

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority Annual Progress Report 2006 - 2007

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2006 to 31 March 2007**. Please enter information at the relevant part of each section and ensure that it is submitted electronically (by completing this template) and in writing, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive to the Commission by **31 August 2007**.

Name of public authority (Enter details below)

Department of the Environment

Equality Officer (Enter name and contact details below)

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Executive Summary

- What were the key policy/service developments made by the authority during this reporting period to better promote equality of opportunity and good relations?

(Enter text below)

The Department's Business Plan 2006 – 2007 commits the Department to ensuring that it will monitor progress in complying with obligations in respect of Equality of Opportunity (including good relations), providing guidance and reporting progress.

The Equality Unit is assisted by an Equality Working Group made up of approximately nine officials representing all divisions and agencies across the Department, who help drive forward the practical implementation of the

commitments set out in the Department's Equality Scheme. The group fulfilled its commitment to meet twice during 2006/07, including once with representatives from the Section 75 groups who make up the Department's Equality Forum.

Following the introduction of the revised Guidance for implementing S75, the Department continued to place all of its equality screening forms on its website. The site was updated regularly and individual letters issued to S75 representative groups at six monthly intervals (October 2006 and May 2007) setting out details of the policies screened out for equality impact assessment. During the reporting period 2006/07 the Department did not receive any challenges to policies that had been screened out.

In order to continue to help Section 75 groups plan their resources to deal with consultation exercises, the Department also continued to issue a letter at six monthly intervals setting out details of consultation exercises coming up.

Road Safety Division issued the final EQIA on the **Draft Taxis (Northern Ireland) Order 2006** in August 2006. With restoration of the NI Assembly, the Taxis (NI) Order 2006 has been converted into the Taxis Bill, which is currently progressing through the Assembly. If passed, it will create a new framework for taxi regulation covering the licensing of taxi operators, drivers and vehicles; fares and taximeters; hiring taxis at separate fares; and enforcement. The Department received praise from the Inclusive Mobility and Transport Advisory Committee (IMTAC) for the way in which consultation on the Draft Order and EQIA was carried out. The EQIA found that the measures contained within the Order should have a positive impact on equality of opportunity, particularly so in relation to:

- People with disabilities and older people and those with personal/primary responsibility for them – who can expect to benefit from the provision of more services using vehicles suited to their needs;
- Young people aged 16-24 and women – who tend to use taxis more than other groups and are more likely to rely on them as their main means of getting about, and will therefore benefit disproportionately from the provision of safer, higher quality taxi services.

Driver and Vehicle Licensing for Northern Ireland (DVLNI) (now DVA) issued the final EQIA on **Procedures Used to Issue Taxi Licences** in April 2006 relating to the issue of and, where appropriate, the withdrawal of licences from taxi drivers. The draft EQIA had issued for consultation to Section 75 groups and addressed issues arising around age, race, political opinion and disability. As a result of the consultation, no changes to procedures were necessary and continued monitoring will be carried out via annual customer surveys.

Driver and Vehicle Licensing for Northern Ireland also issued the final EQIA on **Procedures Used to Issue Driving Licences** in July 2006. This policy ensures road safety and the proper registration of drivers and the EQIA addressed issues around race, age and disability. The first monitoring report will be due in August 2007.

Planning Service issued a draft EQIA for consultation on the **Banbridge, Newry and Mourne Area Plan 2015** in August 2006. The aim of the Plan is to provide a planning framework for the area which is in general conformity with the Regional Development Strategy and facilitate sustainable growth and a high quality of development whilst protecting and, where appropriate, enhancing the natural and man-made environment. The draft EQIA is examining issues around religious belief, political opinion, race age, gender disability and dependants.

Planning Service also issued a draft EQIA for consultation on the **Houses in Multiple Occupation (HMO) Subject Plan for Belfast City Council Area 2015**. The aim of this Plan is to provide a planning framework for HMO development which is in general conformity with the Regional Development Strategy in facilitating sustainable growth and a high quality of development in the Plan area throughout the Plan period, whilst protecting and, where appropriate, enhancing the natural and man-made environment. The draft EQIA is examining issues around race and age.

- What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of opportunity and good relations for individuals from the nine categories covered by Section 75?

(Enter text below)

Under Section 49B of the DDA Act 1995, the Department is required to submit a disability action plan showing how it proposes to fulfil the two new disability duties in relation to its functions. Work has already begun on the drafting of this action plan and during 2007/08, the Department will consult with disabled people, including staff, and finalise the action plan. The views of the Environment Committee will also be sought and in turn the action plan will be signed by both Minister and Permanent Secretary.

The Department will begin rolling out training on the new disability duties to all staff in October 2007 in an effort to increase staff awareness of the new duties.

The Department has contributed a number of actions to OFMdfM's Shared Future Triennial Action Plan for 2007/08.

Similarly, the Department has contributed a number of actions to the Racial Equality Strategy Implementation Action Plan for 2007/08 and has allocated a Racial Equality Champion to oversee the implementation of the Strategy. Staff from the Equality Unit will continue to be active members of the Racial Equality Forum in an effort to further develop relationships with minority ethnic organisations and the understanding of their specific needs.

The Department will continue to play an active role in the Inter-Departmental Voluntary and Community Sector Joint Forum.

The Department's Road Safety Division and Environment and Heritage Service have also contributed a number of actions to OFMdfM's Children & Young Peoples' Action Plan for 2007/08.

The Department's Equality Working Group, made up of approximately nine officials representing all divisions and agencies, helps drive forward the practical implementation of the commitments set out in the Department's Equality Scheme. The group will continue to meet twice a year, including once with representatives from Section 75 groups (the Equality Forum) to discuss issues around Section 75 and progress with the Department's EQIA timetable.

The Department will continue to be represented in the Inter-Departmental Equality Practitioners Group, chaired by OFMdfM and made up of equality officers from all NICS departments who meet on a quarterly basis to discuss Section 75 issues and share good practice.

The Department will continue to ensure effective operation of its Section 75 Complaints Procedure and ensure that relevant guidance is available on its Internet site.

The Department will continue to carry out an annual review of its *Guide to Making Information Accessible* in consultation with its Equality Forum. This guide, which is circulated to all staff and made available on the Department's Intranet site, ensures that information provided to the public is available in a range of formats, which meet the needs of all those who wish to access our services.

The Department will also continue to review its consultation process to ensure that it is effective in obtaining the views of the Section 75 groups represented on its Equality Forum.

Section 1: Strategic Implementation of the Section 75 Duties

- Outline evidence of progress made in developing and meeting equality and good relations objectives, performance indicators and targets in corporate and annual operating plans during 2006-07.

(Enter text below)

The theme of Equality of Opportunity and good relations continues to underpin all the Department's policies and operational programmes as set out in the Corporate Plan for the period 2006 – 2008.

In respect of the reporting period 2006 – 2007, the Department was committed to ensuring that equality of opportunity and good relations were important elements of its policy development, legislative activities and operational programmes. The Department, through its Equality Working Group, ensured that officials engaged in policymaking were kept informed of the requirements of the statutory duties through the dissemination of best practice, up-dates on any changes and ongoing training.

The Department continued to emphasise the requirement to mainstream equality and good relations into policy development in an effort to eliminate or minimise any unintentional adverse consequences at early stages. An indication of the good progress made is the minimal number of Section 75 complaints received by the Department during 2006/07 (further details in Section 8).

The Department's Business Plan 2006 – 2007 committed the Department to ensuring that it will monitor progress in complying with obligations in respect of Equality of Opportunity (including good relations), providing guidance and reporting progress. This was achieved in a number of ways:-

- The Director of Corporate Services continued to have overall responsibility for the Equality Unit, in which a Deputy Principal and Staff Officer work full time on Equality issues reporting to a Principal Equality Officer who has additional responsibilities for the Department's Central Management Branch and Minister's Private Office.
- The Equality Unit continued to be assisted by an Equality Working Group made up of approximately nine officials representing all divisions and agencies across the Department, who helped drive forward and monitor the practical implementation of the commitments set out in the Department's Equality Scheme. The group fulfilled its commitment to meet twice during 2006/07, including once with representatives from the Section 75 groups who make up the Department's Equality Forum.

- The Equality Unit continued to provide a quarterly progress report on S75 commitments contained in the Equality Scheme and EQIA programme for the Permanent Secretary, Departmental Board and Senior Management Team.
- The Permanent Secretary continued to hold regular monitoring bilateral meetings with each Chief Executive and Core Director at which equality was a standing agenda item, allowing detailed discussion on all relevant issues, in particular progress with the Department's EQIA programme.
- Staff continued to be kept aware of developments through the Department's in-house magazine, monthly team briefing and Agency business planning events.
- The Department continued to share a Principal Statistician with the Department for Regional Development, who contributed to the work of the Equality Unit by way of advice and guidance to the various business areas in respect of data collection and analysis.

Section 2: Screening

- Provide an update of new/proposed/revised policies screened during the year.

Title of policy subject to screening	Was the <u>F</u>ull Screening Report or the <u>R</u>esult of initial screening issued for consultation? <i>Please enter <u>F</u> or <u>R</u></i>	Was initial screening decision changed following consultation? <u>Y</u>es/<u>N</u>o	Is policy being subject to EQIA? <u>Y</u>es/<u>N</u>o? If yes indicate year for assessment.
The Approved Tachograph Centre Manual.	F	N	N
The Air Quality Strategy for England, Scotland, Wales and Northern Ireland.	F	N	N
Review of Identification of Northern Ireland Bathing Waters.	F	N	N
Water Abstraction and Impoundment (Licensing) Regulations (Northern	F	N	N

Ireland) 2006.			
The Northern Ireland Sustainable Development Strategy.	F	N	N
Part 3 of the Waste and Contaminated Land (NI) Order 1997	F	N	N
Clean Air Policy Guidance	F	N	N
Consultation on draft Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2006	F	N	N
Legislation setting out Fees for licences and other charges applicable under the Dangerous Wild Animals (Northern Ireland) Order 2004.	F	N	N
Implementing the Directives 2002/96/EC and 2003/108/EC on Waste Electrical and Electronic Equipment (WEEE) in the UK.	F	N	N
The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2006.	F	N	N
Implementing Article 6 of Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE) (treatment permitting standards).	F	N	N
The Sulphur Content of Liquid Fuels Regulations (Northern Ireland) 2006 – Consultation	F	N	N
Waste Management Licensing (Amendment)	F	N	N

Regulations (Northern Ireland) 2007			
The Draft Waste (Amendment) (Northern Ireland) Order 2006	F	N	N
The Controls on Dangerous Substances and Preparations Regulations 2006	F	N	N
The Local Government Companies (Best Value) Order (Northern Ireland) 2006	F	N	N
Draft Local Government Pension Scheme (Amendment No.3) Regulations (NI) 2006 (the draft regulations)	F	N	N
Draft Local Government Pension Scheme (Management and Investment of Funds) (Amendment) Regulations (Northern Ireland) 2006	F	N	N
Planning (General Development) (Amendment) Order (Northern Ireland) 2006	F	N	N
Planning (Claims for Compensation) Regulations (Northern Ireland) 2006	F	N	N
Planning (Conservation Areas) (Consultation) Regulations (Northern Ireland) 2006	F	N	N
Planning (Inquiry Procedure) Rules (Northern Ireland) 2006	F	N	N
Planning (Inquiry Procedure) (Amendment) Rules (Northern Ireland) 2006	F	N	N
Planning (General	F	N	N

Development) (Amendment No.2) Order (Northern Ireland) 2006			
Control of Development in Airport Public Safety Zones (PSZs)	F	N	N
Amendment to the Highway Code	F	N	N
The Department proposes to increase the permissible inside track width for street cleansing vehicles to 1100mm for test exemption purposes.	F	N	N
Consolidation of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996.	F	N	N
Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2007	F	N	N
Public Service Vehicles (Licence Fees) (Amendment) Regulations (Northern Ireland) 2007	F	N	N
Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2007	F	N	N
Relocation of Driving Test Centre in Londonderry from Waterside House, Duke Street to Skeogh Road.	F	N	N
Reintroduction of taxi driving test and renewal requirements for taxi drivers' licences.	F	N	N
New Car Parking Policy for EHS staff employed at EHS Water Management Unit, Lisburn.	F	N	N
The Pollution Prevention	F	N	N

and Control (Amendment) Regulations (Northern Ireland) 2007			
Consultation Paper on the New National Packaging Waste Database and other Technical Changes	F	N	N
The Transfrontier Shipment of Waste Regulations 2007 and the revised UK Management Plan for Exports & Imports of Waste 2007.	F	N	N
Options for Implementation of the Environmental Liability Directive.	F	N	N
The Nitrates Action Programme Regulations (Northern Ireland) 2006	F	N	N
The Phosphorous (Use in Agriculture) Regulations (Northern Ireland) 2006	F	N	N
The <i>Draft Waste</i> (Amendment) (Northern Ireland) Order 2006 (now The Waste (Amendment) (Northern Ireland) Order 2007	F	N	N
The Air Quality Standards Regulations (Northern Ireland) 2007	F	N	N
The Persistent Organic Pollutants Regulations 2007	F	N	N
Guide to Directive 200/76/EC on the Incineration of Waste Edition 2.	F	N	N
The Pollution Prevention and Control (Industrial Pollution and Radiochemical	F	N	N

Inspectorate) Charging Scheme (Northern Ireland) 2007			
Enforcement of the Registration, Evaluation and Authorisation of Chemicals (REACH) EC Regulation.	F	N	N
The General Grant (Specified Bodies) Regulations (Northern Ireland) 2007.	F	N	N
The (Draft) Local Government (Accounts and Audit) (Amendment) Regulations (NI) 2006	F	N	N
PPS 3 Access, Movement and Parking - Clarification of Policy AMP 3: Access to Protected Routes.	F	N	N
Planning Policy Statement (PPS) 15 – Planning, Flood and Risk.	F	N	N
Draft Addendum to Planning Policy Statement 7: Residential Extensions and Alterations.	F	N	N
The Planning (Trees) (Amendment) Regulations (Northern Ireland) 2007.	F	N	N

Section 3: Equality Impact Assessment (EQIA)

- Provide an update of policies subject to EQIA during 2006/07, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2007-08.

EQIA Timetable – April 2006 - March 2007

Title of Policy EQIA	EQIA Stage at end March 07 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals, and the relevant equality & good relations categories due to be affected.
Road Safety Education, Training and Publicity	6	This policy was re-screened during 2006/07 and screened out for EQIA following consultation with S75 groups involved in the draft EQIA.
Derry Airport Local Plan	1	N/A - Plan start date to be rescheduled in light of competing work priorities.
Ards / Down Area Plan 2015	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the plan proposals throughout each stage of the draft Plan preparation. The assessed potential effect on each Section 75 Group with analysis of perceived impacts from the Plan policy groupings was published in the draft plan EQIA. Any final adjustments to the Plan proposals as a result of the Public Inquiry will be considered in terms of EQIA implications in the development plan adoption process.
Banbridge / Newry and Mourne Area Plan 2015	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the plan proposals throughout each stage of the draft Plan preparation. The assessed potential effect on each Section 75 Group with analysis of perceived impacts from the Plan policy groupings was published in the draft plan EQIA. Any final adjustments to the Plan proposals as a result of the Public Inquiry will be considered in terms of EQIA implications in the development plan adoption process.

Magherafelt Area Plan 2015	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the plan proposals throughout each stage of the draft Plan preparation. Any final adjustments to the Plan proposals as a result of the EQIA will be undertaken following Public Inquiry and through the development plan adoption process.
Dungannon & South Tyrone Draft Area Plan – Revised By-pass option	1	N/A - The revised by-pass option has now been shelved. Possible alternative routes are being considered.
Belfast Metropolitan Area Plan (BMAP) 2015	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the plan proposals throughout each stage of the draft Plan preparation. Any final adjustments to the Plan proposals, as a result of the EQIA, will be undertaken following Public Inquiry and through the development plan adoption process.
Northern Area Plan 2016	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the plan proposals throughout each stage of the draft Plan preparation. Any final adjustments to the Plan proposals, as a result of the EQIA, will be undertaken following Public Inquiry and through the development plan adoption process.
Development Control Advice Note (DCAN) 9: Residential and Nursing Homes	1	N/A
Development Control Advice Note (DCAN) 13: Creches, Day Nurseries and Pre School Play Groups	1	N/A
Antrim / Ballymena / Larne Development Plan 2016	2	EQIA is an iterative process. The screening data and consultation process will inform and shape the plan proposals throughout each stage of the draft Plan preparation. Preparation of the Draft Plan is ongoing. EQIA will be published for consultation along with the Draft

		Plan. Publication date to be agreed.
Armagh Area Plan 2018	2	EQIA is an iterative process. The screening data and consultation process will inform and shape the plan proposals throughout each stage of the draft Plan preparation. Preparation of the Draft Plan is ongoing. EQIA will be published for consultation along with the Draft Plan. Publication date to be agreed.
West Tyrone Area Plan 2019	2	EQIA is an iterative process. The screening data and consultation process will inform and shape the plan proposals throughout each stage of the draft Plan preparation. Issues paper published in Oct 05. Preparation of the Draft Plan is ongoing. EQIA will be published for consultation along with the Draft Plan. Publication date to be agreed.
Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015	6	EQIA is an iterative process. The screening data and consultation process informed and shaped the draft Subject Plan proposals throughout each stage of the draft Plan preparation. The assessed potential effect on each Section 75 Group, along with analysis of perceived impacts from the draft Subject Plan policy groupings, was published in the draft Subject Plan EQIA. Any final adjustments to the draft Subject Plan proposals as a result of the EQIA will be undertaken following Public Inquiry and through the development plan adoption process.
Coleraine Borough Houses in Multiple Occupation Subject Plan 2016	2	N/A - Issues Paper published in April 06. EQIA of the Draft Plan will issue for public consultation. Publication date to be agreed.
Environment & Heritage Education Policy	1	N/A
Taxi Driver Licence Procedures	7	Additional steps taken to simplify procedures for applications for Taxi Driver Licences from ethnic minorities.
Procedures Used to Issue Driving Licences	7	Textphone installed by DVLNI.
Draft Taxis NI Order, now the Taxis Bill	7	To date no adjustments to policy have been made in light of the outcome of the

		EQIA which found that this legislation should have a positive impact on equality of opportunity. The Bill is still a draft and, as such, remains subject to amendment by the NI Assembly.
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Ongoing EQIA Monitoring Activities April 2006- March 2007

Title of EQIA subject to Stage 7 monitoring	Indicate if differential impacts previously identified have reduced or increased	Indicate if adverse impacts previously identified have reduced or increased
Procedures relating to the issue of a licence to drivers with a medical condition likely to affect their fitness to drive.	3rd monitoring report attached at ANNEX A. No adverse differential impact discovered by this monitoring report.	There were no previously identified adverse impacts.
Review of General Grant (Resources Element)	1st monitoring report attached at ANNEX B. No adverse differential impact discovered by this monitoring report.	N/A
Driving Theory Test Procedures	2nd monitoring report attached at ANNEX C.	<p>A negative impact still remains for people with disabilities following the implementation of the agreed actions detailed in paragraph 2.3. During the period of this monitoring report the pass rate for candidates who availed of the accommodations was 32.85%. This is a decrease of 5.8% against the period of the previous monitoring report, but an increase of 6.9% against the original Equality Impact Assessment.</p> <p>During the period of this monitoring report the pass rate for candidates in the 26 to 35 age group was 76.1% (a decrease of 2% against the period of the previous monitoring report) and the</p>

		<p>pass rate for the 35 to 44 age group has risen to 75.7% (an increase of 0.05% against the period of the previous monitoring report). These represent an increase of 21.5% and 26% respectively against the original Equality Impact Assessment. There is neither quantitative nor qualitative evidence to suggest that a negative impact exists.</p> <p>During the period of this monitoring report, quantitative evidence gathered as part of the customer satisfaction survey completed at the end of the theory test shows that for candidates who responded that they were: Black or Black British; Asian or Asian British; Chinese; Mixed; or Other the pass rate was 69.4%. This is a decrease of 13.9% against the period of the previous monitoring report, but is higher than the current average pass rate. There is neither quantitative nor qualitative evidence to suggest that a negative impact exists.</p>
<p>Qualifying procedures for registration as an approved driving instructor.</p>		<p>The EQIA identified gender, religion, political affiliation, age, disability and race groupings as categories where potential differential impacts may occur. Powers were obtained in the Road Traffic (NI) Order 2007 in March 2007 to allow arrangements to be made for people with disabilities to</p>

		<p>become instructors. A monitoring report was carried out in 05 showing no additional adverse impacts but data was not sufficient to be statistically viable. More reliable information will be obtained from greater numbers.</p>
<p>Vehicle Test</p>		<p>The EQIAs on the Vehicle and Driver Tests identified that there may be adverse differential impacts on the following groups:</p> <p>Religious belief: In terms of driving test procedures for women from a Muslim background;</p> <p>Gender: In terms of women who are uneasy about bringing their vehicle for a test and about having a driving test with a male examiner;</p> <p>Race: In terms of provision of information, booking arrangements and experience of test (driver and vehicle);</p> <p>Disability: In terms of provision of information, booking arrangements (driver and vehicle) and experience of test (driver only).</p> <p>The Agency has introduced:</p> <ul style="list-style-type: none"> • On line booking of vehicle and driver tests. • The facility to be accompanied on a driving test by an instructor, friend or family member. • Some information such as

		<p>the complaints procedure is already available in Cantonese.</p> <ul style="list-style-type: none"> • Premises are DDA complaint <p>Further work committed to but not yet completed includes:</p> <ul style="list-style-type: none"> • Delivery of a programme of customer awareness training for all staff, to ensure that staff have the skills necessary to deal appropriately with people with disabilities and people from a variety of social, cultural, religious and ethnic backgrounds. • Provision of core information in a range of languages for customers whose first language is not English. • Introduction of an interactive translation facility such as “Language Line” for customers whose first language is not English. <p>The first monitoring reports did not show any further or escalated impacts. The Agency will allow more time to assess impacts before monitoring further.</p>
Practical Driving Test		See above entry.

2007-08 EQIA Time-table

Title of EQIAs due to be commenced during April 2007 – March 2008	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6
Driver and Vehicle Agency – (Licensing), Centralisation of Vehicle Licensing	New	Screening document to be completed during August 2007. It is anticipated that draft EQIA will issue for consultation in September 2007 and that final EQIA will issue in January 2008.

- Where the EQIA timetable for 2006/07 (as detailed in the previous annual S75 progress report to the Commission) has not been met, please provide details of the factors responsible for delay and details of the timetable for re-scheduling the EQIA/s in question.

(Enter text below)

NAME	REASON FOR DELAY	RESCHEDULED ISSUE DATE
Derry Airport Local Plan	Plan start date to be rescheduled in light of competing work priorities.	Plan start date to be agreed.
Ards / Down Area Plan 2015	Draft EQIA and public consultation complete. Final EQIA will issue along with adopted plan following public enquiry.	The Planning Appeals Commission (PAC) formally closed the Public Inquiry (PI) on 17 th January 2007. The PAC report on the PI is anticipated at the end of 2007.
Banbridge, Newry & Mourne Area Plan 2015	Draft EQIA issued for consultation along with the draft plan on 22 August 2006. Final EQIA will issue along with adopted plan following public enquiry.	The period for representations to objections (counter-objections) has been extended and will end on the 21 st August 2007. Leave has been granted by the courts for the Plan Strategic Environmental Assessment (SEA) to be judicially reviewed. A hearing is not likely to

		occur until after the Magherafelt and Northern Area Plan SEA judgements are given.
Magherafelt Area Plan 2015	Draft EQIA and public consultation complete. Final EQIA will issue along with adopted plan following public enquiry.	The SEA of the Plan is the subject of a judicial review and the hearing was held in Jan 2007. A court judgement is not anticipated before Autumn 2007.
Dungannon & South Tyrone Draft Area Plan – Revised By-pass option	Revised by-pass option has now been shelved. Possible alternative routes are being considered.	Not yet known.
Belfast Metropolitan Area Plan (BMAP) 2015	Draft EQIA and public consultation complete. Final EQIA will issue along with adopted plan following public enquiry.	PI commenced April 2007. Stage 1 is complete. Stage 2 is due to commence on 1 st October 2007. The timetable for the plan thereafter will be dependent on the receipt of PAC report.
Northern Area Plan 2016	Draft EQIA and public consultation complete. Final EQIA will issue along with adopted plan following public enquiry.	The SEA of the Plan is the subject of a judicial review and the hearing was held in Nov / Dec 2006. A court judgement is not anticipated before Autumn 2007.
Development Control Advice Note (DCAN) 9: Residential and Nursing Homes	Not yet started. Likely to be incorporated into a future Planning Policy Statement.	Start date to be agreed
Development Control Advice Note (DCAN) 13: Creches, Day Nurseries and Pre School Play Groups	Not yet started. Likely to be incorporated into a future Planning Policy Statement.	Start date to be agreed
Antrim / Ballymena / Larne Development Plan 2016	Preparation of draft plan is ongoing. Draft EQIA will be published for consultation along with the Draft plan. Publication	Work on draft plan is ongoing. Progress will be subject to other competing priorities. The position will be reviewed

	date to be agreed.	in the Corporate Business Plan.
Armagh Area Plan 2018	Preparation of draft plan is ongoing. Draft EQIA will be published for consultation along with the Draft plan. Publication date to be agreed.	Work on draft plan has been delayed due to competing work priorities. The position will be reviewed in the next Business Plan.
West Tyrone Area Plan 2019	Issues paper published in October 2005 and preparation of draft plan is ongoing. Draft EQIA will be published for consultation along with the Draft plan. Publication date to be agreed.	Work on draft plan is ongoing. Progress will be subject to other competing priorities. The position will be reviewed in the Corporate Business Plan.
Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015	Draft EQIA issued on 27 June 2006 and public consultation complete. Final EQIA will issue along with adopted plan following public enquiry.	An independent examination by the PAC is to commence on 1 October 2007.
Coleraine Borough Houses in Multiple Occupation Subject Plan 2016	Issues paper published in April 2006. Draft EQIA will be published for consultation along with the Draft plan. Publication date to be agreed.	Comment period for Issues Paper ended on 10 July 2006.
Environment & Heritage Education Policy	EHS has agreed to subsume the Education Policy within their Communications Plan which will be screened during 2007/2008. This has been delayed due to a review of the provision of communications in the Agency, resulting in some centralisation. When the new structure becomes operational, screening and consultation with the S 75 groups will be carried out.	March 2008

Section 4: Training

- Outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision, numbers attending, and conclusions from any training evaluations.

(Enter text below)

From April 2006, responsibility for the provision of training moved from the individual Departments to a Northern Ireland Civil Service (NICS) wide shared service center known as the Centre for Applied Learning (CAL). CAL are responsible for sourcing, delivering or procuring all equality training programmes for NICS staff which will help ensure consistency of content and quality in the delivery of equality training.

During 2006/07 the Department's Equality Unit liaised with Focus Consultancy to develop an equality screening course. The course was tailored for the Department and included a specific case study relevant to attendees and 36 staff attended the course during the year.

In addition, Equality of Opportunity and anti-discrimination issues are included in all induction training courses, training courses for new managers and the Management Development Programme being rolled out across the Department over 5 years.

During the year, a new Northern Ireland Civil Service (NICS) wide Diversity Awareness Training package was designed to replace the existing equal opportunities course. As well as providing staff with an awareness of employment legislation, including the Disability Discrimination Act, this training package will help staff create and maintain a more positive working environment, by avoiding unacceptable behaviour, by knowing how they can effectively and safely challenge such behaviour in others, and by adopting positive behaviours, which promote respect and diversity in the workplace. This will also support the proposed new Dignity at Work policy. It is expected that the new training will commence in the early Summer of 2007.

The Department's Training Commissioner attended the Department's Equality Working Group meetings throughout the year to provide regular updates on training, including feedback and evaluation for equality representatives throughout the Department.

The Department considers that a measurable step change has taken place with emphasis moving from knowledge of the statutory requirement to understanding and implementation.

Section 5: Communication

- Outline how the authority communicated progress on delivery of the statutory duties during the year and evidence of the impact/success of such activities.

(Enter text below)

The Department issued, on a six monthly basis, a forward look of consultation exercises as well as a list of policies which were screened out for equality impact assessment. This allowed S75 representatives to consider whether they wished to become involved with a policy and therefore plan their resource allocation in advance and, in respect of screened out policies, whether they wanted to challenge the decision. Consultees were invited to take part, in their preferred manner, in both draft and final EQIA's. Details on all of the above were also posted on the Department's Internet site.

Internally, the Equality Unit continued to provide a quarterly progress report on S75 commitments contained within the Department's Equality Scheme and EQIA programme for the Permanent Secretary, Departmental Board and Senior Management Team.

The Equality Unit is assisted by an Equality Working Group made up of approximately nine officials representing all divisions and agencies across the Department, who help drive forward the practical implementation of the commitments set out in the Department's Equality Scheme. The group fulfilled its commitment to meet twice during 2006/07.

The Department hosted its annual Equality Forum of policy makers and S75 representatives to discuss matters of mutual interest on 18 December 2006. The Department views these meetings as an opportunity to further enhance its communication with representative organisations and to listen to feedback on how effective its communications mechanisms are. The Forum discusses issues around Section 75 and progress with the Department's EQIA timetable.

The Department continued to be represented in the Inter-Departmental Equality Practitioners Group, chaired by OFMdFM and made up of equality officers from all NICS departments who meet on a quarterly basis to discuss Section 75 issues and share good practice.

The Permanent Secretary continued to hold regular monitoring bilateral meetings with each Chief Executive and Core Director at which equality was a standing agenda item, allowing detailed discussion on all relevant issues, in particular progress with the Department's EQIA programme.

Staff continued to be kept aware of developments through the Department's in-house magazine, monthly team briefing and Agency business planning events.

The Department carried out a review of its "Guide to Making Information Accessible" in June 2006. This document sets out guidance for staff on producing information in a range of formats which meet the needs of the Department's customers. The revised guide was circulated to all staff and made available on the Department's Intranet site.

The Department continued to review its consultation list, seeking confirmation from consultees as to whether they wished to remain on the list and asking them to identify their preferred method of consultation. In addition, consultees were asked to identify any other groups which they felt should be added to the Departmental list.

The Equality Unit continued to maintain the Equality section on the Department's Internet site. Information available on this site includes the Department's Annual Progress Reports, details of screening exercises, consultations and EQIAs.

Section 6: Data Collection & Analysis

- Outline any systems that were established during the year to supplement available statistical and qualitative research.
- Outline any research undertaken/commissioned to obtain information on the needs and experiences of individuals from the nine categories covered by Section 75.

(Enter text below)

The Department for Regional Development provides the statistical support for the Department and their Statistician is a member of the Equality and Social Needs Research Information Group (ESNRIG). The cross-departmental Information and Research needs Strategy sponsored by ESNRIG sets the direction in assessing and filling gaps in data and research.

Bilateral meetings with the Equality Unit and Statistician continued to be held during the year with any of the Department's business areas undertaking screening or EQIA to discuss and determine data requirements and quality assure data which is used.

Departmental representatives have assisted in the development of the Race Equality Strategy which includes conducting research into the experiences of migrant workers and collecting views on migrant workers as part of the Northern Ireland Omnibus Survey.

OFMDFM has published two research reports on equality mainstreaming LGB and Transgender people, which were funded by the Equality and Social Need Steering group.

Section 7: Information Provision, Access to Information and Services

- Detail any initiatives/steps taken during the year to improve access to services including provision of information in accessible formats. **(Enter text below)**

The purpose of the Departmental *Guide to Making Information Accessible* is to ensure that information provided to the public is available in a range of formats that meets the needs of all those who wish to access the Department's services. It is used to focus policy makers' attention on the need to make arrangements for the provision of information in accessible formats. During 2006/07, a review of the document was undertaken to up-date it and include any revised ways of working or establishing best practice. The review was listed as an agenda item at the Department's Equality Forum and officials and representatives of the voluntary and community sector were invited to comment on its content. Comments made at that time, plus subsequent examples of best practice, were drafted into the revised document which was issued to all staff and made available on the Intranet site in June 2006. The Guide includes practical measures for staff such as:-

- Ensuring Departmental textphone numbers are included on all correspondence
- The inclusion of a standard line up front in all consultation documents offering to make them available in suitable formats such as Arial font size 14, large print, audio cassette, Braille or minority languages to meet the needs of those people who are not fluent in English.

A representative from the Equality Unit played an active role in the development of the British/Irish Sign Language Partnership group which was drawing up best practice guidance on the provision of public services through British and Irish Sign Language. The document was launched on Monday 3 July 2006.

The correspondence notifying S75 representatives of forthcoming policy consultation exercises included a tick list reply slip inviting the groups to identify which documents they wish to receive and the most suitable format for the particular group i.e., Arial font size 14, large print, audio cassette, Braille or minority languages to meet the needs of those people who are not fluent in English.

Where possible, **EHS** continues to improve access for physically disabled people in its country parks and nature reserves through its ongoing upgrading programme, such as the sensory trail at Roe Valley Country Park. The Agency's partnership with Shopmobility continues with the provision of powered scooters at Crawfordsburn and Roe Valley Country Park and other sites. The production of a virtual tour of Carrickfergus Castle has been commissioned to enable those physically unable to access the buildings the opportunity to see what is there.

EHS carried out a telephone survey among ethnic minority groups in Autumn 2006 to assess the level of awareness of its services. This survey did not indicate any specific requirements or issues amongst these groups but provided an opportunity to promote awareness of the Agency and its work. A follow-up survey will be carried out in 2007/2008.

The **EHS** events calendar has been sent to disability representative groups, making them aware of the Agency's properties which have access for disabled people. **EHS** plans to produce a leaflet listing the sites and specifying the facilities available at each of them. This information will also be available on the web.

Driver and Vehicle Testing Agency (DVTA) (now DVA) continued to provide an audio voice over for the driver theory test in 20 languages and an on-screen BSL video translation. A translator will be arranged if no voice over is available. Extra time and the use of a Reader / Recorder can also be requested under certain circumstances.

In 2006/2007, **Road Safety Division** considered if any road safety teaching materials produced 'in-house' could be produced in alternative formats. As a result, the teaching resource pack for the cycle training which includes a DVD was translated into Irish and is now available for use by teachers in Irish Medium schools, participating in the Cycling Proficiency Scheme.

Road Safety Division arranged for the draft Taxis (Northern Ireland) Order 2007 consultation document to be made available in Braille format and audio tape and CD format. This followed requests for these documents from specific consultees.

In response to the above mentioned consultation document, **Road Safety Division** received a letter from IMTAC (Inclusive Mobility and Transport Advisory Committee) commending the Department for the approach taken during the consultation process, particularly the availability of the document in accessible formats. IMTAC also praised the Department for the approach taken during the EQIA consultation process, particularly how the EQIA clearly set out what steps the Department took to involve disabled people and how this consultation informed the development of the policy.

During 2006/07 **Planning Service** implemented a unique consultation process for the Islanders following a request from Community Technical Aid (CTA) and the Rathlin Community Development Association (RCDA). Planning Service identified that the island's small population were often restricted in getting to the weekly planning clinics in Ballycastle. Rathlin is 6 miles off-shore and weather and financial restraints often prevent the population from fully participating in the Planning process. The Moyle District Council applications are now emailed each week to the RCDA. At the request of the RCDA, a copy file is posted and/or electronically sent to them to inform them further of a particular application. The islanders can then decide whether they need to take time away from their work to visit the weekly planning clinic on the mainland. Following the launch of the draft Northern Area Plan in May 2005, officers from the Northern Area Plan team visited the island and fully briefed the RCDA on the content and implications of the draft plan.

Planning Policy Section (which transferred from Planning Service to PEPG on 2nd April 2007) when publishing a Planning Policy Statement or piece of Supplementary Planning Guidance, provides copies of its consultation drafts or final documents to a wide variety of groups/ individuals, including equality groups. Publications are also made available to members of the public online or by request in a number of formats, including hard copy, large print, disc, Braille or audiocassette. It may also be made available in minority languages for those who are not proficient in English.

Section 8: Complaints

- Identify the number of Section 75 related complaints:
 - received by the authority;
 - resolved by the authority (including how this achieved);
 - which were not resolved to the satisfaction of the complainant;
 - which were referred to the Equality Commission.

(Enter text below)

The Department received 2 Section 75 complaints during the 2006/07 year:-

- On 17 November 2006 the Department received a letter challenging Planning Service's application of Planning Policy Statement (PPS) 1 in the Holylands area claiming that it unfairly treats neighbours as "3rd parties to planning proposals". The letter claimed that the increased number of 'houses in multiple occupation' have transformed the area into a transient district where anti-social behaviour is the norm and older people are alienated. The Department ruled that Planning Service had acted in accordance with commitments set out in the Department's Equality

Scheme. The Equality Commission was advised of the complaint and copied into the Department's response.

- On 25 September 2006 the Equality Commission wrote to the Department in respect of its powers under paragraph 11 of Schedule 9 of the NI Act 1998 challenging Planning Services' screening of the Joint Ministerial Statement of 31 January 2005. The Department again ruled that Planning Service had acted in accordance with commitments set out in its Equality Scheme and replied to the Equality Commission on 20 November 2006.

In order to seek further clarification on the Department's 20 November 2006 response, the Equality Commission wrote a further letter to the Department on 14 March 2007. The Department considered the points raised and responded on 20 April 2007 advising that it remained content that Planning Service had acted in accordance with commitments set out in its Equality Scheme.

Section 9: Consultation and Engagement

- Provide details of the measures taken to enhance the level of engagement with individuals and representative groups during the year.

(Enter text below)

The Department continued to review its consultation list, seeking confirmation from consultees as to whether they wished to remain on the list and asking them to identify their preferred method of consultation. In addition, consultees were asked to identify any other groups which they felt should be added to the Departmental list.

The Department continued its practice of encouraging business areas to continually review their processes to ensure effective engagement with S75 representative groups. For example, directly asking those upon whom the policy will impact for their preferred method of consultation, using focus groups, use of e-consultation where appropriate or using network organisations to reach end users.

Following the introduction of the revised Guidance for implementing S75, the Department continued to place all of its equality screening forms on its website for consultation. The site was updated regularly and individual letters issued to S75 representative groups at six monthly intervals (October 2006 and May 2007) setting out details of the policies screened out for equality impact assessment. During the reporting period 2006/07 the Department did not receive any challenges to policies that have been screened out.

The Department also issued, on a six monthly basis, a forward look of consultation exercises to the S75 representative groups to allow them to consider whether they wished to become involved with a policy and therefore plan their resource allocation in advance. Consultees were invited to take part, in their preferred manner, in both draft and final EQIA's. Details on all of the above were also posted on the Department's Internet site.

The **Equality Unit** continued to ensure that copies of all Departmental consultation documents were e-mailed to OFMDFM each month for publication on their Central ConsultationNI website as well as published on the Department's own web site.

The Department hosted its annual Equality Forum of policy makers and S75 representatives to discuss matters of mutual interest on 18 December 2006. The Department views these meetings as an opportunity to further enhance its communication with representative organisations and to listen to feedback on how effective its consultation mechanisms are. Consultation is a standing agenda item and any examples of good practice or areas of concern are taken on board and circulated around the Department by the Equality Unit and Departmental policy makers.

Planning Service works with consultants to ensure inclusivity in the preparation of Area Development Plans. This is particularly successful in capturing the views of marginal groups within the community who may not have the capacity to clearly express their views. In addition, the Agency finds face-to-face meetings with key stakeholders benefits policy development, whilst also developing the Agency's understanding of what the sector does.

DVA (Licensing) continued to engage with Disability Action on a twice-yearly frequency to ensure that issues which would impact on drivers with a disability are subject to meaningful discussion and to review progress on the driving assessments carried out by Disability Action on behalf of the Department. In addition, the Agency has commenced liaison meetings with the Disabled Drivers' Association who represent the interests of drivers with disability. They have, so far, provided an opportunity for the Agency to outline the necessity for the procedures it follows and take feedback on matters such as time taken for the completion of applications and the content of standard letters issued by the Agency.

In 2006/2007, **Road Safety Division** considered if any road safety teaching materials produced 'in-house' could be produced in alternative formats. As a result, the teaching resource pack for the cycle training which includes a DVD was translated into Irish and is now available for use by teachers in Irish Medium schools which participate in the Cycling Proficiency Scheme.

Road Safety Division arranged for the draft Taxis (Northern Ireland) Order 2007 consultation document to be made available in Braille format and audio tape and CD format. This followed requests for these documents from specific consultees.

In response to the above mentioned consultation document, **Road Safety Division** received a letter from IMTAC (Inclusive Mobility and Transport Advisory Committee) commending the Department for the approach taken during the consultation process, particularly the availability of the document in accessible formats. IMTAC also praised the Department for the approach taken during the EQIA consultation process, particularly how the EQIA clearly set out what steps the Department took to involve disabled people and how this consultation informed the development of the policy.

Planning Policy Section when preparing a Planning Policy Statement or a supplementary planning guidance document will establish a working group consisting of representatives of key interest organisations to advise on relevant issues. Further to this the Section provides copies of its consultation drafts to a wide variety of groups/ individuals, including equality groups. Consultation drafts are also made available to members of the public online or by request in a number of formats.

Section 10: The Good Relations Duty

Provide details of additional steps taken to implement or progress the good relations duty during the year. Please indicate any findings or expected outcomes from this work.

(Enter text below)

The Department continued to view the promotion of good relations as essential to good quality policy development. Good relations training formed part of the S75 awareness training provided for staff. Staff in the Equality Unit are active members of the Racial Equality Forum in an effort to further develop relationships with minority ethnic organisations and therefore understanding of their specific needs. In the same spirit, the Department played an active role in the Migrant Workers Sub Group and the Inter-Departmental Voluntary and Community Sector Joint Forum.

The Department also took part in the development of the first Triennial Action Plan for 2006 – 2009 in respect of *A Shared Future* – Policy and Strategic Framework for Good Relations in Northern Ireland. The Department identified two specific objectives in relation to planning policy on access to shared

spaces/facilities/services and utilisation of Environment Heritage Service (EHS) properties to support Shared Future objectives.

During the year, **DVA Licensing** staff delivered presentations at a number of awareness events organised by local councils, community groups and PSNI specifically aimed at foreign nationals. The purpose of these events was to provide useful information on a range of services provided by the public sector to help foreign nationals understand our processes. DVA Licensing's presence provided the opportunity to establish relations with local community groups and provide information on its business. Feedback from the events has been very positive and staff have also found them very informative as they have helped highlight some of the difficulties faced by migrant workers in applying for driving licences.

Planning Policy Section when preparing a Planning Policy Statement or a supplementary planning guidance document will establish a working group consisting of representatives of key interest organisations to advise on relevant issues. Further to this the Section provides copies of its consultation drafts to a wide variety of groups/ individuals, including equality groups. Consultation drafts are also made available to members of the public online or by request in a number of formats. In doing so Planning Policy Section meets the legal duty in addressing good relations.

EHS properties are promoted as a shared cultural heritage with particular focus in support of the Shared Future objectives. The EHS events calendar was circulated widely, including community and ethnic groups, and it was promoted through a high profile PR campaign. Some 55,000 visitors from a broad range of backgrounds enjoyed 40 events run by EHS in 2006. Of the 44, 000 students participating in EHS's education programme at its sites (September 2005-June 2006) 5% attended under the Education for Mutual Understanding initiative.

In September 2004 the number of languages in which **DVA** provided its theory test increased from 6 to 20. Since that time the volumes of customers using voiceovers has increased as indicated below and the numbers requiring translations has decreased. This indicates that the theory test is increasingly accessible to those whose first language is not English.

2004 - 2005	2670 Voiceovers (VOs) & 20 Translations
2005 - 2006	4341 VOs & 27 Translations
2006 - 2007	5044 VOs & 18 Translations
2007 - YTD	2099 VOs & 2 Translations.

Section 11: Additional Comments

- Please provide any additional information/comments

(Enter text below)

The Department continues to emphasize to officials the importance of application of the statutory duties. This is reinforced with the provision of training, requirements to update senior officials on progress and awareness-raising through in-house magazines, team briefing and business planning events. Given the passage of time, the Department considers that it has moved forward from knowledge of the statutory duties to understanding and implementation. There are numerous examples of policy-making decisions which have benefited from improved consultation with end users and better understanding of their needs. This is reflected in positive feedback received from S75 representative groups at the Department's Equality Forum and the relatively low number of Section 75 complaints received during the year.

The Department continually strives to improve the provision of information to S75 representatives and to further expand access to the services it provides to the public at large. Managing the diverse expectations of representative groups can be a challenge. However, further development of working relationships with S75 groups to build trust and mutual understanding can only enhance these relationships.

Monitoring post policy implementation will further enhance this process particularly in respect of race issues as the community in Northern Ireland expands to incorporate migrant workers. The Department therefore welcomes the Commission's recent consultations on the draft guidance on monitoring, procurement and good relations.

The Department remains of the opinion that data on sexual orientation and political opinion remains light and policy development would benefit from a wider range of information sources to support these areas.



**DRIVER AND VEHICLE LICENSING
NORTHERN IRELAND**

**THIRD EQIA MONITORING REPORT – PROCEDURES
RELATING TO THE ISSUE OF A LICENCE TO DRIVERS
WITH A MEDICAL CONDITION LIKELY TO AFFECT
FITNESS TO DRIVE.**

APRIL 2007



Awarded for excellence

1.1 Section 75 Considerations

DVLNI published their Equality Impact Assessment Report in February 2003. The EQIA report and the subsequent monitoring reports did not identify any adverse impact on any of the Section 75 groups. The purpose of this monitoring report is to ensure the same situation of no adverse effects remains. The Department is required to publish the results of this monitoring.

1.2 Background to the Policy

DOE has statutory responsibility to ensure that all licence holders are fit to drive. DVLNI, on behalf of DOE, is legally responsible for the issuing of driving licences and deciding if a person is medically fit to drive.

The legal basis for assessing fitness to drive lies in the Road Traffic (NI) Order 1981, as amended by the Road Traffic (Amendment) (NI) Order 1991 which refers to disabilities (in the context of fitness to drive) as being relevant and prospective, stating that:

- a relevant disability is any prescribed disability and any other disability that is likely to render the person a source of danger while driving; and
- a prospective disability is any medical condition, which, because of its progressive or intermittent nature, may cause the driver to have a relevant disability in the course of time. A driver with a prospective disability may only hold a driving licence subject to medical review in one, two or three years depending on circumstances.

For equality impact assessment purposes, the Disability Discrimination Act defines a “disabled person” as someone with a “physical or mental impairment that has a substantial and long term adverse effect on his ability to carry out normal day to day activities”.

1.3 Applicants Declaring a Medical Condition

The evidence gathered, from regular meeting with Disability Action and OHS, indicates that the procedures used have no adverse impact on applicants with disabilities described under the Disability Discrimination Act.

1.4 Inter Agency Working Groups

DVLNI, Disability Action and OHS continue to meet on a regular basis to discuss service delivery in relation to driver medical referrals. These meetings allow for discussion and agreement on any new policies or procedures. The agenda for these meetings also includes equality implications in relation to section 75 categories. This allows for discussion on potential regional disparities in respect of Disability Action assessments and how best to provide feedback to customers. This policy also affords S75 groups the opportunity to give their views on any areas of policy which they feel may create a situation where one group is been treated less favourably than another.

1.5 Conclusion

This monitoring report has not identified any adverse impact on Section 75 groups, therefore confirming no change in the situation from the original EQIA report and the previous two monitoring reports.

DVLNI feel that, as this policy is actively managed through regular meetings with Disability Action and OHS, any conditions likely to have an adverse affect on Section 75 groups would be identified by this group at an early stage.

EQIA General Grant Monitoring Exercise – March 2007

Background

Local Government Division is committed to continually monitor the impact of the General Grant (Resources) formula on the Section 75 groups. Central Statistics Division was asked to undertake an exercise to examine the impact of the formula on these groups over the period 2004/2005 – 2007/2008 and their report on the outcome of this exercise is outlined as follows:-

Methodology

Initially, I looked at the Section 75 profiles of those councils that experienced an increase/decrease in their percentage share of General Grant (Resources) for each year subsequent to 2004/2005. I then tried to compare these councils to the Northern Ireland Section 75 profile as at the 2001 Census. However, the usefulness of this exercise was debatable as this analysis did not give any indication as to the effects on the Section 75 profile of those councils in receipt of a share of the grant.

At this point, I decided to compare the General Grant (Resources) recipient profiles for 2005/2006 - 2007/2008 to the recipient profile for 2004/2005 (this being the year before the formula was revised).

Conclusion

There is very little difference in the Section 75 profiles of the recipient District Councils in the last 3 years from the profile seen in 2004/2005. On this basis, it is fair to comment that the changes that have been made to the General Grant (Resources) formula subsequent to 2004/2005 have not had a negative impact upon any particular Section 75 group. It is also reasonable to suggest that the formula stands up well to any changes in the inputs to the formula.

In conclusion, I would say that the changes to the formula and the changes to the inputs to the formula have had no negative impact upon any particular Section 75 group, and from an equality perspective can be assumed to be successful.

ANNEX C



**Driver & Vehicle Agency
Driving Theory Test**

**EQUALITY IMPACT ASSESSMENT
SECOND MONITORING REPORT**

Driver & Vehicle Agency
**Balmoral Road
Belfast
Northern Ireland
BT12 6QL
Tel: 028 9068 1831
Fax: 028 9054 7955
Textphone: 028 9066 5453**

This document can be accessed on the internet at

www.dvani.gov.uk

July 2007 (v1.0)



1. Introduction

- 1.1 The main purpose of the Driver & Vehicle Agency (DVA) is to promote road safety and improve the quality of the environment by implementing the Government's policies on driver and vehicle testing, licensing and on roadside enforcement of road traffic regulations. The Agency aims to promote and improve road safety by implementing the Government's policies to test learner drivers to ensure they can drive competently and safely before they get a full licence and by maintaining the roadworthiness of vehicles.
- 1.2 Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions to have due regard to the need to promote equality of opportunity –
 - Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - Between men and women generally;
 - Between persons with a disability and persons without; and
 - Between persons with dependants and persons without.
- 1.3 In addition without prejudice to the above obligation, public authorities are required to promote good relations between people of different religious beliefs, political opinion or racial group.
- 1.4 The Agency has conducted an equality impact assessment (EQIA) of driving theory test under the Department of the Environment's Equality Scheme which was submitted to the Equality Commission in 2000. The EQIA was published in January 2005. The EQIA considered differential impacts on the nine social groupings specified under Section 75 of the Northern Ireland Act. The main findings of the EQIA and the Agency's proposals for mitigation are set out below.
- 1.5 A first Monitoring Report was published in September 2006 covering the period 1st April 2005 to 31st March 2006. This report is the second Monitoring Report and covers the period 1st April 2006 to 31st March 2007. The EQIA and both monitoring reports are available to view on the Agency's website at www.dvani.gov.uk and at www.nics.gov.uk/pubs/equalityimpact and can be made available in alternative formats (such as large print, audio cassette, Braille, or minority languages etc) if desired may be requested by contacting DVA Customer Services at Tel: 0845 601 4094 or Textphone: 028 9066 5453.

2. Main Findings of EQIA

- 2.1 For the purpose of the EQIA the Agency used information gathered from the following sources:
 - data from the then theory test contractor Prometric;
 - interviews with designers of the test and with delivery agents;

- a postal survey of recent test candidates;
- a telephone survey of English voiceover users;
- a focus group of candidates whose first language was Cantonese;
- interviews and consultation with representative organisations for minority groups.

2.2 The Agency identified that there may be adverse differential impacts on the following groups:

- People with Disabilities
- People Aged 25 and Over
- People from Ethnic Minorities
- Women with Dependants

2.3 Below is a summary of the measures which the Agency proposed and the actions which have been taken to mitigate against these negative impacts:

Proposal 1 Enhance awareness of the range of facilities available to assist all candidates taking their test.

Action *Information Pamphlet (Fact Sheet)* - An information pamphlet was produced containing information on: background; accommodations available to those with disabilities; how to book; training material; and how to complain. For a period these were distributed to all applicants along with their driving license. The pamphlet was also made available to candidates and instructors at our practical and theory test centres and at various presentations and road shows held by the Agency. In total 13,000 pamphlets were distributed.

Internet Booking Site - The Internet booking and information websites have been modified to aid with the identification of the available and most appropriate accommodations.

Postal Application Form – The postal application form has been modified to aid with the identification of the available and most appropriate accommodations.

Proposal 2 Review and improve the telephone booking service. The objective was to present candidates with the test options available without their having to request them and without referring to them as ‘special’ adaptations.

Action *Telephone Booking Service* - The telephone booking service ‘Interactive Voice Response’ script and Call Centre Operator scripts were extensively redeveloped to encourage

candidates to utilise the available facilities and to aid booking staff assist candidates with identifying the most appropriate accommodations. These remain under constant review with Pearson VUE and are amended in response to feedback from candidates. Work to further enhance these scripts is on-going.

Proposal 3 The Agency will accommodate candidates who wish to sit a translator assisted test at all centres through making test facilities available at a time convenient to the candidate but when no other candidates are present in the test centre. Translator costs at all centres are to remain the responsibility of the candidate.

Action *Accommodations Booth* - An accommodations booth is currently being constructed in the Londonderry test centre which will provide full audio and video recording. The booth in Belfast is scheduled to be upgraded to include audio recording. Both these booths will be available to accommodate translated tests.

All other test centres can be closed to accommodate translated tests. Demand for translated tests is monitored monthly and the provision of recording equipment remains under review.

Proposal 4 The Agency will enhance awareness of available training materials by including information in future fact sheets and on the Internet booking site. DVTA will provide assistance to any group wishing to obtain a copyright licence to the theory test item bank to enable them to produce materials designed specifically to meet the needs of their members.

Action *Training Material* - Candidates now have the option to purchase the official Driving Standards Agency (DSA) training material on-line directly from The Stationary Office's website via a link from DVTA's website. In addition, at the conclusion of the theory test telephone booking process, the candidate is given the option of purchasing the official DSA training material by phone from The Stationary Office.

Assistance is also provided by DVA to any group wishing to obtain a copyright licence to produce materials designed specifically to meet the needs of their members.

Proposal 5 The Agency will examine the criteria used for allocating

extra time to candidates.

Action To date there has not been sufficient evidence to support reviewing the criteria against which extra time is allowed.

Additional Action In addition, the EQIA report identified that there was qualitative evidence to suggest that people from ethnic minorities were more likely to fail the theory test due to: lack of knowledge of how to access the test service and the facilities available to assist them; and the lack of training materials translated in to minority languages. The Agency has increased the available test voice-overs from 5 to 20 minority languages.

3. Main Findings of 2nd Monitoring Report

3.1 People With Disabilities

3.1.1 A negative impact still remains for people with disabilities following the implementation of the actions detailed in paragraph 2.3. During the period of this monitoring report the pass rate for candidates who availed of the accommodations (extra time, sign-language on-screen video, sign-language interpreter and reader) was 32.9%. This is a decrease of 5.6% against the period of the previous monitoring report (1 April 2005 to 31 March 2006), but an increase of 6.6% against the original Equality Impact Assessment. (See paragraph 4.2.1)

3.2 People Aged 25 and Over

3.2.1 During the period of this monitoring report the pass rate for candidates in the 26 to 35 age group was 76.1% (a decrease of 1.9% against the period of the previous monitoring report - 1 April 2005 to 31 March 2006) and the pass rate for the 35 to 44 age group was 75.7% (an increase of 0.2% against the period of the previous monitoring report - 1 April 2005 to 31 March 2006). These represent an increase of 21.6% and 25.7% respectively against the original Equality Impact Assessment. There is now neither quantitative nor qualitative evidence to suggest that a negative impact remains. (See paragraph 4.2.2)

3.3 People from Ethnic Minorities

3.3.1 During the period of this monitoring report quantitative evidence gathered as part of the customer satisfaction survey, completed at the end of the theory test, shows that for candidates who responded that they were: Black or Black British; Asian or Asian British; Chinese; Mixed; or Other the pass rate was 69.4%. This is a decrease of 13.9% against the period of the previous monitoring report (1 April 2005 to 31 March 2006), but is comparable to the average pass rate for the period of the report for all candidates of 70.7%. There is now neither quantitative nor qualitative evidence to suggest that a negative impact remains. (See paragraph 4.2.3)

3.4 Women with Dependents

3.4.1 The candidate's status with regard to dependants is currently not captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between people with dependents and the sample group as a whole. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of the candidate being responsible for dependants. (See paragraph 4.2.4)

4. Evaluation of Mitigating Actions

4.1 Background

This monitoring report analyses both quantitative and qualitative information gathered by the theory test contractor (Pearson VUE). This includes: actual booking and testing information; responses provided by candidates to an on-screen customer satisfaction survey conducted at the conclusion of the theory test; and candidate complaints. This information has been gathered during the period 1st April 2006 to 31st March 2007 and has been used to perform the analysis of mitigating actions. This information is composed of the following:

Source	Volume
Theory Tests Conducted - Pass & Fail	49,750
Candidate Responses to Satisfaction Survey - % Satisfied	22,452
Written Complaints	25

4.2 Evaluation

4.2.1 People with Disabilities

The EQIA report identified that there was a differential negative impact upon candidates with a disability. Of those candidates who responded to the EQIA postal survey in 2000, who felt that they had a disability (only 19 people) there was a 26% pass rate. During the period of this monitoring report, the pass rate for candidates who availed of the available accommodations (extra time, sign-language on-screen video, sign-language interpreter and reader), was 32.9%. This is a decrease of 5.6% against the period of the 1st monitoring report (1 April 2005 to 31 March 2006), but an increase of 6.6% against the original Equality Impact Assessment. (see table below).

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	People that feel they have a disability
EQIA Survey Sample Size	19
Pass Rate (EQIA Survey)	26.3%
1st Monitoring Report Sample Size	426
Pass Rate (1st Monitoring Report)	38.5%
Deviation from EQIA (+ / -)	12.2%
2nd Monitoring Report Sample Size	347
Pass Rate (2nd Monitoring Report)	32.9%
Deviation from EQIA (+ / -)	6.6%

4.2.2 Age

The EQIA report identified that there was a differential negative impact upon candidates aged 25 and over with a pass rates of 54.5% for the 25 to 34 age group and 50% for the 35 to 44 age group. The age groupings used in the EQIA postal survey differ slightly from those in the quantitative data gathered by the theory test Pearson VUE. The grouping equate as follows:

EQIA Groupings	Pearson VUE Groupings
25 - 34	26 - 35
35 - 44	36 - 45
45 - 59	46 - 60
60+	61+

During the period of this monitoring report, the pass rate for the 26 to 35 age group was 76.1% (a decrease of 1.9% against the period of the 1st monitoring report but an increase of 21.6% against the EQIA) and the pass rate for the 35 to 44 age group was 75.7% (an increase of 0.2% against the period of the 1st monitoring report and an increase of 25.7% against the EQIA). There is neither quantitative nor qualitative evidence to suggest that there is a negative impact for these age groups.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	Age			
	25 - 34	35 - 44	45 - 59	60+
EQIA Age Groupings	25 - 34	35 - 44	45 - 59	60+
EQIA Survey Sample Size	55	32	19	2
Pass Rate (EQIA Survey)	54.5%	50.0%	73.7%	0.0%
New Age Groupings	26 - 35	36 - 45	46 - 60	61+
1st Monitoring Report Sample Size	7007	2903	1281	155
1st Monitoring Report Pass Rate	78.0%	75.5%	72.7%	61.3%
Deviation from EQIA (+ / -)	23.5%	25.5%	-1.0%	61.3%
2nd Monitoring Report Sample Size	7773	3139	677	97
2nd Monitoring Report Pass Rate	76.1%	75.7%	68.7%	63.4%
Deviation from EQIA (+ / -)	21.6%	25.7%	-5.0%	63.4%

4.2.3 Ethnicity

The EQIA report identified that there was qualitative evidence to suggest that people from ethnic minorities were more likely to fail the theory test due to: lack of knowledge of how to access the test service and the facilities available to assist them; and the lack of training materials translated in to minority languages. The Agency has increased the available test voice-overs from 5 to 20 minority languages. The facility for translator assisted tests remains. Quantitative

evidence gathered as part of the customer satisfaction survey completed at the end of the theory test during the period of this monitoring report shows that for candidates who responded that they were: Black or Black British; Asian or Asian British; Chinese; Mixed; or Other, the pass rate was 69.4%. This is a decrease of 13.9% against the period of the previous monitoring report (1 April 2005 to 31 March 2006), but is comparable to the average pass rate for the period of the report for all candidates of 70.7%. There is neither quantitative nor qualitative evidence to suggest that there is a negative impact for these age groups.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	<i>Ethnic Minority</i>
EQIA Survey Sample Size	*
Pass Rate (EQIA Survey)	*
1st Monitoring Report Sample Size	216
1st Monitoring Report Pass Rate	83.3%
2nd Monitoring Report Sample Size	749
2nd Monitoring Report Pass Rate	69.4%

* No Quantitative Evidence Available

4.2.4 Dependants

The EQIA report identified that there was a differential negative impact upon candidates who indicated that they were women with dependants with a pass rate of 50% against a pass rate of 72.4% for women without dependants. The candidate's status with regard to dependants is currently not captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between people with dependents and the sample group as a whole. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of the candidate being responsible for dependants.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	<i>With Dependants</i>	<i>Without Dependants</i>
EQIA Survey Sample Size	69	317
Pass Rate (EQIA Survey)	52.2%	65.6%
1st & 2nd Monitoring Report Sample Size	*	*
1st & 2nd Monitoring Report Pass Rate	*	*

* No Quantitative Evidence Available

4.2.5 Gender

The EQIA report identified that there was no significant difference in the pass rates based on gender with a pass rate of 58% for men and 67.4% for women.

The candidate's gender is captured as part of theory test booking function. Quantitative evidence gathered during the period of this monitoring report shows a pass rate of 68.4% for males and 73.6% for females. There is neither quantitative nor qualitative evidence to suggest that there is a negative impact based on gender.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	Male	Female
EQIA Survey Sample Size	218	174
Pass Rate (EQIA Survey)	58.0%	67.4%
1st Monitoring Report Sample Size	26473	20120
1st Monitoring Report Pass Rate	70.5%	75.5%
Deviation from EQIA (+ / -)	12.5%	8.1%
2nd Monitoring Report Sample Size	28457	21293
2nd Monitoring Report Pass Rate	68.4%	73.6%
Deviation from EQIA (+ / -)	10.4%	6.2%

4.2.6 Religion

The EQIA report identified that there was no significant difference in the pass rates based on religion with a pass rate of 65.1% for candidates who indicated that they were 'Protestant', 65.9% for those who indicated they were 'Catholic' and 55.2% for those who indicated 'No Religion'. The candidate's religion is currently not captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual customer satisfaction survey which includes questions on the theory test indicates no difference in satisfaction levels between Protestants and Catholics. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of religion.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	Protestant	Catholic	No Religion
EQIA Survey Sample Size	216	164	67
Pass Rate (EQIA Survey)	65.1%	65.9%	55.2%
1st & 2nd Monitoring Report Sample Size	*	*	*
1st & 2nd Monitoring Report Pass Rate	*	*	*

* No Quantitative Evidence Available

4.2.7 Politics

The EQIA report identified that there was no significant difference in the pass rates based upon political persuasion with a pass rate of 70.6% for candidates who indicated that they were 'Nationalist', 63.3% for those who indicated they were 'Unionist' and 64.2% for those who indicated 'Neither'. The candidate's political persuasion is not currently captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual

customer survey which includes questions on the theory test indicates no difference in satisfaction levels between those respondents who indicated that they were Nationalist and those who indicated they were Unionist. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of politics.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	<i>Nationalist</i>	<i>Unionist</i>	<i>Neither</i>
EQIA Survey Sample Size	34	30	279
Pass Rate (EQIA Survey)	70.6%	63.3%	64.2%
1st & 2nd Monitoring Report Sample Size	*	*	*
1st & 2nd Monitoring Report Pass Rate	*	*	*

* No Quantitative Evidence Available

4.2.8 Marital Status

The EQIA report identified that there was no significant difference in the pass rates based upon marital status with a pass rate of 64.3% for candidates who indicated that they were 'Single' and 57.1% for those who indicated they were 'Married'. The candidate's marital status is not currently captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between respondents on the basis of marital status. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of marital status.

EQIA - Baseline Pass Rate - 63.3% 1st Monitoring Report Pass Rate - 72.7% 2nd Monitoring Report Pass Rate - 70.7%	<i>Single</i>	<i>Married</i>
EQIA Survey Sample Size	325	49
Pass Rate (EQIA Survey)	64.3%	57.1%
1st & 2nd Monitoring Report Sample Size	*	*
1st & 2nd Monitoring Report Pass Rate	*	*

* No Quantitative Evidence Available

4.2.9 Sexual Orientation

The EQIA report stated that there was no evidence to suggest any differential impacts relative to sexual orientation. The candidate's sexual orientation is not currently captured as part of either the theory test booking function, the theory test satisfaction survey or the agency's annual customer satisfaction survey. However, there have been no complaints from candidates regarding any aspect of the test or service on the basis of sexual orientation.

5. Conclusions

- 5.1 The Agency has considered the potential impacts identified in the EQIA report and has introduced a number of measures to mitigate against the identified negative impacts.
- 5.2 For those Section 75 groups where a negative impact was identified in the EQIA report, the mitigating actions taken by the Agency have seen a positive impact upon theory test pass rates.
- 5.3 Where quantitative data is not currently captured as part of the theory test booking process or the customer satisfaction survey, the Agency will consider with the Driving Standards Agency and with Pearson VUE, under the terms of the joint-authorities contract, options for future collection of this information.