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

**Equality and Human Rights**

**Screening Template**

August 2019

 

**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 and know the current effective guidance first (see HPRM (Trim) link below for Guidance Document). To find out about the training needed, contact - equalitydiversitypublicappointments@daera-ni.gov.uk. All screening exercises must be supported by evidence and Quality Assured by Equality Unit prior to being 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.

Please note: Only plain English**[[2]](#footnote-2)** should be used in all sections of this document.

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 – In plain English

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| Title of policy / decision to be screened:- ALLOCATION OF THE £25M COVID-19 SUPPORT FUND TO AGRICULTURE AND HORTICULTURE SECTORS |

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| Brief description of policy / decision to be screened:- There is a need to introduce a specific scheme to address hardship in the agriculture and horticulture sector due to financial losses incurred as a result of the COVID-19 pandemic. NI Executive agreed an allocation of £25 million to provide financial assistance to enable businesses to deal with short term disruptions in the market place that would substantially threaten otherwise viable businesses. A further £3.2 million of existing DAERA resource has also been set aside to provide assistance to the sector should that be required.At this juncture (30 June 2020), the Minister has decided to allocate around £21.4 million and to retain around £7 million **to address any additional issues and challenges Covid-19 may present in the weeks and months ahead.** A breakdown of the £21.4m (indicative figures) is as follows:* Support for the Beef Sector - £7m (100% losses covered)
* Support for the Dairy Sector - £11m (80% losses covered)
* Support for the Sheep Sector - £232k (100% losses covered)
* Support for the Potato Sector - £1.2 – £1.6m  (80% losses covered)
* Support for the Ornamental Horticulture Sector – £1.2m - £1.6m  (80% losses covered)

Further detail on how these figures have been arrived at is provided in the following section. Legislation is required to enable aid to be paid to these sectors; it is proposed that it will be taken through the NI Assembly shortly.This Equality Screening assessment does not consider the operational implementation of this policy. An Equality Impact Assessment (EQIA) was undertaken by DAERA in 2016 on the means by which we communicated and transacted with customers of farm payments, including the operational implementation of schemes. That EQIA resulted in the application of mitigating procedures to ensure that such schemes were accessible to all customers. |

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| Aims and objectives of the policy / decision to be screened:-      (What is the policy trying to achieve?) *If you do not know you must seek advice from the project manager prior to completing this document.*Through a scheme, provide emergency financial support to sectors within the agriculture and horticulture industry to mitigate losses incurred due the corona virus (CV-19) pandemic in the UK during the time bound period from Mid February to June 2020. Uptake from this scheme will be from the following sectors: dairy, beef, sheep, potatoes and ornamental horticulture and will provide support to these sectors, in line with their level of loss as assessed by the Department. No negative impact is anticipated.The Covid-19 support package is a contribution towards the losses incurred by businesses as a result of short term market disturbance. Evidence of financial losses at sectoral level has been collated and verified by DAERA using published market intelligence and independent reports. Therefore, eligibility for support for an individual farmer depends first on this sectoral identification of need, with the level of support tailored to individual circumstances dependent on farm specific data. Hence, factors such as geographic location do not affect eligibility for, or distribution of, support. It can be summarised thus for each of the target sectors:**Dairy Sector:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Month** | **Production (litres)** | **2020 Price (p/l)** | **Loss against February (p/l)** | **Market Loss (£m)** |
| **Jan** | **193270000** | **26.82** | **0** | **0** |
| **Feb** | **199185429**  | **26.68** | **0** | **0** |
| **Mar** | **221199295** | **25.60** | **1.1** | **2.38** |
| **April** | **225000000(f)** | **24.80(f)** | **1.9** | **4.22** |
| **May** | **240000000(f)** | **24.80(f)** | **1.9** | **4.40** |
| **June** | **223000000(f)** | **24.80(f)**  | **1.9** | **4.19** |
| **Total** |  |  | **1.7** | **15.3** |

Support will be an amount per litre based on the reduction in monthly average market prices (DAERA statistics) in the period March to June 2020, compared to the average market price or reference price in February 2020 of 26.68p/l (pre Covid-19). The payment to each farm business will be based on the volume they supplied to a processor in the period March to June 2020. Volumes of milk sold on fixed price contracts above the February 2020 reference price of 26.68p/l will not be included in the support package. When the volume of ‘Contract Milk’ at a price above 26.68 is taken off (estimated at 10% by industry sources), and rate of 80% compensation of loss applied, the total estimated loss for the period April – June 2020 is £11m, equating to a payment of 1.28p/l, confirmed following availability of final data. **Beef Sector**Support will be provided as three flat rate payments per head based on the number of eligible animals presented for slaughter and when those animals were marketed. **Payment 1** reflects the difference between the average market price of beef in the weeks when cattle were slaughtered and the reference beef price in the period before ‘lockdown’. The average payment per head based on the total number of cattle slaughtered and total loss incurred by all cattle over the period.**Beef Sector - Payment 1**

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| **Cumulative Loss (weeks 14 to 20)** |  |  |
|   | **p/kg** | **head** | **ave weight** | **weight (kg)** | **value (£)** |
| Steers | -11.2 |  20,394  | 359 |  7,326,945  | -818,823 |
| Heifers | -10.3 |  17,098  | 324 |  5,538,059  | -568,744 |
| Young bulls | -10.2 |  4,276  | 331 |  1,413,825  | -144,495 |
| Cows | -17.9 |  8,985  | 310 |  2,789,513  | -498,530 |
|   | **Total** |  50,753  |   |  17,068,341  | -2,030,593 |
|  |  |  |  |  |  |
|  |  |  |  per head |  - 40.01  |

**Payment of £40 per head on 50,753 cattle equates to £2,030,120****Payment 2** reflects the loss of value of the 5th quarter (particularly from international markets) that resulted in a lower than anticipated beef price in the period prior to Covid-19 impacting the local beef market due to closure of food service outlets. This covers the period from when the price of hides fell to when beef prices recovered and rose substantially above pre-Covid-19 levels and returned the lost value of the 5th quarter.**Beef Sector - Payment 2**

|  |  |
| --- | --- |
| **Steers, heifers, young bulls, cull cows, cull bulls, calves 2020** |  |
|  |  | **A** | **B** | **C** | **A-B+C** |
|  |  | **NI slaughterings** | **Imports** | **Exports** | **NI Farm Sales** |
|  | **No. Wks** | **Head** | **Head** | **Head** | **Head** |
|   |  |  |  |  |   |
| Mid February | 2 | 18472 | 784 | 133 | 17821 |
| March | 4 | 36342 | 539 | 361 | 36164 |
| April | 5 | 39002 | 418 | 184 | 38768 |
| May | 4 | 27645 | 1664 | 220 | 26201 |
| June | 4 | 35252 | 3514 | 58 | 31796 |
| **Total** | **19** | **156713** | **6919** | **956** | **150750** |

Payment of £33 per head on 150,750 cattle equates to £4,974,750 Beef Sector - Payment 3 Veal calves aged from 8 months to less than 12 monthsAnalysis of the APHIS data during the eligible period indicates that approx. 1400 cattle under 1 year old were slaughtered (excluding TB animals). This equates to appox. 90-100 per week. Further analysis indicates that 1150 were slaughtered by one processor that has a market for Rose Veal and a rearing programme with a small group of supplying farmers. It is understood that farmers supplying this processor do not receive a contact price for the animals and price paid reflects the market. Evidence gathered over the 7 week period from 11 April to 30 May 2020 (525 calves in total) indicate the total negative impact of the COVID-19 pandemic on Northern Ireland’s Rose Veal farmers is estimated to be approximately £8,085.Payment of £13.50 per head on 525 calves equates to £7,087.50 Sheep SectorEvidence gathered indicated that price for all sheep and lambs fell in w/e 28 March 2020 and remained relatively low for four weeks before recovering to pre Covid 19 levels in w/e 25 April 2020. Total sheep marketed during this period was 33,794 (17,214 in NI and 16,580 in ROI), and the value of loss based on price reporting was £232k. These figures are based on deadweight prices as live sales were closed for three out of the four weeks that prices declined.Payment of £6.88 per head on 33,794 sheep equates to £232k. Potato Sector Potato growers who specialise in growing and storing potatoes for the food service and hospitality industry were significantly affected when processers cancelled or significantly reduced orders in mid-March 2020 for this perishable produce. This left them with very few market outlets for their produce other than stock feed and AD plants, and prices for this category of potato fell significantly. A DAERA telephone survey identified 74 affected growers and an estimated 13,500t of potatoes impacted.Losses were estimated as the difference between a reference price (market price for processing potatoes in March 2020 prior to the Covid 19 lockdown) and sale price if sold, or residual value (stock feed value) if still in store in July 2020. A worst case scenario estimates losses in the region of £1.5 – 2m, and when a compensation rate of 80% is applied, this equates to a budget allocation of up to £1.6m. The amount of unsold processing potatoes in stores will be quantified by a DAERA inspection in late July 2020 and eligible growers will be expected to provide evidence of loss in sales in the period mid March to end of July 2020.Ornamental Horticulture SectorThe ornamental sector witnessed a collapse in demand as a result of the restrictions on the general public to curb the spread of the COVID-19 virus prior to garden centres reopening on 18 May 2020. This resulted in a substantial monetary loss for the businesses concerned as the products have a particular shelf life of 2 – 5 weeks. Crops in some cases have been dumped with all investment in production costs lost.Evidence gathered from engagement with growers and from other sources shows losses during the March – June 2020 period were in the region of £1.5-£2m, and when a compensation rate of 80% is applied, this equates to a budget allocation of up to £1.6m. To access support, eligible growers will be expected to provide evidence of loss in sales during the period 1 March – 30 June 2020. Since other HMG support measures such as Self Employed Income Support Scheme (SEISS) and Bounce Back Loan Schemes are available to agricultural and horticultural businesses, rates of compensation for losses incurred have not been set at 100% to avoid over compensation of loss from the public purse. Businesses in some sectors, particularly dairy, with Average Farm Business Incomes over £50,000 (forecasted £51,964 in 2019/20[[3]](#footnote-3)) have been able to gain more support from the SEISS than those in other sectors. They will also tend to have greater resilience to market shocks. Hence the rate for dairy payments have been set at 80% of the calculated loss for the sector.The 80% rate is compatible with that set as the minimum for the Self Employed Income Support Scheme and the amount of wages paid to furloughed workers through the Coronavirus Job retention Scheme. The rate for the beef sector however, has been set at 100% as average Farm Business Incomes for both lowland and LFA beef farms is below £15,0003. Therefore these businesses would have had limited or no benefit from other HMG support measures including the Self Employed Income Support Scheme and have limited capacity to absorb losses.The elements of the scheme that are being developed to support the sectors will all follow similar design principles to ensure good governance, avoid unnecessary bureaucracy and ensure that the schemes comply with legal requirements. These principles include: • Support for evidence-based losses caused by market disturbance; • Support targeted to those impacted most financially; • Compliance with State Aid rules; • Straightforward and flexible to administer / minimum bureaucracy; • No negative impact on administration of Basic Payment funding; • Compliance with good governance and accountability; • Measures to avoid over compensation of losses / consideration of benefits from other schemes;• Developed and delivered using a partnership approach across the Department and with stakeholders; • Compliance with Section 75 obligations. |

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| **On whom will the policy / decision impact?**Consider the internal and external impacts (both actual or potential) **Staff** - Support provided within DAERA (eg Area based Schemes Division)X **Service users** - The main beneficiaries of the scheme are dairy farmers, beef finishers, Sheep farmers, potato growers and ornamental horticultural growers. X **Rural community** - A major contribution to the productivity and employability of X farm and horticultural businesses in rurally isolated areas of NI.other public sector organisations     voluntary / community groups / trade unions     X**others, please specify** - Industry stakeholders including UFU, Dairy UK, NIAPA, NIMEA, LMC, Horticulture Forum  |

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| Are there linkages to other NI Departments / NDPBs? *Under the new Programme for Government there is an emphasis on shared responsibility between departments & this should be considered when answering this question.*Through engagement of extensive consultation with industry stakeholders including UFU, Dairy UK, NIAPA, NIMEA, LMC, Horticulture Forum no Section 75 issues were raised.The funding for this package of support was agreed by the Executive as an allocation from the Covid monies made available to the NI Block. The legislation to enable aid to dairy, potato, sheep and beef farmers will require the signature of both the DAERA and DoF Ministers.The legislation to enable aid to ornamental horticulture growers will require TEO approval. |

Section B

**Available evidence**

What evidence or 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.

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| **Section 75 category**  | **Details of evidence or information and engagement** |
| **Religious belief**  | [Equality Impact Assessment of the 2014-2020 Rural Development Programme.](https://www.daera-ni.gov.uk/sites/default/files/publications/dard/2014-2020-rdp-final-eqia-report.pdf)2018 DAERA Equality Indicators ReportJust over two fifths (42%) of farmers in Northern Ireland were Catholic, with half (51%) stating their religion as Protestant or another Christian denomination. The remainder (6%) were of 'other' or no religion. Catholics were much more likely than Protestants to farm on very small farms, with 85% of Catholics farming small farms compared to 68% of Protestants, and only 2% having large farms compared to 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 to less than half (45%) of Protestant farmers. In contrast, a much 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**  | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2011 Census of Northern Ireland2018 DAERA Equality Indicators ReportInformation on political opinion was not collected in the Population Census 2011. However, as a question on National Identity was included responses were analysed against farm size, type and land characteristics as a proxy metric for political opinion.Overall, 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only, with 8% stating another identity or a combination of more than one identity. However, the religious profile varied across farm characteristics, with the proportions stating a British only identity increasing with farm size, from 40% of those in very small farms to 65% of those in large farms. A much higher proportion of those stating an Irish only or Northern Irish only identity farmed on very small farms (85% and 81% respectively) than those stating a British only identity (69%). In contrast, the proportion of those stating a British only identity farming on large farms (9%) was more than double that of those who stated Irish only (2%) or Northern Irish only (4%) identities. High proportions of dairy farmers (62%) and those engaged in mixed farming (63%) stated a British only identity. More than three quarters of those describing their identity as Irish only (77%) and two-thirds of those with a Northern Irish only (68%) identity were engaged in cattle and sheep farming in Less Favoured Areas, compared to less than half (48%) of farmers of British only identity. In contrast, those stating a British only identity were much more likely to be engaged in farming cattle and sheep in lowland areas, dairy farming, or other types of farming activity, than those stating an Irish only or Northern Irish only identity. Farmers with an Irish only identity were almost twice as likely to farm in Severely Disadvantaged Areas (55%) than farmers with a British only identity (28%). The proportion of those with a Northern Irish identity farming in Severely Disadvantaged Areas was also very high at 48%. On the other hand, the proportion of those describing themselves as British only who farmed in lowland areas (39%) was more than twice that of those with an Irish only identity (15%) and much higher than those with a Northern Irish only identity (24%).  |
| **Racial group**  | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2011 Census of Northern Ireland2018 DAERA Equality Indicators ReportThe 2011 Census of Northern Ireland (most recent as next is 2021) found that over 98% of the population, state their ethnic origin to be white. Non-white ethnic groups accounted for 1.7% of the total population. In addition under 1.3% of non-white minority ethnic groups of Black, Asian and Other live in rural area.The proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics.  |
| **Age**  | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2011 Census of Northern Ireland – [Population Estimates – Single year of Age](https://www.ninis2.nisra.gov.uk/public/Theme.aspx?themeNumber=74&themeName=Population)2016 [EU Farm Structure Survey Northern Ireland](https://www.daera-ni.gov.uk/sites/default/files/publications/daera/17.18.088%20EU%20Farm%20Structure%20Survey%202016%20V2.pdf)2018 DAERA Equality Indicators ReportThe mean age of the NI population is 37.59. 57.61% of NI residents aged 16-72 were economically active. The average age of farmers in Northern Ireland was 59 years. Only 8% of farmers were aged under 40 years, and more than a third (36%) were aged 65 years or older. There was little variation in the age profile of farmers by farm size, although farmers of very small farms (which account for three-quarters of all farms in Northern Ireland) had a slightly older age profile than those of larger farms. There was also little variation in age across farming activity type. However, farmers engaged in cattle and sheep farming, general cropping and horticulture had the oldest age profiles, while pig and poultry farmers had the youngest age profiles. Poultry farmers were around twice as likely to be aged under 40 than other farmers. There was virtually no difference in age profile across land types. However, farmers aged under 40 were slightly more likely to farm in Severely Disadvantaged Areas than older farmers.  |
| **Marital status**  | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2018 DAERA Equality Indicators ReportAlmost three quarters (73%) of farmers were married, with the proportion of married farmers increasing with farm size; 84% of farmers of large farms were married, compared to 71% of farmers of very small farms. Conversely, twice as many farmers (18%) of very small farms were single as farmers of medium sized (9%) or large farms (9%). Across farm activity types, a very high proportion of pig farmers (88%) and farmers engaged in horticulture (88%) in 2010-11 were married. Lowland farmers were slightly more likely to be married (77%) than farmers in Disadvantaged (73%) or Severely Disadvantaged (71%) Areas.  |
| **Sexual orientation** | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2011 Census of Northern Ireland[Sexual Identity, UK: 2016](https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2016)In 2016, just over 1 million (2%) of the UK population aged 16 and over identified themselves as lesbian, gay or bisexual (LGB). The population aged 16 – 24 were the age group most likely to identify as LGB in 2016 (4.1%). More males (2.3%) than females (1.6%) identified themselves as LGB in 2016.There are no data on the number of lesbian, gay or bisexual (LGB) persons in NI as no national census has ever asked people to define their sexuality. However, according to the 2013 NI Life and Times Survey (NILT), 96% of people in NI are heterosexual and 1% are homosexual (<http://www.ark.ac.uk/nilt/2013/Background/ORIENT.html>). |
| **Men & women generally** | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2016 EU Farm Structure Survey Northern Ireland2018 DAERA Equality Indicators ReportOnly 9% of principal farmers were female. Female farmers were more likely than their male counterparts to farm on very small farms - 87% of women farmers had small farms compared to 75% of male farmers. Farmers engaged in 'Other types' of farming (such as running specialist horse farms) were twice as likely to be women as were farmers engaged in other activity types. A higher proportion of female (86%) than male farmers (78%) were engaged in cattle and sheep farming, and a much lower proportion (4% of female compared to 12% of male farmers) were dairy farmers. Female farmers were also more likely to farm in Less Favoured Areas. Forty-four percent of women farmers farmed in Severely Disadvantaged Areas compared to 39% of male farmers. Some of the gender differences in farm characteristics may be partly due to the differing age profiles of male and female farmers. Female farmers had an older age profile than their male counterparts, with 4% of female farmers aged under 40, compared to 8% of male farmers, and 45% of female farmers aged 65 or over, compared to 35% of male farmers. |
| **Disability** | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2011 Census of Northern Ireland2018 DAERA Equality Indicators ReportIn Northern Ireland it is estimated that 22% of the population have some form of disability; amongst farmers this figure is slightly higher, with 26% reporting they suffer from some form of disability.Almost a third (30%) of farmers stated that they had a long-term illness or disability which limited their daily activities, with the incidence of disability inversely related to farm size. The proportion of farmers of very small farms stating that their activities were limited a lot (16%) was twice that of farmers of large farms (8%). Farmers in disadvantaged areas (16%) were slightly more likely than lowland farmers (12%) to state that their activities were limited. 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. |
| **Dependants** | Equality Impact Assessment of the 2014-2020 Rural Development Programme.2018 DAERA Equality Indicators ReportTwo fifths (40%) of all farm households contained children under 18 years old, elderly disabled people, or both. Households of medium sized farms were slightly more likely than smaller or larger farms to contain dependants as were the households of farmers engaged in pig, poultry or mixed farming. Farm households in Disadvantaged Areas (41%) were slightly more likely than those in lowland areas (38%) to contain dependants.  |

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| **No evidence held? Outline how you will obtain it:** *If you do not know you must seek advice from the project manager prior to completing this document.***Not applicable** |

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?**

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| --- | --- | --- |
| **Section 75 category**  | **Details of likely impact** | **Level of impact? Minor/Major/None** |
| **Religious belief** | The £25m Covid 19 support funding package has been constructed through analysis at sectoral level of losses in market returns linked specifically to the Covid 19 crisis. It is not designed to address other difficulties or challenges that may exist concurrently, although the percentage compensation of estimated loss is higher for the beef and sheep sectors partly to reflect the lower financial resilience in these sectors following two years of low incomes. The package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole which is representative of the range of religious beliefs in NI. It will provide support to the various sectors, in line with their level of loss irrespective of their religious belief. While the higher percentage compensation of loss in the beef and sheep sectors may provide a small perceived advantage for Catholics (given the composition of the beef and sheep sector), the justification for this slightly more favourable treatment derives from the more difficult underlying financial resilience of those sectors. | None |
| **Political opinion**  | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole which is representative of the range of political beliefs in NI. It will provide support to the various sectors, in line with their level of loss irrespective of their political opinion. While the higher percentage compensation of loss in the beef and sheep sectors may provide a small perceived advantage for nationalists – using religion as a proxy for political belief - (given the composition of the beef and sheep sector), the justification for this slightly more favourable treatment derives from the more difficult underlying financial resilience of those sectors. | None |
| **Racial group**  | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. The scheme will provide support to the various sectors, in line with their level of loss irrespective of their racial group. There is no evidence to suggest the £25m Covid 19 support funding package would have a negative differential impact on the equality of opportunity of applicants in different racial groups.  | None |
| **Age** | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of their age. There is no evidence to suggest the £25m Covid 19 support funding package would have there a negative impact on the equality of applicants in relation to their age.  | None |
| **Marital status**  | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of their marital status. We consider that there is no evidence to suggest the £25m Covid 19 support funding package would have a negative differential impact on the equality of opportunity of applicants in relation to their marital status.  | None |
| **Sexual orientation** | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of their sexual orientation. There is no evidence to suggest the £25m Covid 19 support funding package would have a negative differential impact on the equality of opportunity of applicants in relation to their sexual orientation.  | None |
| **Men and women generally**  | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of their gender. The £25m Covid 19 support funding package shall directly and indirectly benefit the agriculture and horticulture industry as a whole which is representative of men and women generally in NI.  | None |
| **Disability** | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of whether or not they have a disability. There is no evidence to suggest the £25m Covid 19 support funding package would have a negative differential impact on the equality of opportunity in relation to their disability.  | None |
| **Dependants**  | The £25m Covid 19 support funding package shall directly and indirectly positively benefit the agriculture and horticulture industry as a whole. It will provide support to the various sectors, in line with their level of loss irrespective of whether or not they have dependants. The £25m Covid 19 support funding package shall directly and indirectly benefit the agriculture and horticulture industry as a whole which is representative of those with dependants in NI.  | None |

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

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| --- | --- | --- |
| **Section 75 category**  | **If Yes, provide details**  | **If No, provide reasons** |
| **Religious belief** |  | No - This is funding specifically for the agriculture and horticulture sectors that incurred the greatest financial losses due to the impact of Covid 19 on an evidence basis at sectoral level and does not reflect particular section 75 categories.  |
| **Political opinion**  |  | As above |
| **Racial group**  |  | As above |
| **Age** |  | As above |
| **Marital status** |  | As above |
| **Sexual orientation** |  | As above |
| **Men and women generally**  |  | As above |
| **Disability** |  | As above |
| **Dependants** |  | As above |

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? *Think People!***

|  |  |  |
| --- | --- | --- |
| **Good relations category**  | **Likely impact?**  | **Level of impact? Minor/Major/None**  |
| **Religious belief** | The provision of £25m Covid 19 support funding within the agriculture and horticulture sectors that have evidence of verifiable losses regardless of religious beliefs. | None |
| **Political opinion**  | As above per religious belief. | None |
| **Racial group** | There is likely to be no impact as almost all members will be from the same racial group. | None |

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

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details**  | **If No, provide reasons** |
| **Religious belief** |  | No – the scheme is intended to provide financial assistance to those involved in the agricultural and horticultural sector who have incurred evidenced and verifiable losses as a result of COVID-19, irrespective of their religious belief.  |
| **Political opinion**  |  | No – the scheme is intended to provide financial assistance to those involved in the agricultural and horticultural sector who have incurred losses as a result of COVID-19, irrespective of their political opinion.  |
| **Racial group**  |  | No - The 2001/02 Social Survey of Farmers and Farm Families across Northern Ireland (most recent) outlined that the farming population was overwhelmingly white and that there was no difference in racial group by type or size of farm.  |

Section C

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

Consideration of Disability Duties

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

|  |
| --- |
| **Explain your assessment in full**No. The £25m Covid funding support package will have criteria specifically linked to agricultural and horticultural financial loss due to the impact of Covid 19. Within the agriculture and horticulture sector there is no evidence of poor attitudes towards disabled persons. As stated above, companies employing people in the agriculture and horticulture supply chains will be bound by the DDO.   |

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

|  |
| --- |
| **Explain your assessment in full** No. The scheme will not directly increase participation by disabled persons in Northern Ireland’s agriculture and horticulture sectors. It will sustain that industry through a period of hardship whereby employment in the industry can be retained and opportunities to employ disabled persons will remain. |

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 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** | [ ]  |
| 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** No adverse impacts identified |

|  |
| --- |
| 9. **Please indicate any ways which you consider the policy positively promotes human rights** Not applicable. |

**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. 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.*

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**  |  **Good Relations** | **Disability Duties** |
| Data will be held on scheme applicants and grant awards. | DAERA will monitor scheme impacts on good relations through engagement with industry stakeholders. | Data will be held on scheme applicants and grants awards. |
|  |  |  |

Section D – Summary Sheet

Formal Record of Screening Decision

|  |
| --- |
| **Title of Proposed Policy / Decision being screened** PROPOSALS FOR ALLOCATION OF THE £25M COVID-19 SUPPORT FUND TO AGRICULTURE AND HORTICULTURE SECTORS |

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 £25m Covid-19 funding support package will address hardship in the agriculture and horticulture sector due to evidenced and verifiable financial losses specifically incurred as a result of the Covid-19 pandemic irrespective of the claimants Section 75 Category.In assessing the need for, design and development of this scheme, the Department has had due regard in the need to promote equality of opportunity between the nine equality categories of persons of different age, sex, religious belief, political opinion, racial group, marital status, sexual orientation, persons with a disability and those without, and persons with and without dependants.The Department recognises that the detailed Section 75 composition of the farming population within each of the sectors varies and this variation has been taken into consideration in making the decisions. The policy objective has been to mitigate market losses due solely to Covid 19 as identified at sectoral level. The percentage compensation of that loss has been increased for the beef and sheep sectors in recognition of their weaker financial resilience and ability to withstand loss. While this may have a marginal indirect equality effect, it is justified by the policy need to  **support those farm business hardest hit financially as a direct result of the Covid-19 pandemic.**  |

|  |  |
| --- | --- |
| [ ]  | \* **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:
 |

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

# Screening Checklist

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 –

|  |  |
| --- | --- |
| [x]  | I have explained any technical issues in plain English (easily understood by a 12 year old) |
| [x]  | I have added evidence and explained my assessments in full |
| [x]  | I have provided a brief note to justify my decision to ‘Screen In’ or ‘Screen Out’ |
| [x]  | 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  |

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

***Have you issued this document to Equality Unit prior to obtaining Grade 3 signature?***

*Yes.*

|  |
| --- |
| **Screening assessment completed by (Staff Officer level or above) -** |
| Name: Steven Millar | Grade: Director of Covid 19 Contingency Planning  |
|  | Date: 30/06/20 |
| Branch: Covid 19 Contingency Planning |

|  |
| --- |
| Signature: please insert a scanned image of your signature belowSteven Millar SignatureRevised version approved by Steven Millar – 10 September 2020. |

|  |
| --- |
| **Screening decision approved by (must be Grade 3 or above) -** |
| Name: Norman Fulton | Grade: 3 |
|  | Date: 15/9/2020 |
| Branch: Food and Farming Group |

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

Please save the final signed version of the completed screening form in the HPRM container below as soon as possible after completion and forward the HPRM link to Equality Branch at equalitydiversitypublicappointments@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 Unit

Equality, Diversity & Public Appointments Branch

Ballykelly House

111 Ballykelly Road

LIMAVADY
BT49 9HP

Email: equalitydiversitypublicappointments@daera-ni.gov.uk

Tel: 028 7744 2027

**August 2019**



**Annex A**

**Synopsis of Human Rights Act Articles & Protocols**

***Article 2***

 **E+W+S+N.I.*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.**E+W+S+N.I.**
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:**E+W+S+N.I.**

(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***

 **E+W+S+N.I.*Prohibition of torture***

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

***Article 4***

**E+W+S+N.I.*Prohibition of slavery and forced labour***

1. No one shall be held in slavery or servitude.**E+W+S+N.I.**
2. No one shall be required to perform forced or compulsory labour.**E+W+S+N.I.**
3. For the purpose of this Article the term “forced or compulsory labour” shall not include:**E+W+S+N.I.**

(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***

 **E+W+S+N.I.*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:**E+W+S+N.I.**

(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.

1. 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.**E+W+S+N.I.**
2. 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.**E+W+S+N.I.**
3. 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.**E+W+S+N.I.**
4. 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.**E+W+S+N.I.**

***Article 6***

**E+W+S+N.I.*Right to a fair trial***

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.**E+W+S+N.I.**
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.**E+W+S+N.I.**
3. Everyone charged with a criminal offence has the following minimum rights:**E+W+S+N.I.**

(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***

**E+W+S+N.I.*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.**E+W+S+N.I.**
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.**E+W+S+N.I.**

***Article 8***

**E+W+S+N.I.*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.**E+W+S+N.I.**
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.**E+W+S+N.I.**

***Article 9***

**E+W+S+N.I.*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.**E+W+S+N.I.**
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.**E+W+S+N.I.**

***Article 10***

**E+W+S+N.I.*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.**E+W+S+N.I.**
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.**E+W+S+N.I.**

***Article 11***

 **E+W+S+N.I.*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.**E+W+S+N.I.**
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.**E+W+S+N.I.**

***Article 12***

**E+W+S+N.I.*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***

**E+W+S+N.I.*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***

 **E+W+S+N.I.*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***

 **E+W+S+N.I.*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* E+W+S+N.I.*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

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)
2. Should be easily understood by a 12 year old. [↑](#footnote-ref-2)
3. NI Agricultural Incomes 2019 (provisional) <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/Farm%20Level%20Incomes%20201819%20and%20201920%20%28Forecast%29%20-%20Table%201%20and%20Figure%201.pdf> [↑](#footnote-ref-3)