

# EQUALITY COMMISSION FOR NORTHERN IRELAND

## Public Authority 2010 – 2011 Annual Progress Report on Section 75 of the NI Act 1998 and Section 49A of the Disability Discrimination Order (DDO) 2006

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2010 to 31 March 2011**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from the **1 April 2010 to 31 March 2011**. Please enter information at the relevant part of each section and ensure that it is submitted electronically (by completing this template) and in hardcopy, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive to the Commission by **31 August 2011**.

In completing this template it is essential to focus on the application of Section 75 and Section 49. This involves progressing the commitments in your equality scheme or disability action plan which should lead to outcomes and impacts in terms of measurable improvement for individuals from the equality categories. Such outcomes and impacts may include changes in public policy, in service provision and/or in any of the areas within your functional remit.

Name of public authority (Enter details below)

**Department of the Environment**

Equality Officer (Enter name and contact details below)

**Director of Finance and Business Planning Division**

**Room 6.05**

**Clarence Court**

**10-18 Adelaide Street**

**Belfast BT2 8GB**

**Tel: 02890 540820 Fax: 02890 541169**

**Textphone: 02890 540642**

**Mail to: equality@doeni.gov.uk**

DDO (if different from above):

**Please indicate whether you would prefer to receive correspondence from the Commission by:**

Post

Electronically

## **S75 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 and what outcomes were achieved?**

The Department's vision is to make Northern Ireland 'a better place to live, work and invest' and its aim is 'to protect and improve the environment, promote well being, support a strong and effective local government and a thriving economy'.

The Department's Business Plan 2010/11 contained the commitment to comply with Section 75 of the NI Act 1998 to promote equality of opportunity and good relations and submit the 2009/10 annual progress to the Equality Commission by 31 August 2010. The commitment to comply with Section 49A of the Disability Discrimination Act 1995 and submit a revised disability action plan was also included.

The majority of the Department's policy makers have already received S75 training and, during the 2010/11 year, a further four staff attended the "Introduction to Section 75" training and six staff attended "EQIA" training.

121 staff received the classroom "Diversity Now" training course and arrangements are underway to provide this training on-line to remaining staff. This course supersedes individual departmental equal opportunity courses and covers a wide range of equality and diversity topics such as the meaning of "Diversity" and how NI's diverse society impacts on the NICS as well as identifying the legislative framework that underpins Diversity in the workplace. Classroom based training for all new staff commenced within the DOE in November 2009 and is on-going. Arrangements are underway to provide the 'online' training version to the remaining staff. This will also incorporate staff who require refresher training every 3 years.

The Department continued to play an active role in various Inter-Departmental forums such as the Voluntary and Community Sector Joint Forum, Racial Equality Forum, Equality Practitioners Group, and Sign Language Partnership Group.

The Department's Equality Unit is assisted by an Equality Working Group made up of 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 2010/11, including once with representatives from the Section 75 groups who make up the Department's Equality Forum.

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 setting out details of the policies screened out for equality impact assessment.

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 all consultation exercises coming up.

The Department continues to support the 'Employment Support Scheme', which gives people who are disabled the opportunity to gain experience in the workplace. The Department has a total of 9 Employment Support workers across NI.

**Road Safety and Vehicle Regulation Division** introduced new regulations which came into operation on 24 March 2011 to improve safety for children around school buses. All buses, coaches and minibuses providing home to school services are now allowed to fit and use new high impact illuminated signs and flashing warning lights. Used together, these signs and lights should provide significantly more visible impact than the 'schoolchild' signs school buses have had to display in the past. The purpose of using the new signs and lights is to make school buses much more noticeable to passing motorists and remind them to take particular care when passing buses which have stopped to let children on and off. It will also educate children and young people about how they can help keep themselves safe when they are around school buses. The revised signs and lights system will become mandatory from September 2014, coinciding with the start of the 2014/15 school year.

- **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?**

During 2011/12 the Department will publish a revised Equality Scheme for 2011-2016 in line with guidance issued by the Equality Commission. The revised scheme will contain an action plan setting out action measures the Department proposes to carry out over the next 5 years aimed at addressing inequalities. The scheme and action plan issued for consultation from 18 February to 15 April 2011 and any responses received will be considered.

Under Section 49B of the DDA Act 1995, the Department, will publish a revised 3 year Disability Action Plan (DAP) for the period 2011-2014 showing how it proposes to fulfill the two disability duties in relation to its functions.

The Department will continue to roll out the on-line version of its “Diversity Now” training to all staff. This course supersedes individual departmental equal opportunity courses and covers a wide range of equality and diversity topics such as the meaning of “Diversity” and how NI’s diverse society impacts on the NICS as well as identifying the legislative framework that underpins Diversity in the workplace. Classroom based training for all new staff commenced within the DOE in November 2009 and is on-going.

The Department will continue to support the ‘Employment Support Scheme’, which gives people who are disabled the opportunity to gain experience in the workplace.

The Department has submitted a number of actions for inclusion in the Gender Action Plans as part of OFMdfM’s Gender Equality Strategy 2008-11.

The Department has nominated a dedicated Champion for Children, a single point of contact for children and young people’s issues and a driver for the key priorities as identified by the Ministerial Sub-Committee for Children and Young People. Road Safety and Vehicle Regulation Division and NI Environment Agency have contributed a number of actions to the Action Plan in the 10 year Strategy for Children & Young People.

The Department will continue to play an active role in various Inter-Departmental forums such as the Voluntary and Community Sector Joint Forum, Racial Equality Forum, Equality Practitioners Group and Sign Language Partnership Group.

The Department's Equality Working Group, made up of officials representing all business areas, 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 on 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, share good practice, make recommendations to the Equality & Social Needs Steering Group and encourage links with the voluntary and community sector.

Following publication of the Equality Commission's new guidance on 'Implementing Section 75 of the NI Act 1998' the Department's Equality Unit will continue to provide guidance and hold training seminars to help ensure that policy making staff throughout the Department are made fully aware of their responsibilities under Section 75.

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.

From April 2011 the Department will have its own in-house statisticians following the formation of a new Analytical Services Branch (ASB). These statisticians will be available to help the Department source out data and research to assist with EQIAs and equality screening exercises.

- **Please give examples of changes to policies or practices which have resulted in outcomes. If the change was a result of an EQIA please tick the appropriate box in column 3 and reference the title of the relevant EQIA in the space provided below:**

	Outline changes in policy or practice which have resulted in outcomes	Tick if result of EQIA
Persons of different religious belief	•	
Persons of different political opinion	•	
Persons of different racial groups	•	
Persons of different age	•	
Persons with different marital status	•	
Persons of different sexual orientation	•	
Men and women generally	•	
Persons with and without a disability	•	
Persons with and without dependants	•	

- **Title/s of EQIAs referenced:**

## **Section 1: Strategic Implementation of the Section 75 Duties**

- **Please 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 2010-11**

In keeping with the commitments given in the Programme for Government 2008-11 to address all forms of inequality, and ensure fairness, inclusion and equality of opportunity, the Department has been working towards meeting its key targets on; reducing road casualties; taking forward the modernisation and reform of the local government sector; providing appropriate policy, procedures and legislation and improving the quality of our natural and built environment and heritage; and reducing our carbon footprint.

The theme of Equality of Opportunity and Good Relations continues to underpin all the Department's policies and operational programmes. In respect of the reporting period 2010/11, 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 on-going 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 that only 1 Section 75 complaint was received during 2010/11 and this was resolved by the Department.

The Department consulted all S75 groups on its new equality scheme and action plan. Officials also attended a consultation event hosted by the Equality Coalition on 9 March 2011 at UNISON premises. The equality scheme and action plan were also on the agenda at the Department's Equality Forum on 22 March 2011. No inequalities were highlighted at any of these events.

The Department continued to share statistician support with the Department for Regional Development. These statisticians contributed to

the work of the Equality Unit by way of advice and guidance in respect of data collection, analysis and the setting of performance indicators for the equality scheme action plan and disability action plan. From April 2011, the Department will have its own in-house statisticians following the formation of a new Analytical Services Branch (ASB). These statisticians will be available to help the Department source out data and research to assist with EQIAs, equality screening exercises and the setting of performance indicators.

The Department's Business Plan 2010/11 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 Finance and Business Planning 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;
- The Equality Unit continued to be assisted by an Equality Working Group made up of officials representing all business areas 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 2010/11, including once with representatives from the Section 75 groups who make up the Department's Equality Forum;
- The Equality Unit continued to commission a quarterly progress report from business areas on S75 commitments contained in the Equality Scheme and EQIA programme and to provide a report on a bi-annual basis for the Permanent Secretary, Departmental Board and Senior Management Team;
- Staff continued to be kept aware of developments through the Department's monthly team briefing and Agency business planning events;

## Section 2: Screening

- Please 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.
<b>Climate and Waste Division (C&amp;WD)</b> <i>(Now subsumed within EPD)</i>			
Draft Local Air Quality Management Policy Guidance – LAQM PGNI (09).	F	N	N
Consultation on Meeting EU Landfill Diversion Targets.	F	N	N
Consultation on the introduction of restrictions on the landfilling of certain wastes.	F	N	N
Stage-Two Consultation Document on the transposition of the revised Waste Framework Directive (Directive 2008/98/EC) including the Waste Regulations (Northern Ireland) 2010.	F	N	N
Amendment to the Producer	F	N	N

Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 (Packaging Regulations).			
<b>Driver and Vehicle Agency (DVA)</b>			
Introduction of Case Studies in Category A (Motorcycle) and B (Car) Theory Tests.	F	N	N
Proposed amendment to the Motor Vehicle Testing Regulations (Northern Ireland) 2003.	F	N	N
Approved Motorcycle Instructor Register (AMI).	F	N	N
Compulsory Basic Training (CBT) for Learner Motorcyclists.	F	N	N
The exclusion of foreign-registered vehicles (with particular reference to vehicles registered in the Republic of Ireland) from clamping and impounding of unlicensed vehicles.	F	N	N
Code of Conduct for Approved Driving Instructors (ADI) and Approved Motorcycle	F	N	N

Instructors (AMI).			
Fit and Proper Policy for Approved Driving Instructors (ADI) / Approved Motorcycle Instructors (AMI).	F	N	N
<b>Environmental Policy Division (EPD)</b>			
Site Waste Management Plans Regulations.	F	N	N
The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2011.	F	N	N
Consultation Document on the proposed amendments to the existing Waste Management Licensing Regulations (NI) 2003 to provide an exemption for the Landspreading of Sludges from on-site effluent treatment (following 'conventional treatment' or 'enhanced treatment').	F	N	N
Groundwater (Amendment) Regulations (Northern Ireland)	F	N	N

2011.			
The Environmental Liability (Prevention and Remediation) (Amendment) Regulations (Northern Ireland) 2011.	F	N	N
The Pollution Prevention and Control (Amendment) Regulations (Northern Ireland) 2011	F	N	N
Public Consultation on the Environmental Better Regulation White Paper.	F	N	N
An Invasive Alien Species Strategy for Northern Ireland.	F	N	N
Dog Control Orders Consultation.	F	N	N
<b>HUMAN RESOURCES AND ORGANISATIONAL CHANGE DIVISION</b>			
The Special Re-grading Scheme for DOE P&T Planners.	F	N	N
The DOE Organisational Restructuring Redeployment of Surplus Staff in the Non P&T Grades.	F	N	N
<b>Local Government Policy Division (LGPD)</b>			
Draft Local	F	N	N

Government Pension Scheme (Amendment No.2) Regs (NI) 2010.			
The Local Government (Provision of Services) Regulations (Northern Ireland) 2010.	F	N	N
Draft Local Government (Councillors' Remuneration Panel) Regulations (NI) 2011.	F	N	N
Local Government (Capital Finance and Accounting) Regulations (Northern Ireland) 2011.	F	N	N
Draft Guidance on Local Government Investments for District Councils in Northern Ireland Draft Capitalisation Direction A Guidance Note for District Councils in Northern Ireland.	F	N	N
Draft Local Government (Rates Support Grant) Regulations (Northern Ireland) 2011 Draft Local Government	F	N	N

(Specified Bodies) Regulations (Northern Ireland) 2011.			
Draft Local Government (Payments to Councillors) Regulations (Northern Ireland) 2011 (“the draft SR”).	F	N	N
Draft Guidance on Minimum Revenue Provision for District Councils in Northern Ireland.	F	N	N
Draft Local Government Best Value (Exclusion of Non-commercial Considerations) Order (NI) 2011 and Associated Guidance.	F	N	N
<b>Northern Ireland Environment Agency (NIEA)</b>			
Wind Energy Development in Northern Ireland landscapes – Supplementary Planning Guidance to Planning Policy Statement 18, ‘Renewable Energy’	F	N	N
<b>Planning &amp; Natural Resources Division (P&amp;NRD)</b> ( <i>Now subsumed within EPD and PPD</i> )			

Draft Nitrates Action Programme (NAP) Regulations (Northern Ireland) 2010.	F	N	N
Marine Licensing Subordinate Legislation programme.	F	N	N
Amendments to the Planning Fees Regulations.	F	N	N
<b>Planning Policy Division (PPD)</b>			
Planning Policy Statement 24 (PPS24) 'Economic Considerations'.	F	N	N
[draft] Planning Policy Statement (PPS) 16 Tourism.	F	N	N
Planning Policy Statement 23 (PPS23) 'Enabling Development'.	F	N	N
The Planning (General Development) (Amendment) Order (Northern Ireland) 2011.	F	N	N
[Draft] Planning Policy Statement 2 Natural Heritage.	F	N	N
<b>Planning Service</b>			
The Planning (Fees) (Amendment) Regulations (Northern Ireland)	F	N	N

2010.			
<b>Road Safety Division (RSD)</b> ( <i>Now Road Safety and Vehicle Regulation Division</i> )			
Proposed Amendment to the Motor Vehicles (Construction and Use) Regulations (NI) 1999 – Tyre Noise Emissions.	F	N	N
Retrofitting of Mirrors for Goods Vehicles.	F	N	N
The introduction of compulsory new signs and flashing warning lights on school buses in Northern Ireland. (This involves making amendments to the Road Vehicles Lighting Regulations (Northern Ireland) 2000).	F	N	N
3 <sup>rd</sup> EC Directive on Driving Licences (Directive 2006/126/EC).	F	N	N
Proposed Amendment to the Road Vehicles (Lighting) Regulations (NI) 2000 (Battenberg Markings).	F	N	N
<b>Road Safety &amp; Vehicle Regulation Division (RSVRD)</b>			

Driver and Vehicle Agency (DVA) powers to stop commercial vehicles.	F	N	N
Proposed Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations (NI) [2011].	F	N	N
<b>Transport Regulation Unit (TRU)</b>			
Exemptions and Scope – Goods Vehicle (Licensing of Operators) Act 2010.	F	N	N

### Section 3: Equality Impact Assessment (EQIA)

- **Please provide an update of policies subject to EQIA during 2010-11, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2011-12.**

#### EQIA Timetable – April 2010 - March 2011

<b>Title of Policy EQIA</b>	<b>EQIA Stage at end March 11 (Steps 1-6)</b>	<b>Outline adjustments to policy intended to benefit individuals, and the relevant Section 75 categories due to be affected.</b>
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
Derry Airport Local Plan.	1	N/A
Ards / Down Area Plan 2015.	6	N/A

Banbridge / Newry and Mourne Area Plan 2015.	5	N/A
Magherafelt Area Plan 2015.	5	N/A
Dungannon & South Tyrone Draft Area Plan – Revised By-pass option.	1	N/A
Belfast Metropolitan Area Plan 2015.	5	N/A
Northern Area Plan 2016.	5	N/A
Antrim / Ballymena / Larne Development Plan 2016.	1	N/A
Armagh Area Plan 2018.	1	N/A
West Tyrone Area Plan 2019.	1	N/A
Coleraine Borough Houses in Multiple Occupation Subject Plan 2016.	1	N/A
Reform of Planning System.	6	N/A

- **Where the EQIA timetable for 2010-11 (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.**

**Ongoing EQIA Monitoring Activities April 2010- March 2011**

Copies of all four monitoring reports listed below are attached as Annexes to this report.

<b>Title of EQIA subject to Stage 7 monitoring</b>	<b>Indicate if differential impacts previously identified have reduced or increased</b>	<b>Indicate if adverse impacts previously identified have reduced or increased</b>
<p>Annex A - 3<sup>rd</sup> monitoring report on the application for the issue of a driving licence.</p>	<p>There was some qualitative evidence that people from minority ethnic backgrounds may have different needs in respect of this policy in that they may find it more difficult than others to meet the requirement of the policy in respect of providing evidence of identity or other documentation.</p> <p>It is recognised that there is a need to ensure that Driving Licences, which represent a main form of identification, are underpinned by a robust process for verifying identification of individuals. In order to mitigate against potential differential impact on people of different racial background, DVA Licensing set-up an Identity Checking Section to deal with all foreign documentation on a case by case basis and continue to brief driving licensing staff on where alternative documentation, etc can be accepted.</p> <p>The Identity Checking Section is also available to</p>	<p>The EQIA did not identify any significant adverse impact on any of the Section 75 groups.</p>

	attend venues throughout Northern Ireland to inform and advise foreign nationals of the driving licence requirements in Northern Ireland.	
Annex B - 2 <sup>nd</sup> monitoring report on qualifying procedures for registration as an approved driving instructor (ADI).	Results from a customer survey carried out in November 2009 show slight differences in the gender, age, religious belief and marital status make-up of ADIs compared to general population figures from the 2008/09 Continuous Household Survey and mid-year population estimates for 2008. The Agency will continue to carry out a biennial survey to keep these figures under review.	The EQIA did not identify any significant adverse impact on any of the Section 75 groups.
Annex C - 2 <sup>nd</sup> monitoring report on Practical Driver and Vehicle Tests.	The EQIA identified differential impacts on:- <b>Religious Belief</b> – In terms of driving test procedures for women from a Muslim background; <b>Gender</b> – In terms of women who are uneasy about bringing their vehicle for a test and about having a driving test with a male examiner; <b>Race</b> – In terms of provision of information, booking arrangements and experience of test (driver and vehicle); and, <b>Disability</b> - In terms of provision of information, booking arrangements (driver and vehicle) and experience of test (driver only). This 2 <sup>nd</sup> monitoring report	The EQIA did not identify any significant adverse impact on any of the Section 75 groups.

	includes findings from the Agency's 2009/10 customer satisfaction survey which indicates that measures taken by the Agency have reduced the differential impacts.	
Annex D - EQIA 1st Monitoring report on PPS 12 - Policy HS 3 (March 2011).	<p>Policy HS 3 is designed to allow for culturally appropriate accommodation for Travellers. This policy will be amended to provide for serviced sites on a suitable site in the countryside as well on a site within a settlement, a site adjoining, or in close proximity to a settlement.</p> <p>It is anticipated that following clearance by Minister this policy amendment will publish for public consultation as soon as practicable.</p>	

- **Please outline any proposals, arising from the authority's monitoring for adverse impacts, for revision of the policy to achieve better outcomes for the relevant equality groups:**

2011-12 EQIA Time-table

<b>Title of EQIAs due to be commenced during April 2011 – March 2012</b>	<b>Existing or New policy?</b>	<b>Please indicate expected timescale of Decision Making stage i.e. Stage 6</b>

## **Section 4: Training**

- **Please outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision and conclusions from any training evaluations.**

From April 2006, responsibility for the provision of training moved from the individual departments to a Northern Ireland Civil Service wide shared service centre known as the Centre for Applied Learning (CAL). CAL is 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 2010/11 officials from the Department's Equality Unit attended CAL's pilot training courses on "Introduction to S75" and "EQIA" to provide input to the training and quality assurance.

In 2008 DOE HR rolled out an extensive programme of Equal Opportunities training directed at **all** grades. This training has now been overtaken by the mandatory NICS "Diversity Now" training course which supersedes individual departmental equal opportunity courses and covers a wide range of equality and diversity topics such as the meaning of "Diversity" and how NI's diverse society impacts on the NICS as well as identifying the legislative framework that underpins Diversity in the workplace. Classroom based training for all new staff commenced within the DOE in November 2009 and is on-going. Arrangements are underway to provide the 'online' training version to the remaining staff. This will also incorporate staff who require refresher training, every 3 years.

The majority of the Department's policy makers have already received S75 training and, during the 2010/11 year, a further four staff attended the "Introduction to Section 75" training and six staff attended "EQIA" training. 121 staff received the classroom "Diversity Now" training course and arrangements are underway to provide this training on-line to remaining staff.

The Department's Training Commissioner is a member of the Equality Working Group and will provide regular updates on training, including feedback and evaluation for equality representatives throughout the Department.

Following publication of the Equality Commission's new guidance on 'Implementing Section 75 of the NI Act 1998' the Department's Equality Unit carried out seminars to ensure that policy making staff throughout the Department were reminded of their responsibilities under Section 75.

**The Driver and Vehicle Agency (DVA)** delivers a Customer Service training course to all staff who work in the public interface within the Agency. This course includes introductory language sessions on the Irish language and the Ulster Scots language driven by the Charter for Minority Languages. To date 68 staff have received this training.

**DVA** also delivers Deaf Awareness Training which creates an awareness and understanding of the culture of deaf or hard of hearing people and of the different methods of communication. This training is offered to staff in Local Vehicle Licensing offices and MOT centres. To date 60 staff have received this training.

### **Section 5: Communication**

- **Please outline how the authority communicated progress on delivery of the Section 75 Duties during the year and evidence of the impact/success of such activities.**

The Department continued to issue, 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 representative groups the opportunity 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. These details were also posted on the Department's internet site.

Internally, the Equality Unit provided a bi-annual 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.

During the last year a range of equality related material has been made available to business areas across the Department such as Equality Commission publications and newsletters, equality related research papers

and guidance on making information available in alternative formats and language translations.

The Equality Unit was assisted by an Equality Working Group made up of officials representing all business areas 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 2010/11.

The Department hosted its annual Equality Forum of policy makers and S75 representatives on 22 March 2011 to discuss matters of mutual interest. 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 S75 and progress with the Department's EQIA timetable.

The Department continued to be represented on the Inter-Departmental Equality Practitioner's Group which is chaired by OFMdFM and made up of Equality Officers from all NICS departments who meet on a quarterly basis to discuss S75 issues and share good practice.

The Department continued to be represented at a number of other Inter-Departmental groups such as meetings of the Sign Language Partnership Group; the Racial Equality Forum and the V&C Joint Forum. Officials from the Equality Unit attend the Interdepartmental Charter Implementation Group meetings.

The Equality Coalition held a consultation event for public authorities consulting on their new equality schemes and action plans on 9 March 2011 at UNISON's premises. Officials from the Department's Equality Unit attended this consultation event to provide information for any consultees wishing to highlight any inequalities they felt should be included within the Department's action plan.

The Equality Unit continued to maintain the Equality section on the Department's Internet site which is updated regularly. Information available on this site includes the Department's Annual Progress reports, Disability Action Plan, screening exercises, consultations and EQIAs.

Staff continued to be kept aware of S75 developments through the monthly team brief and information circulated from the Department's Equality Unit.

**Road Safety and Vehicle Regulation Division (RSVRD)**, during the development of the new 10 year road safety strategy, held meetings with a number of S75 groups representing children and young people and people with disabilities in order to obtain their views and provide them with the opportunity to contribute to the new strategy. This exercise recorded the views of children and young people from the age of 4 up to and including 21 years old and was largely complete in 2009/10 however further limited engagement occurred in early 2010/11. In 2010/11, all groups who had participated in the engagement exercise received feedback which detailed the points they had raised and how these points had been considered when formulating the new Road Safety Strategy.

#### **Section 6: Data Collection & Analysis**

- **Please outline any systems that were established during the year to supplement available statistical and qualitative research or any research undertaken/commissioned to obtain information on the needs and experiences of individuals from the nine categories covered by Section 75, including the needs and experiences of people with multiple identities.**

The Department for Regional Development continued to provide the statistical support for the Department of the Environment throughout the reporting year and its Principal Statistician is a member of the Equality and Social Needs Research and Information Group (ENSRIG). The membership of this group includes officials of Northern Ireland Departments and the Northern Ireland Office, along with representatives of the Equality Commission and the Northern Ireland Council for Voluntary Action. The cross-departmental Information and Research Needs Strategy, sponsored by ENSRIG, sets the direction in assessing and filling gaps on information relating to Section 75 groups. From April 2011 the Department will have its own in-house statisticians following the formation of a new Analytical Services Branch (ASB). These statisticians will be available to help the Department source out data and research to assist with EQIAs, equality screening exercises and the setting of performance indicators.

The Equality and Social Need Steering Group funded a number of projects in 2010/11, including the 2010 Northern Ireland Multiple Deprivation Model

(published May 2010). Other projects and surveys that the group has contributed to include the Health Inequalities Project, the Labour Force Survey (DETI), School Governance Research Project, NI Longitudinal Study (RSU, NISRA), Continuous Household Survey (CSU, NISRA), Family Resources Survey and Understanding Society Survey (ISER).

The Department held its annual Equality Forum meeting between policymakers and representatives of S75 groups on 22 March 2011. These meetings provide an opportunity for policymakers to update S75 groups on policy progress and issues of concern, including data collection and analysis. S75 representative groups are given the opportunity to comment on reported progress and highlight their own areas of concern. The Forum provides an excellent source for provision of feedback and advice on resolving issues around difficulties and problems in accessing information and data. Any lessons learned and good practice is then promulgated across the Department through the Equality Working Group.

Bilateral meetings with the Equality Unit and statisticians 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 any data which is being used, at an early stage in the policy development process.

Work began in autumn 2008 on updating the Northern Ireland Multiple Deprivation Measure 2005. Both the DOE Principal Statistician and the Grade 7 Head of Equality Unit are members of the Inter-Departmental Steering Group. The 2010 measure was published on 26 May 2010.

The Department carried out an exercise to review the data available for follow-on monitoring and reporting in 2008/09. The aim was to review the data available, to identify any gaps and to consider how these might be filled. The results were discussed with Central Statistics and Research Branch in light of ECNI Guidance and further work to identify the quality of data held in internal databases was undertaken in 2009/10. This work included a Section 75 survey of all Approved Driving Instructors and an exercise with DVA to identify any gaps in the Section 75 profile of the various customer databases that DVA manage. Further work on this was undertaken in 2010/11, with recommendations made to a number of business areas across DOE on data collection and management.

- **Please outline any use of the Commission’s Section 75 Monitoring Guide.**

The Commission’s Monitoring guidance has been circulated to all business areas and has been used during the preparation of the monitoring reports attached at Annexes A-D.

## **Section 7: Information Provision, Access to Information and Services**

- **Please provide details of any initiatives/steps taken during the year, including take up, to improve access to services including provision of information in accessible formats.**

The Department continued to issue, 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 representative groups the opportunity 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. These details were also posted on the Department’s internet site.

The Department carried out its annual review of its *Guide to Making Information Accessible* in consultation with its Equality Forum. This guide, which is circulated to all staff and is 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 guide also contains a standard line which officials are encouraged to include in all correspondence offering the opportunity for customers to request information in alternative formats.

The Department continued to review its S75 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 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, Disability Action Plan, screening exercises, consultations and EQIAs.

The DOE website is designed to Worldwide Web Consortium's (W3C) Web Content Accessibility Guidelines 1.0 and works to AA accessibility standards. During the reporting year the Department offered the Browsealoud service on its website. The joint DRD DOE DCAL contract will expire in September 2011. The decision not to renew the contract was an outcome of the evaluation of the tool by the NICS Web Editorial Board. The review concluded that the service was not required because users who require screen-readers will need a product for all their computer software and applications and will generally have a screen-reader for their whole operating system such as JAWS or Window-Eyes.

The **Driver and Vehicle Agency (DVA)** continued to provide an audio voice over for the driver theory test in 21 languages (including English) and an on-screen British Sign Language (BSL) video translation. A translator or sign language interpreter will be arranged if no voice over is available or if the BSL video is not suitable. Extra time and the use of a Reader / Recorder can also be requested under certain circumstances.

The Testing Division of **DVA** has retained the ISO 9001:2008 accreditation for another three years, following a programme of extensive and rigorous audits. This is a significant achievement for the Agency and recognises the commitment and dedication of all staff and managers involved both at test centres and in support functions. The accreditation also acknowledges the high standards of training delivered to DVA staff and the high levels of service delivered to DVA customers across all fifteen testing sites.

**DVA** was awarded the prestigious Customer Service Excellence (CSE) standard in December 2010. The CSE standard tests in depth those areas that research has indicated are a priority for customers – such as delivery, timeliness, information, professionalism and staff attitude. It also looks at whether the organisation understands the users experience and is effectively measuring service satisfaction. DVA submitted extensive documentary evidence and underwent a gruelling four day assessment in December last year, during which the assessor spoke to staff and customers in DVA public offices and test centres, as well as meeting with stakeholders to confirm that the Agency met all elements of the standard. The assessors concluded: 'The accreditation is very well deserved. There

is ample evidence of a real drive to make the service better and to identify improvements whenever and wherever possible’.

Any blind or partially sighted people visiting the Northern Ireland Environment Agency’s (**NIEA**) main sites will be offered assistance by staff to answer their queries. At Dunluce Castle audio guides are available for the blind.

The following services are offered at Parks and some other sites that are currently managed by the **NIEA**’s Regional Operations team:

### **1. Carrickfergus Castle**

- Free admission for wheelchair users and those with limited mobility;
- Braille notices on public toilets;
- Multi-lingual voice over system under consideration.

### **2. Crawfordsburn Country Park**

- Braille notices on public toilets;
- Public entrance doors have been automated and comply with current regulations
- Doors and frames have been painted in contrasting colours to assist the visually impaired
- Better disabled access has been provided from the disabled parking areas closest to the centre
- A new minibus parking space has been provided beside the centre – suitable for group visits, often disabled groups
- A new DDA compliant staff toilet facility is provided in the newly constructed area
- Appropriate DDA locks on public disabled toilet facility
- Access to and within the new staff areas has been designed to be DDA compliant
- Natural lighting has been improved in the former Audio Visual room by uncovering the skylight
- A dedicated space has been designed for the storage and availability of motor scooters and wheelchairs near the entrance
- Fire exits have been upgraded to DDA standard
- The new ‘Welcome Point’ is DDA compliant with a dropped area for wheelchair use

- Lighting has been generally upgraded and improved, including new outside lighting.

### **3. Scrabo Tower and Country Park**

- Plans for a new Visitor Centre were progressed to Stage D Design level, to include facilities and interpretation for all visitors. Further progress is dependent upon additional future funding.

### **4. Peatlands Park**

- Braille notices on public toilets;
- Mediascapes voice over scripts prepared and recorded for Peatlands Railway journey and two annual events, Bog Day and Apple Day. We hope to launch these on the mediascapes web-site in the near future to allow downloads from the mediascapes site to GPS compatible mobile phones (latest generation phones only).

### **5. Roe Valley Country Park**

- Sensory Trail – continuous yellow line to follow, blister plates to indicate stops en route such as raised beds, herb boxes, touch items, raised profile interpretation panels;
- New path system, meeting DDA specification, has proven very popular with older visitors, many of whom have been unable to access the park in 30 years;
- Audio Loop system in place;
- Visitor Centre, Toilets and café DDA compliant;
- Offices DDA compliant;
- Disabled parking.

### **6. Castle Archdale Country Park (CACP)**

- Corduroy and blister plates as part of the DDA access at CACP Courtyard;
- Mediascapes voice over scripts prepared and recorded for Devenish. We hope to launch these on the mediascapes web-site in the near future to allow downloads from the mediascapes site to GPS compatible mobile phones (latest generation phones only);
- A joint NIEA/Fermanagh District Council funding request proposal is pending. This will establish a download centre at Enniskillen Castle Tourist Information Centre to allow access to Mediascapes information;
- Audio Loop in Centre;

- DDA compliant lift;
- Toilets and Café DDA compliant;
- Disabled parking.

### **7. Ness Country Park**

- Visitor Centre and toilets DDA compliant;
- Toilets have Braille and pictorial signage;
- Disabled parking.

### **8. Portrush Coastal Zone (PCZ)**

- PCZ Visitors Centre and toilets are DDA compliant;
- Audio Loop system in place.

### **9. Dunluce Castle**

- Audio Loop system in place.

### **10. Bellaghy**

- Disabled parking.

Where possible, **NIEA** continues to improve access for physically disabled people in its country parks and nature reserves through its ongoing upgrading programme. The Agency continues to offer powered scooters for those with a Shopmobility licence at Crawfordsburn, Roe Valley and Peatlands.

The **NIEA** website has a 'browsealoud' facility and 'Virtual tours' that allow for less able people to access the information on the website and to view a number of NIEA sites and properties from the website. In March and April 2010, NIEA requested feedback from Section 75 groups (among others) on the layout, navigation and content of the website. A full report on the findings was produced. The Agency also took steps towards reviewing the content of its website, with a view to making it compliant with Plain English standards. The site has now been awarded the 'Plain English Crystal' mark following an assessment in May 2010.

**NIEA** continues to make available a wide range of educational and informational leaflets in various European languages. In 2010, the omnibus survey carried out in Northern Ireland found that levels of awareness of NIEA had increased from 52% in 2008, to 59% in 2009 and to 60% in 2010.

The **NIEA** events calendar was sent to disability and other listed Section 75 representative groups in spring 2010, making them aware of the Agency's properties. NIEA has published details on the facilities at its sites and properties on its website. A promotional postcard was again sent to all Section 75 listed groups in spring 2011, directing them to NIEA's 'wonderfulni' landing page, which contains up-to-date information on all NIEA events, sites and properties.

**NIEA** runs over 170 events at its sites and properties throughout the year. Where practicable, these are fully DDA (Disability Discrimination Act) compliant and they are planned to be inclusive for all members of the public, irrespective of age or ability. Every effort is made to ensure that anyone with a disability takes full part.

**Environmental Policy Division (EPD)** launched its Rethink Waste campaign in March 2010. The Rethink Waste campaign aims to raise awareness, encourage best practice and achieve behavioral change among households, the business, community and education sectors in Northern Ireland in order to reduce the amount of waste we send to landfill. The campaign websites, [www.rethinkwasteni.org](http://www.rethinkwasteni.org) and [www.lovefoodhatewasteni.org](http://www.lovefoodhatewasteni.org) (launched October 2010) meet WAI Double-A compliance – all Priority 1 and 2 checkpoints have been fulfilled. A brief outline of the minimum standards list is shown below:

- Use of Meta tags to provide relevant information about page content; Use descriptive ALT tags.
- Text links provided as alternatives to multimedia files such as movies or audio clips e.g. transcripts of dialogue
- Use of TITLE tags to provide relative information on URL targets
- Only use Tables for data, all layout is controlled using Cascading Style Sheets (CSS)
- All data tables use proper Markup, e.g. HEADER, THEAD, TBODY, SUMMARY, CAPTION tags
- We do not use FRAMES; Test foreground and background contrast using 3rd party software
- Use of text for all navigation links, while at the same time use CSS to control images to maintain design consistency
- Use of consistent navigation throughout
- Allow users to bypass the navigation
- All CSS sizes are relative

- Comply with XHTML 1.0 Strict ensuring all Mark Up is correct at all times
- Use of ABBR, ACRONYM tags etc to provide relevant information to the user
- Use of database driven technologies e.g. .NET or PHP to ensure all content is up to date
- No use of inaccurate link targets e.g. No “MORE” or “Click Here” buttons
- Use of H tags to divide blocks of information; Use H tags correctly to allow ease of navigation using the H key on 3rd Party Screen Readers
- Use of LABEL tags on forms correctly
- Use of Access Keys to create shortcuts to links
- Accessibility Statement provided outlining the website accessibility profile

**Planning Service** continued to publicly advertise, by means of prominently and suitably sized text announcements placed within its planning documents, that these can be made available, on request, in alternative formats.

**Planning Service** continued to facilitate Planning outreach clinics in locations remote from the divisional office. They are an important facility in improving accessibility to the planning system for customers who do not live in close proximity to the divisional office. Their purpose is to allow customers to discuss planning applications and related issues without having to travel to the Divisional or Sub Divisional Planning Office.

**Planning Service** continues to consider requirements for members of the public. For example, Omagh Divisional Planning Office has recently liaised with the Royal National Institute for the Deaf (RNID) to provide interpreters for members of the public who require them, to facilitate the viewing and discussing of planning applications. During 2010/11 the Agency has also provided information in a range of alternative formats, including 3 documents in large print format and 1 on CD Rom format for visually impaired customers.

**Planning Service** continues to implement its unique communication of planning applications to the inhabitants of Rathlin Island. The island is 6 miles off-shore and weather and financial restraints often prevent the population from fully participating in the Planning process. The planning

applications for Moyle District Council applications are emailed each week to the Rathlin Community Development Association (RCDA). If required by RCDA, a copy file can be 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. Planning Service recognises the constraints the islanders face in keeping fully informed in terms of all planning issues and is happy to continue facilitating this unique consultation and communication process.

**Planning Policy Division** in developing legislation and policy in relation to the built, natural and marine environments (including formulating Planning Policy and associated supplementary guidance) will provide 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.

**Road Safety and Vehicle Regulation Division (RSVRD)** is responsible for producing the Highway Code for Northern Ireland. As well as English the Highway Code is also available in the languages of the largest minority groups in Northern Ireland – Polish, Lithuanian, Mandarin, Portuguese and Russian. The documents are available on-line and can be viewed at <http://www.roadsafetyni.gov.uk> In 2010/11 preparatory work was begun to translate the Highway Code for Northern Ireland into Irish. It is expected that the translation will be published in late 2011.

**RSVRD** has made available a special multimedia guide which was aimed at the Polish, Lithuanian, Portuguese and Chinese communities. The foreign language package contains a DVD with five new instructional advertisements that will provide all drivers with a reminder of the need for attentive driving. The advertisements, together with a selection of successful television and radio advertisements, have been translated into Polish, Lithuanian, Portuguese and Mandarin Chinese. A CD-Rom containing translations of the Highway Code is also included in the package and is currently available on the road safety website.

## **Section 8: Complaints**

- **Please identify the number of Section 75 related complaints:**

- **received and resolved by the authority (including how this was achieved);**
- **which were not resolved to the satisfaction of the complainant;**
- **which were referred to the Equality Commission.**

The Department received one Section 75 complaint during the 2010/11 year and this was resolved by the Department. A copy of the Department's response to the complainant has already been sent to the Equality Commission.

### **Section 9: Consultation and Engagement**

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

The Equality Coalition held a consultation event for public authorities consulting on their new equality schemes and action plans on 9 March 2011 at UNISON's premises. Officials from the Department's Equality Unit attended this consultation event to provide information for any consultees wishing to highlight any inequalities they felt should be included within the Department's action plan.

The Department continued to review its S75 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 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.

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 2010 and April 2011) setting out details of the policies screened out for equality impact assessment.

The Department continued to issue, 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 representative groups the opportunity 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. These details were also posted on the Department's internet site.

The Department hosted its annual Equality Forum of policy makers and S75 representatives to discuss matters of mutual interest on 22 March 2011. 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 S75 and progress with the Department's EQIA timetable. 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.

**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 and evidence on the driving assessments carried out by Disability Action on behalf of the Department. The Agency has also made themselves available for meetings with the Inclusive Mobility and Transport Advisory Committee (IMTAC) where relevant. The Agency also engaged with the Rainbow Trust to discuss issues relating to transgender groups who may wish to apply for new driving licences and on how staff might appropriately deal with such enquiries.

**Planning Policy Division**, in developing legislation and policy in relation to the built, natural and marine environments (including formulating Planning Policy and associated supplementary guidance) will establish, as appropriate, working group consisting of key interest organisations to advise on relevant issues. Further to this, the Division 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 upon requests in a number of formats.

**Planning Policy Division**, during the preparation of Draft Planning Policy Statements and Supplementary Planning Guidance, has engaged with a range of key stakeholders including Government agencies and Departments. For example - in the preparation of Draft PPS 22 'Affordable Housing' Planning Policy Division brought together a steering group comprising of the DSD Housing team, The Northern Ireland Housing Executive and Northern Ireland Federation of Housing Associations (NIFHA), furthermore the Department of the Environment and the Department for Social Development jointly engaged with the Economic Research Institute of Northern Ireland (ERINI) to speak with the Construction Employers Federation and building industry interests. Draft PPS 22 is currently being reconsidered by the new Minister for the Environment with a view to publish as soon as practicable for public consultation.

In the preparation of Draft PPS 23 'Enabling Development' **Planning Policy Division** engaged only with NIEA as it was such a specific Policy. This document published for public consultation on 17<sup>th</sup> January 2011 and closed on 6<sup>th</sup> May 2011. Officials are currently analysing consultation responses with a view to publishing in final form as soon as practicable.

In March 2011 **Planning Policy Division** published 'Building on Tradition' – A sustainable Design guide for the Northern Ireland Countryside. This document was brought forward by external consultants who were appointed following competitive tender. Work on the design guide was informed by a project steering group made up of representatives from the Landscape Institute Northern Ireland; Ulster Architectural Heritage Society; P.L.A.C.E (The Architecture & Built Environment Centre for Northern Ireland - *Planning, Landscape, Architecture, Community and Environment*); The Planning Service (Operations & the Design Team); Rural Development Council; NIEA – Built Heritage; Royal Society for Ulster Architects; Ulster Farmers Union; Women's Institute and the Ministerial Advisory Group (MAG).

**Planning Policy Division** has set up a Planning Forum in order to broaden and deepen the debate about the future of planning and hear first hand from both experts on planning and from users of the planning system. This Forum involves key stakeholders in the planning field, the development industry, local and central government.

**Road Safety and Vehicle Regulation Division (RSVRD)** in developing legislation and policy in relation to its business areas held stakeholder events and/or workshops, where appropriate, in order to draw in the views of relevant interests, including representatives of disability groups.

**RSVRD** continued to make available the teaching resource pack for the cycle training which includes a DVD in Irish, for use by teachers in Irish Medium schools which participate in the Cycling Proficiency Scheme.

**RSVRD**, during the development of the new 10 year road safety strategy, held meetings/workshops with a number of S75 groups representing children and young people and people with disabilities in order to obtain their views and provide them with the opportunity to contribute to the new strategy. This exercise recorded the views of children and young people from the age of 4 up to and including 21 years old and was largely complete in 2009/10 however further limited engagement occurred in early 2010/11. In 2010/11 all groups who had participated in the engagement exercise received feedback which detailed the points they had raised and how these points had been considered when formulating the new Road Safety Strategy

- **Please outline any use of the Commission's guidance on consulting with and involving children and young people.**

The Department continued to adhere to the guidance contained within "Let's Talk Let's Listen", the Equality Commission's guidance on consulting with children and young people.

**RSVRD** produced an easy read version of the new 10 year Road Safety Strategy. The easy read version was published on the Departmental website in English, Portuguese, Polish, Lithuanian and Irish. The Division also designed an interactive primary schools assembly presentation pack which addresses road safety issues specific to 4-11 year olds. The assembly pack was issued to every primary school in Northern Ireland on 30 March 2011.

**RSVRD** also designed a questionnaire on road safety, aimed at children and young people (aged 15-18) in secondary schools, which addressed issues such as speeding, drink and drug driving, seat belt wearing and responsibility. The Division involved school children in drafting and quality assuring the questionnaire. The questionnaire was issued to a range of

schools across Northern Ireland and over 850 completed questionnaires were received. The results of the questionnaire were used to help inform the creation of the new Road Safety Strategy.

**NIEA** organised, in partnership with OFMDFM (Sustainable Development Unit), a major environmental and sustainability awards scheme for young people across Northern Ireland (aged 5 to 25 years old). This was called 'Impact 2010' and proved so successful that NIEA and OFMDFM are now organising a second awards scheme, 'Impact 2012', which will culminate in an event in March 2012. These awards have provided children and young people with the opportunity to engage with Government and widely promote their environmental and sustainability activities and ideas. The Impact 2012 awards will be supported by other Government departments across NICS.

### **Section 10: The Good Relations Duty**

- **Please 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.**

The Department continued to view the promotion of good relations as essential to good quality policy development. Good relations training formed part of the 'Introduction to S75 and Schedule 9' training provided for staff. Staff in the Equality Unit remain members of the Racial Equality Forum in an effort to further develop relationships with minority ethnic organisations and gain an understanding of their specific needs. In the same spirit, the Department played an active role in both the Migrant Workers Sub Group and the Inter-Departmental Voluntary and Community Sector Joint Forum.

**The Driver & Vehicle Agency (DVA)** continued to provide an audio voiceover for the driver theory test in 21 languages (including English) to assist those whose first language is not English as well as an on-screen British Sign Language (BSL) video translation. During the period 01 April 2010 – 31 March 2011, 6,217 candidates availed of the audio voiceover facilities and 18 candidates used the on-screen BSL video translation facilities. A translator or sign-language interpreter can be arranged if no voiceover is available or if the BSL video is not suitable. 157 candidates made use of the translation facility and 9 candidates made use of the sign-language interpretation facility during the period. Extra time and the use of

a Reader / Recorder can also be requested under certain circumstances with a total of 451 candidates making use of these facilities during the period.

The following theory tests were delivered with voiceovers:

LANGUAGE	TOTAL
Albanian	1
Arabic	18
Bengali	45
Cantonese	122
English-UK	5,187
Farsi	12
Hindi	5
Kurdish	2
Polish	682
Portuguese	58
Spanish-Castilian	9
Tamil	2
Turkish	46
Urdu	28
<b>TOTAL</b>	<b>6,217</b>

The following theory tests were delivered with a one-on-one translator

LANGUAGE	TOTAL
Bulgarian	1
English-UK	2
Lithuanian	111
Malayalam	6
Mandarin	20
Polish	2
Romanian	4
Russian	9
Slovak	2
<b>TOTAL</b>	<b>157</b>

18 BSL on-screen video theory tests were delivered.

9 sign language interpreter tests were delivered.

451 Extra Time and Reader / Recorder tests were delivered.

**DVA Licensing** staff continue to make themselves available to liaise with local councils, community groups and PSNI specifically to provide information for groups such as foreign nationals. The purpose is to provide useful information on a range of services provided by the public sector to help foreign nationals understand our processes. More recently DVA have been involved with Ulster Farmers Union and Custom Cruisers groups and shows such as Young at Heart and The Balmoral Show, to name a few. Staff from all areas of the Agency provide information on a wide range of subjects.

**NIEA** manages some 250 properties, many of which are promoted as a shared cultural heritage with particular focus in support of the Shared Future objectives. Around 1.9 million visits were made to NIEA properties in 2010.

The **NIEA** calendar of events at its properties was circulated widely, with those targeted including community and ethnic groups, and it was promoted through a high profile PR campaign. An estimated 117,000 visitors took part in over 250 NIEA events. 56,500 visitors visited 266 properties and events in the 2010 European Heritage Open Days weekend in September. This was an increase in numbers for the 12<sup>th</sup> year in a row and is part of a wider European effort to showcase our common heritage.

Following the success and popularity of providing a live video link to the seabed from our Coastal Zone centre at Portrush, coinciding with Marine Week in 2008 and 2009, **NIEA** provided this again in 2010. Once again this activity proved extremely popular and it gave visitors of all abilities access to the marine world normally available only to divers.

**Planning Policy Division**, in developing legislation and policy in relation to the built, natural and marine environments (including formulating Planning Policy and associated supplementary guidance) will establish a working group consisting of key interest organisations to advise on relevant issues. Further to this, the Division 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 upon requests in a number of formats.

- **Please outline any use of the Commission's Good Relations Guide.**

The Department is currently considering how to take forward its requirements under the new Good Relations Guidance and is awaiting central direction from OFMdfM in implementing the guidance. The Department has also provided input to Programme for Cohesion, Sharing and Integration.

## **Section 11: New Revised Equality Schemes**

- **If the Commission has notified you of its intention to request a new / revised scheme or formally requested a new / revised scheme and associated action plan, please outline below what progress has been made in this reporting period.**

The Department received a formal request from the Equality Commission on 1<sup>st</sup> November 2010 to submit a revised equality scheme and action plan to the Commission by 1<sup>st</sup> May 2011. The Commission's request included a model template which was designed to assist public authorities in drawing up their revised schemes. However, due to the late issue of this model template, the Department was concerned that it would not be possible in the time allowed to process the scheme through all of the steps detailed below in time to meet the 1<sup>st</sup> May 2011 deadline. This concern was shared by all government departments and relayed through the Inter-Departmental Equality Practitioners Group, chaired by OFMdfM, to the Equality Commission.

The steps involved in the process of producing a revised scheme and action plan are:- the initial drafting of the scheme and action plan; clearance by the Permanent Secretary, Minister and the Environment Committee to issue the draft documents for consultation; the required 12 week consultation exercise; consideration of responses to the consultation exercise; production of a summary of responses; amendments to the draft documents where necessary following the comments received; clearance of the final draft scheme and action plan through the Permanent Secretary, Minister and the Environment Committee and submission to the Equality Commission.

The Assembly elections earlier in the year meant that the Committee was dissolved from 25 March 2011. Therefore, the Department did not enjoy the

full 6 month period to prepare, consult and submit its revised Equality Scheme and action plan. In order to meet the 1 May deadline, the Department had no alternative but to shorten its consultation period to 8 weeks from 18<sup>th</sup> February to 15<sup>th</sup> April 2011.

As the Assembly was dissolved on 25 March 2011 the Department could not finalise its new equality scheme to meet the 1<sup>st</sup> May 2011 deadline. Therefore, an 'initial' revised scheme was submitted to the Commission on 28 April 2011, following agreement that an updated version of the revised Equality Scheme and action plan could be resubmitted after 1<sup>st</sup> May 2011, following full consideration of responses made to the consultation exercise and clearance by the new Minister and Environment Committee. The revised Scheme will be resubmitted to the Commission shortly.

## **Section 12: Additional Comments**

- **Please provide any additional information / comments**

The Department continues to emphasise 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 team briefing. 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 fact only one Section 75 related complaint was received by the Department during 2010/11.

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.

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.

Annual Report 1 April 2010 / 31 March 2011  
'Disability Duties' Questions

**1. How many action measures for this reporting period have been?**

6

1

3

Fully  
Achieved

Partially  
Achieved

Not  
Achieved

2. Please outline the following detail on **all actions that have been fully achieved** in the reporting period.

2 (a) Please highlight what **public life measures** have been achieved to encourage disabled people to participate in public life at National, Regional and Local levels:

Level	Public Life Action Measures	Outputs <sup>1</sup>	Outcomes / Impact <sup>2</sup>
National <sup>3</sup>			
Regional <sup>4</sup>	<b>DVA's Driver Licensing Division</b> will seek to increase participation in public life by ensuring that the disabled sector is properly represented through meetings with groups such as Disability Action, the Occupational Health Service, Mobilise NI and various other disabled drivers' associations which represent the rights of	Meet bi-annually during 2010/11.	Achieved. Improved mobility and access to services for people with disabilities.

<sup>1</sup> **Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

<sup>2</sup> **Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

<sup>3</sup> **National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

	disabled drivers. The Agency will keep membership of these groups under review.		
Local <sup>5</sup>	<b>Planning Policy Division</b> , in the preparation of Planning Policy Statements, continued to set up stakeholder groups, and where appropriate, made use of workshops and other external arrangements through consultants, in order to draw in the views of key interests including representatives of disability groups.	Ongoing.	Achieved. To ensure that the views of key interests particularly disability groups are sought.

<sup>4</sup> **Regional**: Situations where people can influence policy decision making at a middle impact level

<sup>5</sup> **Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

2(b) What **training action measures** were achieved in this reporting period?

	Training Action Measures	Outputs	Outcome / Impact
1			
2			
3			

2(c) What Positive attitudes **action measures** in the area of **Communications** were achieved in this reporting period?

	Communications Action Measures	Outputs	Outcome / Impact
1	<p><b>NIEA</b> will promote their events, sites and properties to disability representative groups, particularly those which have access for people with disabilities as below:-</p> <ul style="list-style-type: none"> <li>• Circulate the NIEA events calendar, including details of the</li> </ul>	<p>Events calendar to be issued to all S75 groups on DOE's contact list by May 2010.</p>	<p>Achieved. The events calendars were circulated and appear to have been well received.</p>

	<p>suitability of each event for people with disabilities, to disability representative groups. The website address for the events, sites and properties will also be promoted with this circulation.</p> <ul style="list-style-type: none"> <li>• Issue a news release about NIEA events, sites and properties, highlighting their accessibility for the disabled.</li> </ul>	<p>Press release to go to NI's 3 main newspapers by May 2010.</p>	<p>Achieved.</p>
<p>2</p>	<p><b>Road Safety and Vehicle Regulation Division</b> – Education Officers making visits to special schools to promote inclusion of road safety education through provision of advice and resources to teachers and sessions with children.</p>	<p>A minimum of 2 visits to Special schools in the school year.</p>	<p>Achieved - Road Safety Education Officers continued to make visits to special schools throughout the year to promote road safety through the provision of resources, advice and guidance.</p>

3	Raise staff awareness of the role of the Department's Disability Liaison officer who acts as a point of contact for staff with disabilities and managers who have staff with disabilities.	Publish one article per year in the joint DRD/DOE/DCAL publication, <b><i>Equality Times</i></b> .(a copy of which is issued to each member of staff)	Achieved - The joint departmental equality magazine has been decommissioned. Staff have been informed of disability related topics through the departmental intranet and/or the HRConnect portal. The DLO has been liaising with HR colleagues and staff by providing advice and guidance in relation to reasonable adjustments.
4	To monitor progress on the implementation of existing and future action measures in the Department's DAP at Equality Working Group and Equality Forum meetings.	Consult with the Equality Forum annually.  Consult with the Equality Working Group (EWG) bi-annually.	Achieved. The DAP was included on the agenda at the Department's Equality Forum on 22 March 2011 and at meetings of the EWG on 14 December 2010 and 22 March 2011.

2 (d) What action measures were achieved to ‘**encourage others**’ to promote the two duties:

	Encourage others Action Measures	Outputs	Outcome / Impact
1			
2			
3			
4			

2 (e) Please outline **any additional action measures** that were fully achieved other than those listed in the tables above:

	Action Measures fully implemented (other than Training and specific public life measures)	Outputs	Outcomes / Impact
1			
2			
3			

3. Please outline what action measures have been **partly achieved** as follows:

	Action Measures partly achieved	Milestones <sup>6</sup> / Outputs	Outcomes/Impacts	Reasons not fully achieved
1	The Department will contribute financially to provision of the Diversity Now training course which will be provided by the Centre for Applied Learning. This new equality and diversity foundation course is mandatory for all 3000 staff and includes a section on the two disability duties.	All staff in post will have either been trained or have access to on line training by March 2011.	Increased staff awareness and understanding of the new duties.  The effectiveness of the awareness training is monitored by evaluation sheets completed by trainees at the end of each course.	Partly achieved. A number of DOE staff attended classroom-based Diversity Now training during 2010/11. However, the online training has been delayed due to both technical and resourcing issues but it is expected to begin rolling out in Summer 2011.
2				
3				
4				

<sup>6</sup> **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

4. Please outline what **action measures have not been achieved** and the reasons why?

	Action Measures not met	Reasons
1	<b>Road Safety and Vehicle Regulation Division</b> is preparing legislation which will place a legal duty on drivers of public service buses to assist wheelchair users and other disabled people to board and alight from the bus. Introduce a new Statutory Rule and have it operative by September 2010.	Not achieved. Draft legislation currently with Departmental Solicitors. Scrutiny ongoing. (Target moved to Dec 2012 in revised DAP)
2	The Department's <b>Equality Unit</b> will produce a display of awareness raising posters on the disability duties to promote positive attitudes towards people with disabilities throughout Departmental staff by August 2010.	Not achieved. Due to competing work pressures this target has moved to October 2011 and will be included in revised DAP.
3	The Department will review ways of making information on services more accessible and include any resulting additional measures in its Guide to Making Information Accessible. Review of the guide to be completed by March 2011.	Not achieved. Due to competing work pressures this review has slipped and consultation on the revised Guide to Making Information Accessible issued on 20 April 2011.

5. What **monitoring tools** have been put in place to evaluate the degree to which actions have been effective / develop new opportunities for action?

(a) Qualitative

The Department’s annual Equality Forum meeting is a useful means of monitoring the actions contained within the Department’s DAP. The DAP is a standing agenda item and S75 groups are asked for their comments on the actions contained within it and for suggestions on any new actions which might be added. For example, the Department’s “Guide to Making Information Accessible” is a standing agenda item and feedback is sought from the Section 75 Groups on how the Department provides information in a range of formats to meet in the needs of its customers, including those with disabilities.

(b) Quantitative

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6. As a result of monitoring progress against actions, has your organisation either:
- made any **revisions** to your plan during the reporting period or
  - taken any **additional steps** to meet the disability duties which were **not outlined in your original** disability action plan / any other changes.

Please delete: ~~Yes~~ / No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Timescale
1			

2			
3			
4			
5			

7. Do you intend to make any further **revisions to your plan** in light of your organisations annual review of the plan? If so, please outline proposed changes?

The Department is currently in the process of preparing a revised DAP for the period 2011-2014.



**DRIVER AND VEHICLE AGENCY**

**THIRD MONITORING REPORT ON PROCEDURES  
USED TO ISSUE DRIVING LICENCES EQIA.**

July 2010



Awarded for excellence

## **1.1 Section 75 Considerations**

DVA Licensing published their Equality Impact Assessment Report in July 2006, the First Monitoring Report was published in July 2008 and the Second Monitoring Report was published in June 2009. The EQIA report and subsequent monitoring reports did not identify any significant adverse impact on any of the Section 75 groups. The purpose of this third 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 and DVA Licensing, on behalf of DOE, is legally responsible for the issuing of driving licences and deciding if a person is eligible to hold a Northern Ireland driving licence.

In addition to NI legislation, driver licensing is also regulated by European Commission Directives. Driver licensing has been subject to First Council Directive 80/1263/EEC of 4th December 1980 and Council Directive 91/439/EEC of 29th July 1991 on driving licences. Both Directives have attempted to harmonise driving licences across member states. The current driving licence policy in Northern Ireland conforms to the second Directive and a third Directive is expected to be implemented in 2013.

The legal basis for issuing driving licences lies in the Road Traffic (NI) Order 1981, as amended by the Road Traffic (Amendment) (NI) Order 1991, the Road Traffic (NI) Order 1995<sup>7</sup> and subsequent regulations including, in particular, the Motor Vehicle (Driving Licences) (Northern Ireland) Regulations 1996<sup>8</sup>. This legislation has been amended extensively

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<sup>7</sup> This is revised further upon introduction of the Road Traffic (NI) Order 2007.

<sup>8</sup> This legislation is based on the GB Road Traffic Act 1988 and the Motor Vehicles (Driving Licences) Regulations 1996.

but due to the proximity to implementation of the 3<sup>rd</sup> EU Directive on Driver Licensing is unlikely to be consolidated.

### **1.3 Customer Satisfaction Surveys**

In April 2009 the Driver & Vehicle Agency (DVA) commissioned Central Survey Unit (CSU) of the Northern Ireland Statistics & Research Agency (NISRA) to undertake a postal survey of DVA customers.

Previously the DVA had ran separate surveys for Testing customers (i.e. those who had sat driving tests or had presented a vehicle for testing) and Licensing customers. Following the merger, in 2007, of the Driver and Vehicle Testing Agency and Driver and Vehicle Licensing Northern Ireland to form the Driver & Vehicle Agency, the remit of the 2009 survey was to capture responses from all types of DVA customers within one questionnaire.

The main aim of the survey was to measure overall customer satisfaction against the ministerial target of 93% (+/- 2%) for 2009.

#### Questionnaire Design

In liaison with DVA, Central Survey Unit compiled a paper questionnaire which was designed to be applicable to all DVA customers.

The questionnaire comprised several distinct sections:

##### Contact with the DVA

- Written contact (letter/e-mail)
- Telephone contact
- Personal visits to DVA premises

##### On-line Access to DVA services

- Use of on-line booking service (for driving test/vehicle tests)
- Internet access to DVA services/information

##### Overall view of DVA services

- The respondents view of the overall service they received from DVA

### Improving DVA services

- An opportunity for respondents to assess various methods that the DVA could employ to improve the service they currently provide

### Demographic information about the customer

- Age, sex, marital status, etc

Throughout the questionnaire respondents were given the opportunity to provide feedback on any areas of dissatisfaction with the service provided by the DVA.

### **The findings of the survey revealed that;**

- Of those respondents who had written to or e-mailed the DVA within the last year, almost all (97.5%) were 'satisfied/very satisfied' with the length of time it took to respond to their initial letter/e-mail.
- Over nine in ten (93.0%) of these respondents were 'satisfied/very satisfied' with the length of time took to resolve their query.
- Overall, 92.3% of respondents were 'satisfied/very satisfied' with the way in which their written/e-mailed query was handled by the DVA.
- Of those respondents who had telephoned the DVA within the last year, over nine in ten (92.0%) were 'satisfied/very satisfied' with the length of time taken to answer the telephone.
- Almost all respondents (97.7%) were 'satisfied/very satisfied' with the politeness and courtesy shown by the member of staff who handled their call.
- Overall, 94.7% of those respondents who had telephoned the DVA within the last year were 'satisfied/very satisfied' with the way their telephone call was handled.

- Of those respondents who had visited any DVA premises within the last year (for any reason other than for a vehicle test or driving test), almost one quarter (24.4%) were 'dissatisfied/very dissatisfied' with the time spent queuing.
- Overall, nine in ten (90.8%) were 'satisfied/very satisfied' with how their visit to the DVA was handled.
- Almost all respondents (97.0%) 'agreed/strongly agreed' with the statement 'I was treated fairly by the DVA'.
- Almost all respondents (95.1%) 'agreed/strongly agreed' with the statement 'I was treated with sensitivity by the DVA'.
- In total, 96.8% of respondents were 'satisfied/very satisfied' with the overall service provided by the DVA within the last year.
- Over four fifths (83.4%) of respondents would like the DVA to issue letters/reminder letters to provide them with information that might affect them as a driver or vehicle keeper (whilst this refers to the Agency as a whole Driver Licensing has been issuing reminders for approximately 20 years).
- Two thirds (67.1%) of respondents considered providing a 'wider range of DVA service at Post Offices' as an important method for improving customer service.

The evidence gathered indicates that the procedures used have no adverse impact on applicants.

## **1.4 Making an Application to DVA for a Driving Licence**

The main issue of concern in the 2009 Customer Satisfaction Survey, related to the time spent queuing at DVA premises (however, as Driver Licensing is essentially a postal service, with only two outlets in the DVA Local Licensing Offices, Driver Licensing management cannot exercise any influence over this customer concern).

Of those respondents who had visited any DVA Licensing premises within the last year, almost one quarter (24.4%) were dissatisfied/very dissatisfied' with the time spent queuing.

Although overall, nine in ten (90.8%) were 'satisfied/very satisfied' with how their visit to the DVA was handled.

Two thirds (67.1%) of respondents considered providing a 'wider range of DVA service at Post Offices' as an important method for improving customer service. Again two thirds of respondents (34.4% and 33.0% respectively) considered 'ID checking at Post Offices for driving licences' and 'Extended opening hours' as important for improving customer service.

## **1.5 Inter Agency Working Groups**

As part of its commitment to improving service delivery, DVA Licensing instituted a number of working groups that have involved the Occupational Health Service (OHS), Disability Action and Driver and Vehicle Testing and seminars such as the "Young at Heart" event recently held in Belfast.

DVA Licensing, Disability Action and OHS continue to meet 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 includes equality implications in relation to section 75 categories. It will also allow for discussion on potential regional disparities in respect of Disability Action assessments and how best to provide feedback to customers.

This forum will afford 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.

## **1.6 Race**

When DVA published the Equality Impact Assessment Report, in July 2006, the EQIA report and subsequent Monitoring Reports in July 2008 and June 2009 they did not identify any significant adverse impact on any of the Section 75 groups; although the report did recognise that there was qualitative evidence that people from minority ethnic backgrounds may have different needs in respect of this policy. They may find it more difficult than others to meet the requirement of the policy in respect of providing evidence of identity or other documentation.

It is recognised that there is a need to ensure that Driving Licences, which represent a main form of identification, are underpinned by a robust process for verifying identification of individuals. In order to mitigate against potential differential impact on people of different racial background DVA Licensing set-up an Identity Checking Section to deal with all foreign documentation. This section deals with all foreign documentation on a case by case basis and will continue to brief driving licensing staff on where alternative documentation, etc can be accepted.

The Identity Checking Section also is available to attend venues throughout Northern Ireland to inform and advise foreign nationals of the driving licence requirements in Northern Ireland.

## **1.7 Awareness Raising**

DVA Licensing is involved in regular awareness raising/information giving sessions.

Driver Licensing staff are available to visit the cardiac rehabilitation classes at the Causeway Hospital, Coleraine to provide advice to groups of patients recovering from heart conditions. Staff will also on request attend other venues throughout Northern Ireland.

DVA Licensing staff from the Driving Licensing Identity Checking Section can also attend venues throughout Northern Ireland to inform and advise various groups, including foreign nationals, of the driving licence requirements in Northern Ireland.

DVA have a member on the Working Group for Courses for Drink Driving Offenders and have supplied staff to attend a training event run by the group responsible for the drink driving rehabilitation courses.

## **1.8 Funding of Procedures to Assess Medical Fitness to Drive**

DVA Licensing continues to absorb full costs in relation to the issuing of medically restricted licences. This involves paying Consultants fees, GP fees, OHS costs and driver assessments carried out by Disability Action.

The absorption of costs and issuing of restricted licences free of charge promote equality of opportunity between people with disabilities and those without.

## **1.9 Defining Disability for Research Purposes**

DVA Licensing will continue to meet with Disability Action and Occupational Health Service to review all issues relating to those applicants with medical conditions.

## **2.0 Improving Data Capture**

The current Driver Licensing computer database is not able to provide information on licences applied for by any Section 75 category. Information on applications actually issued is only available by gender and age, which restricts the scope for quantitative analysis.

DVA Licensing are aware of the limitations of the current database and arrangements for collecting Section 75 monitoring information will be considered in future system development.

The Agency is currently considering options for the future delivery of driver licensing functions in Northern Ireland and dependant on the option chosen it may be possible to include S75 considerations in this development.



**Second Monitoring Report on EQIA relating**  
**to Approved Driving Instructors**

**April 2010**



An Agency within the Department of the

**Environment**

[www.doeni.gov.uk](http://www.doeni.gov.uk)

## **Introduction**

The Driver and Vehicle Agency (DVA) is responsible for the licensing, testing and registration of Approved Driving Instructors (ADIs). Anyone currently holding a Northern Ireland, Great Britain or Community (EU) driving license, or who has held one of these licenses for 4 of the last 6 years, and who has not been disqualified from driving in the 4 years preceding their application can apply to become an ADI.

To become an ADI one must pass a three part qualifying examination, which includes a theory test, a practical test of driving ability and a practical test of teaching ability.

There are more than 1,100 ADIs in Northern Ireland currently.

As part of DVA's ongoing commitment to equality issues, a Section 75 monitoring questionnaire was sent to all registered ADIs in Northern Ireland in October 2009. The collected responses would provide data on the Section 75 profile of ADIs in Northern Ireland, and could be compared to the Section 75 profile of those aged 17 and over in Northern Ireland.

## **Methodology**

The questionnaire was developed by Central Statistics & Research Branch (CSRB), using a standardised form for gathering Section 75 details. DVA had one additional question to add to the form, concerning the length of time the respondent had been an ADI, and this was included.

Given the reasonably small population of ADIs, it was agreed that a form would be sent to all ADIs in Northern Ireland. In total, 1,096 ADIs were surveyed in November 2009. They were sent a copy of the questionnaire and a cover letter, explaining why it was necessary to collect this information and to assure them that their responses would be completely anonymous, and a pre-paid return envelope. A copy of the questionnaire and the cover letter are attached in Annex 1. Respondents were given 3 weeks to complete and return the questionnaire.

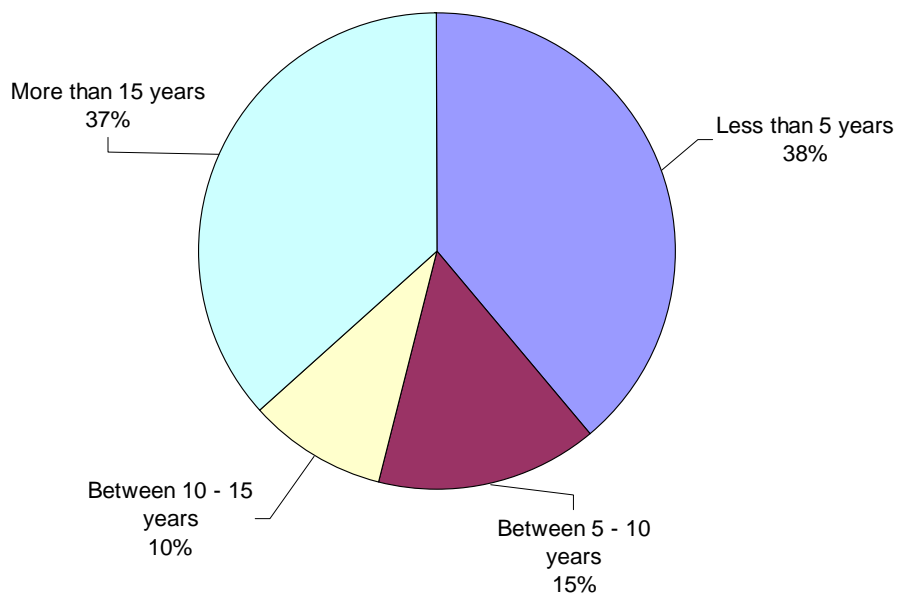
A total of 545 completed forms were received, which equates to a response rate of 49.7%.

## Results

### How long have you been an Approved Driving Instructor?

Almost four out of ten (38.9%) respondents stated they had been an instructor for less than 5 years, while 36.7% said they had been an instructor for more than 15 years.

**Figure 1: How long have you been an Approved Driving Instructor?**



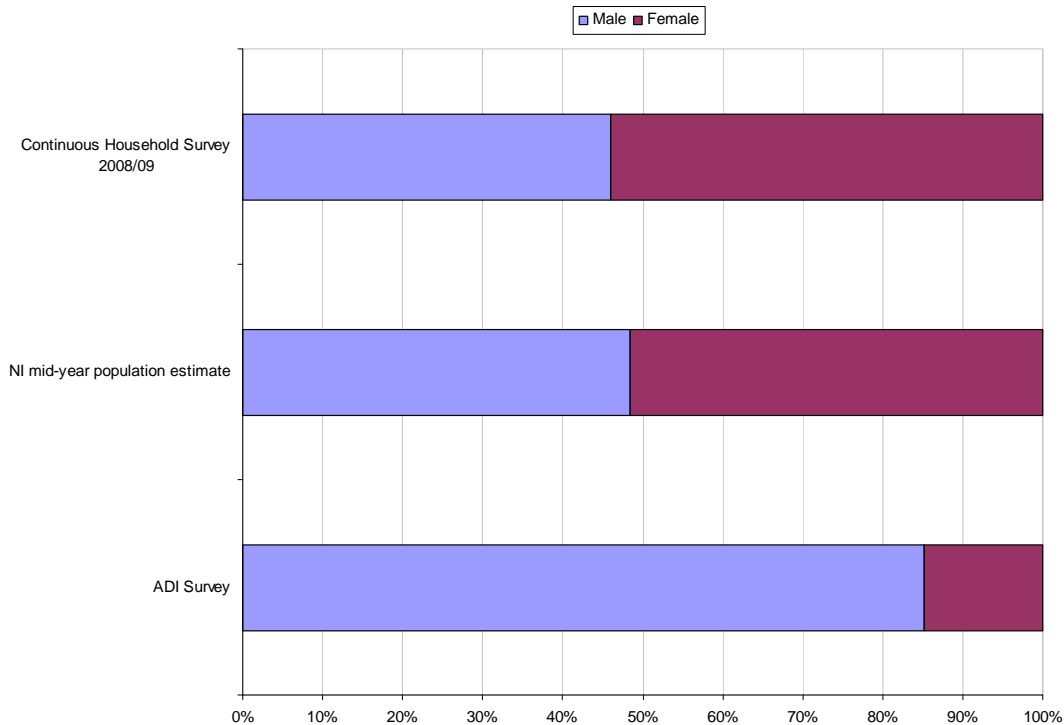
## Section 75 Results

The section 75 results from the survey were compared with the section 75 breakdown of respondents aged 17 and over from the 2008/09 Continuous Household Survey (CHS) survey, and the mid-year population estimates for 2008.

### Gender

The responses to the questionnaire indicate that the male respondents account for 85% of ADIs and female respondents account for 15%. By way of comparison, the results from the CHS 2008/09 showed a 46% / 54% split of males / females. The most recent mid-year population estimates (2008) have a ratio of 48% / 52%.

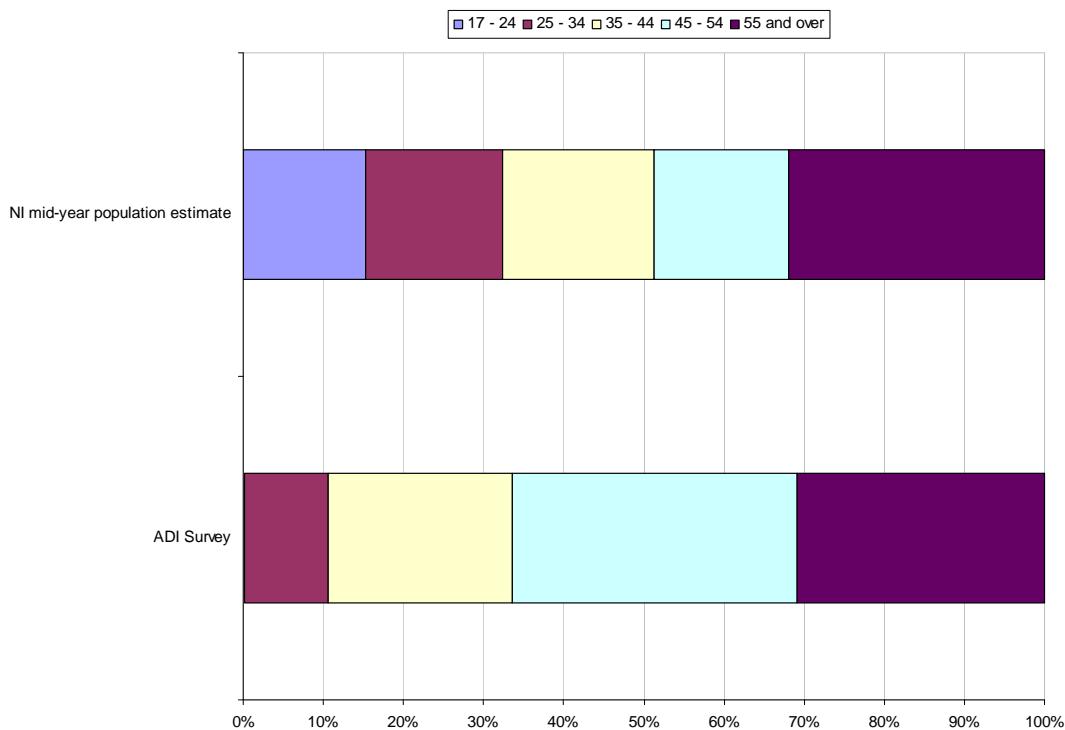
**Figure 2: Gender**



## Age

The highest percentage of ADIs were aged 45 – 54 (36%). Those aged 55 and over were the next highest group with 31%. Only 11% of respondents were under 35 years of age. When compared to the most recent mid-year population estimates, the younger age groups are under-represented. For example, 32.4% of the 17+ population in Northern Ireland is under 35, compared to the 11% return from the survey.

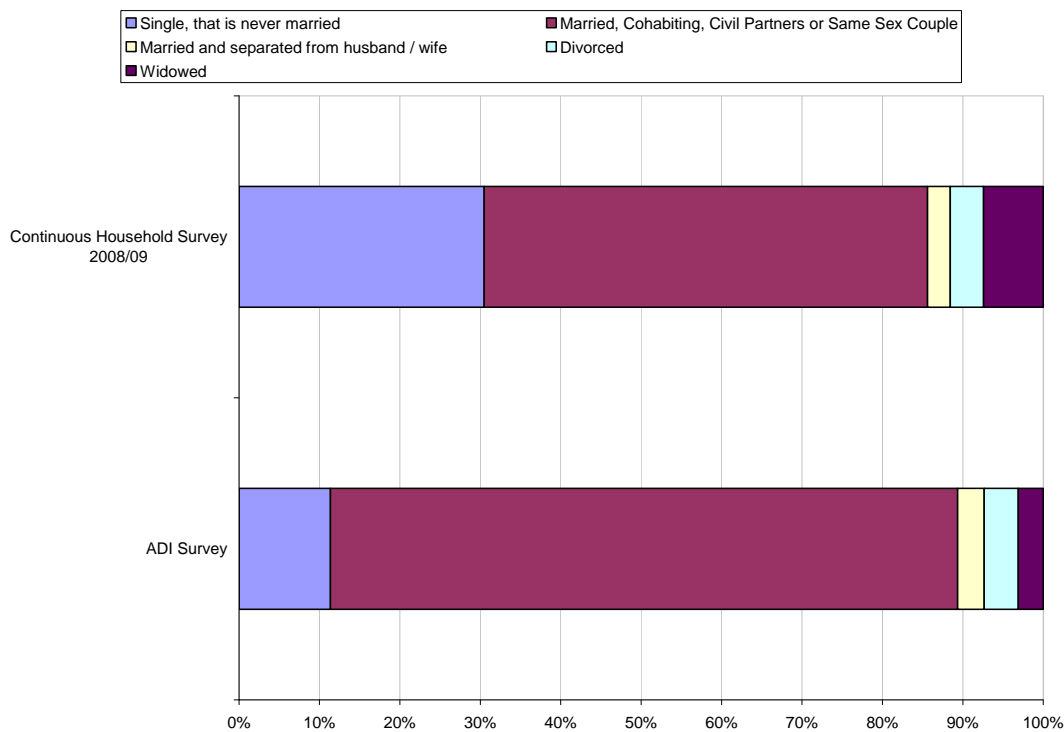
**Figure 3: Age**



## Marital Status

The majority of respondents (77%) stated that they were married, cohabiting, civil partners or were in a same sex couple. Eleven per cent stated that they were single, with the remainder either separated, widowed or divorced. These differ significantly from the 2008/09 CHS results, which have 55% of those aged 17 and over as married, and 30% as single.

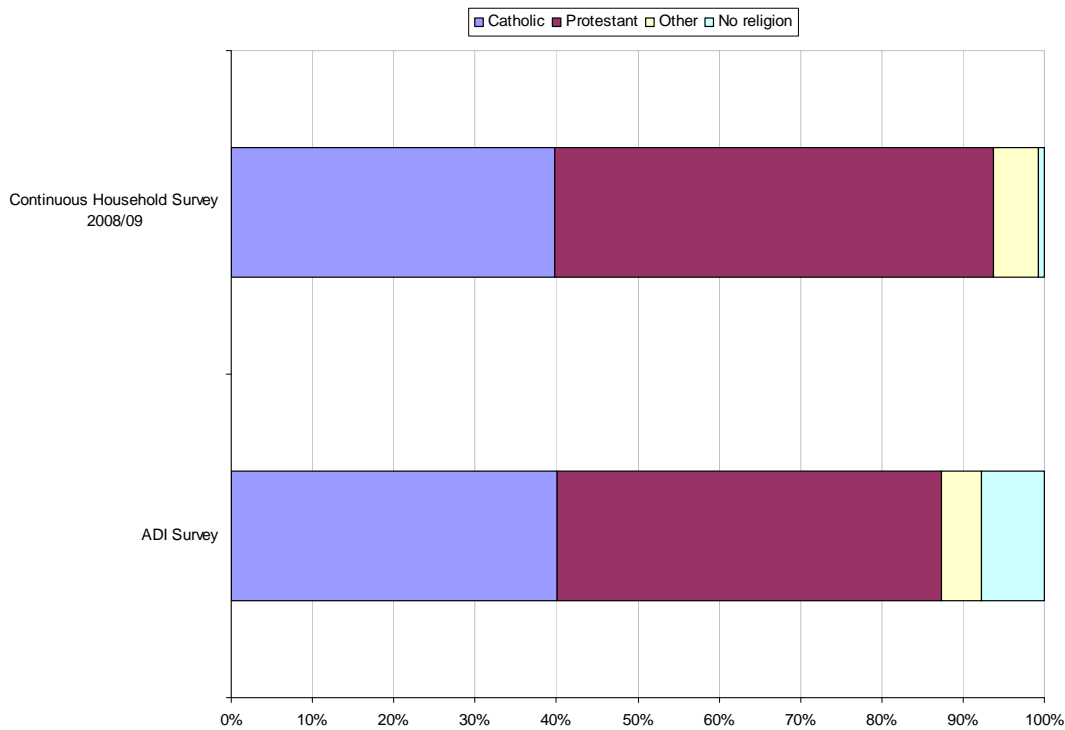
**Figure 4: Marital Status**



## Religion

The survey returns indicate a higher proportion of Protestants than Catholics as ADIs, with 47% stating they were Protestant compared to 40% stating they were Catholic. The CHS results for those aged 17 and over suggest that the Catholic numbers are representative of the overall population, (40% stated they were Catholic in the CHS) but that the number of Protestants is somewhat understated (54% stated they were Protestant in the CHS).

**Figure 5: Religion**



## **Ethnicity**

An overwhelming majority of respondents (99%) stated that they were white, with just one per cent declaring themselves as non-white.

Respondent's ethnicity is not recorded as part of the CHS, and therefore there are no recent results to compare this too. The last census (2001) reported that 99% of the Northern Ireland population aged 17 and over was white.

## **Disability**

The majority of ADI respondents (90%) stated that they did not suffer from a long-standing illness, disability or infirmity. In the CHS, the figure was lower, with 76% of those aged 17 and over stating that they did not have a limiting long-standing illness. Unfortunately these figures are not directly comparable as the wording for the two questions is slightly different. Of those ADIs who did report having a long-standing illness, disability or infirmity, just under half (46%) said that it limited their activity in some way.

## **Dependents**

Forty per cent of respondents stated that they were responsible for the care of a child. This figure is not significantly different for the figure in the CHS of 36%.

Eleven per cent of respondents stated that they were responsible for the care of a person with a disability or an elderly person. The CHS does not record similar figures.

## **Conclusions & Recommendations**

The Section 75 responses show that significant differences exist in the gender, age, and marital status make up of ADIs from the general population aged 17 and over. There was also a significant difference in the percentage of Protestants.

Males are over-represented in the ADI group compared to the overall population, younger age groups are under-represented compared to the overall population and single people are also under-represented in the ADI group compared to the overall population. Protestants are over-represented in the ADI group compared to the survey.

It is recommended that the same survey is run again in two years time, and continues to run on a biennial basis.



## ADI QUESTIONNAIRE

**1. How long have you been an ADI?**

- Less than 5 Years
- Between 5-10 Years
- Between 10-15 Years
- More than 15 Years

**2. What gender are you?**

- Male
- Female

**3. What age are you?**

- 17 – 24
- 25 – 34
- 35 – 44
- 45 – 54
- 55 and over

**4. What is your marital status?**

Single, that is never married

Married and living with husband / wife

A civil partner in a legally-recognised Civil Partnership

Married and separated from husband / wife

Divorced

Widowed

In a legally-recognised Civil Partnership and separated from your civil partner

Formerly a civil partner, the Civil Partnership now legally dissolved

A surviving civil partner, my civil partner having died

**5. What is your religious status?**

Catholic

Protestant

Other

No Religion

**6. What is your ethnicity?**

White

Non – White

**7. Do you have a long - standing illness, disability or infirmity? (Long - standing is defined as anything that has troubled you over a period of time or that is likely to affect you over a period of time).**

Yes

No

**8. Does this illness or disability limit your activities in any way?**

Yes

No

**9. Do you have responsibility for the care of a child?**

Yes

No

**10. Do you have responsibility for the care of a person with a disability or a dependant elderly person?**

Yes

No

**This is the end of the questionnaire.**

**Thank you for completing it.**

**Please return in the pre-paid envelope provided before**

**30/11/09**

Date: 30/10/09

## **REGISTER OF APPROVED DRIVING INSTRUCTORS**

Dear Instructor

The Driver and Vehicle Agency is required under Section 75 of the Northern Ireland Act 1998 to produce an Equality Monitoring report of the Approved Driver Instructor (ADI) scheme to ensure equality of opportunity.

The Department is legally obliged to monitor the Scheme to ensure it complies with current equality legislation, and as such we need to gather some information about instructors such as your gender, marital status, religion, ethnicity etc. In order to assist I should be grateful if you would complete the enclosed questionnaire which should take less than 2 minutes

All ADIs are being asked to complete the attached and return it in the pre-paid envelope attached.

The survey is completely anonymous and cannot be traced back to individual respondents.

If there is anything else you wish to know about the survey, please feel free to contact Gillian Kerr on (028) 9068 5203.

Yours faithfully,

Approved Driving Instructors Scheme

**Please return the completed questionnaire in the pre-paid envelope  
by 30/11/09.**

ANNEX C



Driver & Vehicle Agency

**Practical Driver and Vehicle Tests**

**EQUALITY IMPACT ASSESSMENT  
SECOND MONITORING REPORT**

**September 2010**

**Driver & Vehicle Agency  
Balmoral Road  
Belfast  
Northern Ireland  
BT12 6QL**



# **SECOND MONITORING REPORT ON EQUALITY IMPACT ASSESSMENT OF PRACTICAL DRIVER TESTS AND VEHICLE TESTS**

## **Introduction**

- 1.1** 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.
- 1.2** In addition, public authorities are required to promote good relations between people of different religious beliefs, political opinion or racial group.
- 1.3** The Driver & Vehicle Testing Agency (DVTA) conducted an equality impact assessment (EQIA) of practical driver tests and vehicle tests under the Department of the Environment's Equality Scheme. The EQIA was published on the 31 March 2006. 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.

- 1.4 Within the EQIA, the Agency committed to providing a formal monitoring report within two years of publication. This paper provides the second and final monitoring report reflecting the findings of the most recent customer survey and a review of measures taken.
- 1.5 The EQIA is available to view on the Agency's website and can be made available in alternative formats (such as large print, audio cassette, Braille, or minority languages etc) if desired. These may be requested by contacting *DVA Customer Services* at Tel: 0845 601 4094 or Textphone: 028 7034 1351

### **Main Findings of EQIA**

- 1.6 For the purpose of the EQIA the Agency focused on three key areas; availability of information relating to the practical driver tests and vehicle tests, booking arrangements for tests, and the customer experience of the tests. There was generally no variance in the overall levels of satisfaction between the whole customer base surveyed and the section 75 groups.
- 1.7 The Agency had proposed or had already introduced several measures to address the differential impacts noted below. The table at Annex1 shows the measures taken and the current position.

**Religious belief** In terms of driving test procedures for women from a Muslim background

**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

**Race** In terms of provision of information, booking arrangements and experience of test (driver and vehicle)

**Disability** In terms of provision of information, booking arrangements (driver and vehicle) and experience of test (driver only)

## **Second Monitoring Report**

1.8 Since the first monitoring report, the Driver & Vehicle Agency (DVA) was set up on 1 April 2007 through a merger between DVTA and DVLNI under the Review of Public Administration.

1.9 This second monitoring report reflects the Agency's position at the end of July 2010, and highlights the fact that all the mitigation proposed has been implemented and provides evidence in Annex 2 and 3 that customers appear to be content with the arrangements in place.

<b>S75 Group</b>	<b>Adverse Impact</b>	<b>Mitigation</b>	<b>Current Position</b>
<b>Religious belief</b>	Muslim women uneasy taking driving tests alone with male examiner	Highlight prominently on the Agency website the facility to be accompanied on a test by an ADI, friend or family member.	Analysis of the complaints register and of customer satisfaction surveys would suggest that this measure has addressed the concerns. See Annex 2
<b>Gender:</b>	Women uneasy about bringing vehicle for test or having a driving test alone with a male examiner	Highlight prominently on the Agency website the facility to be accompanied on a test by an ADI, friend or family member.	Analysis of the complaints register and of Customer Satisfaction surveys would suggest that this measure has addressed the concerns. See Annex 2
<b>Race</b>	Lack of provision of core information regarding booking arrangements and experience of test (driver and vehicle)	Provision of core information in a range of languages for customers whose first language is not English. Introduction of an interactive translation facility	DVA now utilises the DCAL translation facility for requests for information in languages other than English. DVA also facilitates translators on the practical driving test as required.
<b>Disability</b>	Provision of core information, booking arrangements and experience of test (driver and vehicle)	Highlight prominently on the Agency website the facilities available to customers with disabilities. Test centre facilities to be upgraded to meet the requirements of the Disability Discrimination Act 1995	Analysis of the complaints register and of customer satisfaction surveys would suggest that this measure has addressed the concerns. All test centres now DDA compliant. See Annex 2 and 3

Other mitigation proposed and fully implemented.

- Online system for booking vehicle and driving tests. In the last year 65% of all test bookings were made using the online facility.
- Customer awareness training in dealing appropriately with people with disabilities and people from a variety of social, cultural, religious and ethnic backgrounds provided to all front line staff and through induction training to all new entrants.

### Customer Complaints Analysis

Analysis of the Customer Complaints Register for 2009/10 showed that there were a total of 261 entries in relation to driver and vehicle testing, as shown in the table below.

<b>Nature of entry</b>	
Theory Test	22
Compliance and Enforcement	7
BSP Call Centre booking	35
Queries about costs/procedures - centre not set	5
Driving test	44
Vehicle Test	119
<b>Total non-relevant entries</b>	<b>232</b>
Vehicle test attitude of staff	7
BSP Attitude of staff	3
Driving test attitude of examiner	17
Driving test – communication issues with candidates not understanding sufficient English	2
<b>Relevant complaints</b>	<b>29</b>

The 29 complaints initially considered to be relevant for monitoring purposes represent 11% of the total complaints received relating to driver and vehicle testing. Of these, 27 relate to the attitude of the examiner, and were neither gender nor race specific, and have been addressed through Customer Service training.

The remaining 2 complaints concern the ability of the candidate and the examiner to communicate sufficiently effectively with each other to allow the driving test to proceed. In both these cases, the candidate did not avail of the mitigation which DVA has proactively advertised i.e. to be accompanied on the test by an interpreter, friend or driving instructor.

**Executive Summary from 2009 Customer Satisfaction Survey**

- Of those respondents who had written to or e-mailed the DVA within the last year, almost all (97.5%) were 'satisfied/very satisfied' with the length of time it took to respond to their initial letter/e-mail.
- Over nine in ten (93.0%) of these respondents were 'satisfied/very satisfied' with the length of time took to resolve their query.
- Overall, 92.3% of respondents were 'satisfied/very satisfied' with the way in which their written/ e-mailed query was handled by the DVA.
- Of those respondents who had telephoned the DVA within the last year, over nine in ten (92.0%) were 'satisfied/very satisfied' with the length of time taken to answer the telephone.
- Almost all respondents (97.7%) were 'satisfied/very satisfied' with the politeness and courtesy shown by the member of staff who handled their call.
- Overall, 94.7% of those respondents who had telephoned the DVA within the last year were 'satisfied/very satisfied' with the way their telephone call was handled.
- Of those respondents who had visited any DVA premises for a vehicle test or driving test within the last year, nine in ten (89.8%) were 'satisfied/very satisfied' with the facilities available to them at the DVA premises.
- Overall, 97.8% of respondents were 'satisfied/very satisfied' with how their test was handled.
- Of those respondents who had visited any DVA premises within the last year (for any reason other than for a vehicle test or driving test),

almost one quarter (24.4%) were 'dissatisfied/very dissatisfied' with the time spent queuing.

- Overall, nine in ten (90.8%) were 'satisfied/very satisfied' with how their visit to the DVA was handled.
- Almost one third (31.2%) of all respondents had used the DVA on-line booking service (for driving tests/vehicle tests).
- Almost nine in ten (87.5%) of those respondents who have used the DVA on-line booking service, used it to book a vehicle test.
- Overall, almost all (96.3%) were 'satisfied/very satisfied' with the on-line booking system
- Of those respondents who have used the internet to access DVA services (other than the online booking system), the most popular reason was to attain information on vehicle testing (48.0%), followed by vehicle licensing information (45.2%) then driver licensing information (42.6%)
- Almost all respondents (97.0%) 'agreed/strongly agreed' with the statement 'I was treated fairly by the DVA'.
- Almost all respondents (95.1%) 'agreed/strongly agreed' with the statement 'I was treated with sensitivity by the DVA'.
- In total, 96.8% of respondents were 'satisfied/very satisfied' with the overall service provided by the DVA within the last year.
- Over four fifths (83.4%) of respondents would like the DVA to issue letters/reminder letters to provide them with information that might affect them as a driver or vehicle keeper.
- Two thirds (67.1%) of respondents considered providing a 'wider range of DVA service at Post Offices' as an important method for improving customer service.

# **EQIA 1<sup>st</sup> MONITORING REPORT ON PPS 12**

## **POLICY HS 3 'TRAVELLERS ACCOMMODATION'**

**March 2011**



Department of the  
**Environment**

[www.doeni.gov.uk](http://www.doeni.gov.uk)

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## Introduction

Under section 75 of the Northern Ireland Act 1998, the Department is required 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.

In addition, without prejudice to its obligations above, the Department is also required, in carrying out its functions relating to Northern Ireland, to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.

In preparing a Planning Policy document an equality screening analysis may identify an anticipated adverse differential impact on one or more groups within the Section 75 categories. Assuming that no alternative policy is feasible, steps will be taken, wherever possible, to mitigate such anticipated adverse impact.

If policies are considered to have significant implications for equality of opportunity a full Equality Impact assessment should be carried out. Following which the Department also has a system in place to monitor the impact of policies in order to identify their effects on the relevant groups - the results of which will be widely and openly published as part of the Equality Annual Report.

If monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the Department will ensure that the policy is revised.

## PPS 12 – Housing in Settlements

Planning Policy Statement 12 'Housing in Settlements' was published in final form July 2005 by the Department for Regional Development<sup>9</sup>. It was prepared to assist in the implementation of the Regional Development Strategy to guide the future pattern on housing by managing future housing growth and distribution, support urban renaissance and achieve balanced communities.

In carrying out the equality screening analysis for PPS 12 the Department for Regional Development (DRD) sub-divided the policies contained within the document into six main groups relating to their subject content, these include:

1. Specialised Housing Needs
2. Best Use of Land
3. Integration & Mixed Use
4. Quality
5. Assessing Urban Potential
6. Plan, Monitor & Manage

This analysis identified the **1. Specialised Housing Needs** grouping as having a potential differential impact on eight Section 75 categories (age, marital status, gender, persons with a disability, persons with dependants, political opinion, race and religious belief) and consequently considered that a draft EQIA was required. A neutral impact was determined in relation to the sexual orientation category and as such that category was screened out.

Following publication of this draft EQIA in November 2002 the Equality Commission raised concerns about the setting of specific criteria to be met in seeking planning permission for Travellers Accommodation. Following these comments Policy HS 3 was amended to be more positive rather than restrictive (as previously the draft policy indicated that planning permission would be refused if certain criteria could not be met).

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<sup>9</sup> PPS 12 was published by DRD in July 2005. However on 15<sup>th</sup> January 2008 the Department of the Environment assumed responsibility for this, and three other, Planning Policy Statements – and will therefore take forward future work on these documents.

A final EQIA accompanied the final version of PPS 12 in July 2005 and this concluded that no adverse impacts were identified on any section 75 group and that no mitigation measures were deemed necessary at that time.

## Monitoring

It was confirmed in February 2010 that Planning Policy Division (Formally Planning and Natural Resources Division), who assumed responsibility for this Planning Policy Statement in January 2008, would carry out a monitor of the Equality Impact Assessment (EQIA) which accompanied PPS 12.

Following discussions between Departmental officials including the Business Planning and Equality Team, Planning Policy Division and Analytical Services Branch it was agreed that it would be beneficial to disaggregate the aforementioned policy groupings to the four individual policies to make monitoring more straightforward.

However, as the Planning authority (formally Planning Service) does not currently collect section 75 details of planning applicants it is not possible at this time to monitor the following policies: **HS 1 'Living Over the Shop'**; **HS 2 'Social Housing'** and **HS 4 'House Type and Size'**.

Nonetheless, given the assumed Section 75 association of applicants for Travellers Accommodation monitoring of **Policy HS 3 'Travellers Accommodation'** was feasible - albeit with a much reduced data sample<sup>10</sup> given the nature of the policies in question. For instance, there have only been approximately 20 applications for traveller's accommodation since publication of final PPS 12 in 2005 (Policy HS 3 is set out in **Annex A** for information).

Furthermore, it was agreed that any available quantitative data collection would be supplemented by qualitative data by way of meeting with a representative from the Travellers Support Group 'An Munia Tober', a meeting with NIHE officials and a brief

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<sup>10</sup> Analytical Services Branch recommend a minimum sample size of 400

analysis of tenure based on the Travellers' Accommodation Needs Assessment in Northern Ireland.

## **Quantitative Data**

In order to ascertain the number of Traveller associated applications received by the Department since the Publication of final PPS 12 (in 2005) the planning authority carried out a data trawl encompassing a manual search through all planning applications received from the Northern Ireland Housing Executive and a collation of individual officer knowledge of traveller related applications.

The planning authority extracted this information from a live data set, which is continually updated and validated. This information should therefore be regarded as indicative only at this point in time.

Since publication of draft PPS 12 the Department has received a total of 10 traveller related applications from the Northern Ireland Housing Executive (details of these applications are set out in **Annex B**). Of which 8 have been approved, 1 refused, and 1 other is currently under consideration

A further 7 traveller related applications have been received by the Department during this period from other sources (i.e. not NIHE). This retrieval was based on local knowledge within Area Planning Offices (details of these applications are set out in **Annex C**). Of the 7 applications retrieved – 5 have been approved, 2 are currently under consideration and accordingly none have been refused.

## **Qualitative Data**

In terms of supporting qualitative data, Planning Policy Division invited NIHE and 'An Munia Tober' (travellers support group) to meet separately to discuss the EQIA monitor and Policy HS 3 as well as well as carrying out a brief analysis of tenure based on the Travellers' Accommodation Needs Assessment in Northern Ireland.

The outcome of both meetings was largely supportive of the existing policy and NIHE officials were in agreement that the figures received by Planning Policy Division were complete. However, they also highlighted that even those applications which are not submitted directly by NIHE will have been submitted by a housing association nominated by them.

NIHE also commented that Policy HS 3 does not include policy provision for ‘Serviced’ sites which cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement (a summary of this meeting is set out in **Annex D**).

At a meeting with ‘An Munia Tober’ a representative indicated that, *“HS 3 does not present any adverse impact to travellers, nor does it present a hindrance to development.”* However, they considered that it could go further in highlighting the requirement for housing of this nature and how the land is sought. Notwithstanding, siting and location were considered to be satisfactorily covered in the policy (a summary of this meeting is set out in **Annex E**).

Planning Policy Division also carried out a brief analysis of tenure (based on the Travellers’ Accommodation Needs Assessment in Northern Ireland 2008). This indicated a discrepancy in that Policy HS 3 does not specifically refer to ‘Serviced Sites’ (1 of 4 tenures<sup>11</sup> highlighted in this report) which cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement. Therefore the policy could be perceived as disadvantaging an applicant wishing to obtain planning permission for this form of Travellers Accommodation (a summary of this analysis is set out in **Annex F**).

## **Conclusion**

The equality impact assessment carried out by DRD and Published in final form in July 2005 concluded that no adverse impacts were identified on any section 75 group and

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<sup>11</sup> Table 1c of the *Travellers’ Accommodation Needs Assessment in Northern Ireland 2008* highlights 4 different housing tenures against their current accommodation. The 4 different categories highlighted include; Grouped Accommodation; Transit Sites; Serviced Sites; and Settled Accommodation.

that there were predicted positive impacts on a number of groups including the elderly, younger people entering the housing market and people with a disability.

Furthermore, as positive impacts had been predicted, no mitigation or alternatives were deemed necessary at this time. However it should be noted that (based on comments received during the public consultation period) the policy wording had been clarified to endorse that the policy is beneficial to the distinctive housing needs of Travellers – ensuring they are accommodated on the most appropriate site.

However, based on qualitative research it would appear that Policy HS 3 'Travellers Accommodation' could be perceived as disadvantaging an applicant (namely Travellers – a racial group) wishing to obtain planning permission for a 'Serviced' site which *'cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement'* - As such mitigation measures are recommended.

## **Recommendation / Mitigation Measures**

In terms of meeting Travellers Accommodation needs for 'Serviced Sites' which cannot be accommodated within a settlement, a site adjoining, or in close proximity to

a settlement it is recommended that Policy HS 3 is adjusted by way of an amendment document. In doing so, all four housing tenures as cited in the Travellers' Accommodation – Needs Assessment Northern Ireland will have appropriate policy provision.

Furthermore, to reflect the introduction of PPS 21 'Sustainable Development in the Countryside' (published in final form 1<sup>st</sup> June 2010) and the associated changes to policy provision outside of settlement limits the term 'countryside' will supersede 'Green Belt'.

It is anticipated that future EQIA monitoring will include a more in depth analysis of Section 75 groups as the planning authority are proposing to carry out a postal questionnaire of non-agent applications (amounting to approximately 11% of planning

applications) to get some baseline S75 information, however this is currently awaiting internal approval.

Following clearance by Minister It is intended that this policy amendment will publish for public consultation as soon as practicable.

# Annexes

## Annex A

### Policy HS 3 'Travellers Accommodation'

#### **HS 3 Travellers Accommodation**

Where a local housing needs assessment identifies that there is a demonstrable need for Travellers specific accommodation, planning permission will be granted for a suitable facility which meets this need. This may be provided through either a grouped housing scheme, a serviced site or a transit site where the following criteria are met:

- adequate landscaping is provided;
- the development is compatible with existing and proposed buildings and structures in the area paying particular regard to environmental amenity; and
- where appropriate, the provision of workspace, play space and visitor parking is provided.

Where a need is identified for a transit site and this cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement; other areas subject to policies of restraint, such as the Green Belt, should be considered. The exceptional release of land for such a facility should take full account of environmental considerations.

#### **Justification**

Travellers have distinctive needs which will be assessed as part of the local housing needs assessment undertaken by the Northern Ireland Housing Executive. Where a need is identified and a development plan is under preparation, this should identify a suitable site(s). In other cases, proposals will be considered under this policy. Where a suitable site within a settlement is not available, exceptionally, a site adjoining or in close proximity to a settlement will be considered.

## Annex B

### Traveller Community Planning Applications submitted by NIHE - since PPS 12 was published in draft form in July 2005:

- 1. Application Ref:** N/2005/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Amendments to previously approved six pitch permanent site for the traveller community  
**Status:** Approval issued 25 September 2005
- 2. Application Ref:** A/2005/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Erection of 10 no. semi-detached two storey dwellings replacing existing units in travellers site  
**Status:** Approval issued 28 March 2006
- 3. Application Ref:** A/2005/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** 10 no. caravans to be provided on temporary basis for tenants during construction of new dwellings  
**Status:** Approval issued 28 March 2006
- 4. Application Ref:** N/2006/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Temporary use of land for emergency caravan halting site  
**Status:** Refusal issued 24 November 2006
- 5. Application Ref:** A/2006/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Alterations to layout and associated site works at travellers transit site  
**Status:** Approval issued 30 May 2006
- 6. Application Ref:** N/2006/ [REDACTED]  
**Applicant:** [REDACTED]

- Address:** [REDACTED]  
**Proposal:** Proposed temporary change of use for caravan halting site with ancillary works  
**Status:** Temporary Approval 23 February 2007
7. **Application Ref:** N/2008/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Proposed travellers halting site with 12 no individual pitches and farset units and play areas. (amended proposal)  
**Status:** Application under consideration
8. **Application Ref:** N/2008/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Temporary planning permission for halting site for 10 pitches, 8 steel pods, showering units and electrical sub-station to extend from 22 February 2009 to 22 February 2012  
**Status:** Approval issued 23 February 2009
9. **Application Ref:** Z/2009/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Erection of 11 utility pods.  
**Status:** Approval issued 9 November 2009
10. **Application Ref:** Z/2009/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Erection of 6 utility pods.  
**Status:** Approval issued 9 November 2009

## Annex C

**Traveller Community Planning Applications submitted from other sources based on local knowledge within Area Planning Offices - since PPS 12 was published in draft form in July 2005:**

- 1. Application Ref:** T/2007/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Retrospective change of use of land to provide authorised site for Irish travellers for a period of two years.  
**Status:** Application under consideration
- 2. Application Ref:** Z/2002/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Housing with associated infrastructure and community facilities for the existing traveller's community.  
**Application Status:** Approval issued 2 May 2003
- 3. Application Ref:** Z/2004/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Amendment to previously approved development (Reference Z/2002/ [REDACTED]) to include realignment of road, repositioning of 6 no. dwellings, amendments and repositioning of community house  
**Status:** Approval issued 15 March 2005
- 4. Application Ref:** Z/2007/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Erection of 22 No. Dwellings with access road.  
**Status:** Approval issued 21 March 2008
- 5. Application Ref:** Z/2007/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Erection of 4no new-build dwellings & 1no new-build community house.  
**Status:** Approval issued 10 March 2009

**6. Application Ref:** Z/2008/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Amendments to previous approval Z/2007/ [REDACTED] - change of house type from 5P3B Type 2, to 7P4B Type 2 - Site nos 14, 15, 16, 17 & 18; change of roof design from mono-pitch to pitched - site nos 1 - 8; and revised retaining walls. (amended description)  
**Status:** Approval issued 15 January 2009

**7. Application Ref:** Z/2010/ [REDACTED]  
**Applicant:** [REDACTED]  
**Address:** [REDACTED]  
**Proposal:** Creation of new temporary access to service Travellers Liaison Office including erection of security barrier.  
**Status:** Applicant under consideration.

## **Annex D**

### **Summary of Meeting with Northern Ireland Housing Executive to discuss Travellers Planning Application Statistics**

A meeting took place on 4<sup>th</sup> August 2010 attended by officials from the Housing Executive Northern Ireland (NIHE) and the Planning Policy Division.

By way of introduction a representative from Planning Policy Division provided an explanatory timeline of the policy evolution of PPS 12 from draft to final document; including the initial change to the wording of Policy HS 3 (following a consultation response from the Equality Commission) to be more positive rather than restrictive, as well as the eventual transfer of responsibilities from DRD to DOE (on 15<sup>th</sup> January 2008) of this and three other PPSs.

The NIHE advised that 'Travellers Needs Assessment' tables are regularly updated and that pre application enquiries are generated through this and that applications are pursued on the basis of on site advice provided to the NIHE by the planning authority. However, NIHE advised that they face a general criticism that there are not enough transit / serviced sites (as demonstrated in the Travellers Needs Assessment Study).

Planning Policy Division then presented statistics on Travellers Planning Applications as received from the planning authority for confirmation by NIHE, who agreed that they were complete however they also highlighted that even those applications which are not submitted directly by NIHE will have been submitted by a housing association nominated by them.

NIHE commented that Policy HS 3 does not include policy provision for 'Serviced' sites which cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement. This point was acknowledged by Planning Policy Division and indicated this was an area which would be subject to particular attention in preparing the EQIA monitoring report. To conclude, a Planning Policy official presented a time frame for completion PPS 12 EQIA Monitor for information.

## Annex E

### **Summary of Meeting with Representative from ‘An Munia Tober’ (Travellers Support Group) to discuss PPS 12 EQIA Monitor / Policy HS 3 Travellers Accommodation**

A meeting took place on 3<sup>rd</sup> June 2010 attended by officials from Planning Policy Division (DOE) and a representative from ‘An Munia Tober’ (Travellers Support Group) to discuss PPS 12 EQIA Monitor / Policy HS 3 Travellers Accommodation.

By way of introduction Planning Policy officials provided an explanatory timeline of the policy evolution of PPS 12 from draft to final document; including the initial change to the wording of Policy HS 3 (following a consultation response from the Equality Commission) to be more positive rather than restrictive, as well as the eventual transfer of responsibilities from DRD to DOE (on 15<sup>th</sup> January 2008) of this and three other PPSs.

In assessing PPS 12 and specifically policy HS 3 in terms of its application ‘An Munia Tober’ advised that as so few applications have been processed (since the policy was produced in final form) it would be advantageous for officials to discuss application numbers, proposal details, and their approval rates with the Housing Executive NI.

‘An Munia Tober’ also stated that policy HS 3 is **not perceived to be adverse in its wording** nor is it **seen as an obstacle by travellers**. Planning Policy officials were further advised that in the South of Ireland Planning has gone a step further in that there is a requirement on the council to meet housing needs often by way of an action plan (Planning & Development Act).

‘An Munia Tober’ also requested that the language in Policy HS 3 be changed to **‘you must provide land’** and to introduce a requirement to develop that land? However, Planning Policy Officials advised that PPS 12 is not legislation and as such **can not set out any legislative obligation**.

Furthermore, officials advised that Development Plans should be the vehicle for identifying land to meet Travellers needs, although PPS 12 allows need to met through the development Management Process – however PPS 12 cannot compel a Development Plan to zone land. Normally Development Plans highlight housing provision. Where the need for Travellers accommodation has not been met through the Development Plan process a planning application can be submitted and will be assessed against the 3 criteria, as set out in policy HS 3, which are written in a permissive way.

In terms of the policy wording ‘An Munia Tober’ consider that **Policy HS 3 does not present any adverse impact to travellers nor does it present a hindrance to development**, however they considered that it could go further in highlighting the requirement for housing of this nature and how the land is sought. Notwithstanding, siting and location were considered to be satisfactorily covered in the policy.

To conclude, Planning Policy officials advised that as part of this EQIA monitor planning decisions would be analysed to ascertain if there is something inherent in the policy that is preventing approvals. Lastly, a time frame for PPS 12 EQIA Monitor was presented for information.

## Annex F

### **Analysis of Tenure (Based on information detailed in the Travellers' Accommodation - Needs Assessment in Northern Ireland 2008)**

- Table 1c of the *Travellers' Accommodation Needs Assessment in Northern Ireland 2008* highlights 4 different housing tenures against their current accommodation. The 4 different categories highlighted include;
  - **Grouped Accommodation;**
  - **Transit Sites;**
  - **Serviced Sites;** and
  - **Settled Accommodation.**
- **Policy HS 3** specifically includes policy provision for 3 of these tenures, including **Grouped Housing, Transit Sites** and **Serviced Sites**, where specified criteria (as set out) are met.

#### Grouped housing

- HS 3 sets out policy provision for **Grouped Housing** where a local housing needs assessment identifies need subject to specified Criteria.
- For Grouped housing outside of settlement development limits - policies set out in PPS 21 'Sustainable Development in the Countryside' will take effect.

#### Transit Sites

- As with grouped housing, HS 3 sets out policy provision for **Transit Sites** where a local housing needs assessment identifies need subject to specified Criteria. The policy also states that where this cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement other areas subject to policies of constraint should be considered.
- The Policy then goes on to highlight **Green Belt** areas as an example – However, this terminology is no longer in operation as the policy provisions in

PPS 21 'Sustainable Development in the Countryside' supersede this. As such the term 'countryside'<sup>12</sup> should be used in its place.

### **Serviced Sites**

- HS 3 also includes policy provision for **Serviced Sites** subject to the same specified criteria as previously referred. However, unlike transit sites and grouped housing there is no policy provision for 'Serviced Sites' which cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement
- Policy HS 3 would therefore require an amendment to incorporate **Serviced Sites** within areas (subject to policies of constraint) such as 'the countryside'.

### **Settled Accommodation**

- A fourth tenure **Settled Accommodation**, although not specifically referred to in HS 3, would be facilitated through a generic application for a dwelling unit for either an urban or rural area.

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<sup>12</sup> 'Countryside' is defined in PPS 21 as land lying outside of settlements as identified in development plans.