, such facilities can be provided under the Policy. |

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

|  |
| --- |
| **Explain your assessment in full** No. Statutory nature reserves are declared primarily to conserve their scientific interest and to provide for study and research. Public access is provided only where this can be accommodated without damaging that interest or opportunity. Where easy access cannot be provided without damage to the habitat or wildlife it will not be provided. Where, however, public access is acceptable and DDA-compliant facilities can be provided without loss of scientific interest and resources are available, such facilities may be provided by the site managers. |

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 (place an X in the appropriate box) any potential *adverse impacts* that the policy / decision may have in relation to human rights issues.

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

Consideration of Human Rights (cont)

|  |
| --- |
| 8. **Please explain any adverse impacts on human rights that you have identified**N/A |

|  |
| --- |
| 9. **Please indicate any ways which you consider the policy positively promotes human rights** None |

**Monitoring Arrangements**

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.

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

|  |  |  |
| --- | --- | --- |
| **Equality**  |  **Good Relations** | **Disability Duties** |
| None | None | None |
|  |  |  |

Section D

Formal Record of Screening Decision

|  |
| --- |
| **Title of Proposed Policy / Decision being screened**   NIEA Policy Position Statement on the Establishment and Management of Statutory Nature Reserves  |

I can confirm that the proposed policy / decision has been screened for –

|  |  |
| --- | --- |
| [x]  | equality of opportunity and good relations |
| [x]  | disabilities duties; and |
| [x]  | human rights issues |

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

\***place an X in the appropriate box below**

|  |  |
| --- | --- |
| [ ]  | \***Screened In** – Necessary to conduct a full EQIA |

|  |  |
| --- | --- |
| [x]  | \***Screened Out** – No EQIA necessary (no impacts)Provide a brief note here to explain how this decision was reached:*(Please note that a ‘screened out’ decision* ***must*** *be accompanied by a sound rationale and relevant empirical evidence to show the basis upon which a screened out decision has been reached.)** The establishment and management of statutory nature reserves does not have a significant impact on the lives of the general public or on the lives of any section 75 groups. If it does anything, it may provide the opportunity to enhance the lives of those who enjoy the natural world and walking in the countryside.
* The policy regarding the selection and declaration of statutory nature reserves affects all section 75 groups equally, though at a low level.
* Only the physically disabled are differentially affected in terms of the provision of public access and facilities. Where DDA-compliant access and facilities can be provided without adverse impact on nature conservation they are permitted by the Policy. As older people are generally less mobile they may be impacted by the provision of access facilities which is provided for but is a minor part of the policy.
 |

|  |  |
| --- | --- |
| [ ]  | \* **Screened Out -** Mitigating Actions (minor impacts)Provide a brief note here to explain how this decision was reached: * Describe clearly the mitigating actions and / or policy changes that will now be introduced
* Explain how these actions will address the inequalities:
 |

**Formal Record of Screening Decision** (cont)

|  |
| --- |
| **Screening assessment completed by (Staff Officer level or above) -** |
| Name: Hugh McCann | Grade: SSO |
|  | Date: 02/08/2017 |
| Branch: NIEA Regional Operations |

|  |
| --- |
| Signature: please insert a scanned image of your signature below |

|  |
| --- |
| **Screening decision approved by (must be Grade 3 or above) -** |
| Name: David Small | Grade: 3 |
|  | Date: 19/09/2017 |
| Branch: Environment, Fisheries and Marine Group. |

|  |
| --- |
| Signature: please insert a scanned image of your signature below |

Please save the final signed version of the completed screening form in the TRIM container below as soon as possible after completion and forward the TRIM link to Equality Branch at equalitybranch@daera-ni.gov.uk. The screening form will be placed on the DAERA website and a link provided to the Department’s Section 75 consultees.

For more information about equality screening, contact –

DAERA Equality Branch

Room 515

Dundonald House

Upper Newtownards Road

Belfast BT4 3SB

Telephone 028 9052 4435

Text Relay 18001 028 9052 4435

equalitybranch@daera-ni.gov.uk.

1. ECNI ‘Section 75 of the NI Act 1998: A Guide for Public Authorities’ April 2010. [www.equalityni.org](http://www.equalityni.org) [↑](#footnote-ref-1)