

EQUALITY COMMISSION FOR NORTHERN IRELAND
Public Authority 2008 - 2009
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 2008 to 31 March 2009**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from the **1 April 2008 to 31 March 2009**. 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 2009**.

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 (DOE)

Equality Officer (Enter name and contact details below)

S75:

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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 overall aim of the Department is to improve the quality of life for everyone in Northern Ireland through:

- the promotion of sustainable development principles in all the activities of government and wider society;
- in particular, their application in DOE's responsibilities for land use, air and water quality, waste management and the natural and built environments ;
- the reduction of road traffic casualties; and
- the promotion of efficient and effective local government.

The Department is responsible in Northern Ireland to protect, conserve and enhance the natural and built environment for the benefit of present and future generations; to provide land use planning which balances the development needs of the region with the protection of the environment; to improve and promote road safety and ensure the proper regulation of drivers, vehicles and operators; and to support a system of local government which meets the needs of citizens and ratepayers.

The Department's Business Plan 2008-2009 commits the Department to ensuring that it will monitor progress in complying with obligations in respect of Equality of Opportunity (including good relations), providing guidance and reporting progress.

The Equality Unit is assisted by an Equality Working Group made up of 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 2008/2009, 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 the Departmental 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. During the reporting year one challenge was received to a policy which had been screened out by the Department as detailed below:-

In February 2009, the Department received a reply to a draft Executive paper on the proposed Local Government (Finance) Bill from the Equality Directorate of the Office of the First Minister and Deputy First Minister. They queried the Department's decision to screen out the proposed policy on severance arrangements for councillors and suggested that it should be subjected to a full Equality Impact Assessment.

In response, the Department emphasised that the provision in the Bill regarding severance arrangements is an enabling power which it did not consider would have an adverse effect on any of the section 75 groups. The Department further indicated that the proposed severance scheme would be provided for in subordinate legislation which would be subject to equality screening and public consultation in due course.

No further points were raised.

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

In December 2008, Roberta McLarnon of The Children's Participation Network (NI) accepted an invitation to address the Departmental Board. She outlined the role of the Network and how best to consult and engage with children and young people to ensure that their needs and views are heard and, as appropriate factored into our decision making processes. As an outcome from this presentation the Departmental Champion for Children arranged for 15 staff to participate in a tailored training day on 1 April 2009. Further training will be arranged during the incoming reporting 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?**

Under Section 49B of the DDA Act 1995, the Department, in June 2007, submitted a Disability Action Plan (DAP) showing how it proposed to fulfill the two new disability duties in relation to its functions. The Department received a request from the Equality Commission, on 24 April 2008, for revisions to be made to its DAP. The DAP was given due consideration, revised and submitted to the Environment Committee. The revised DAP was signed by both Minister and Permanent Secretary and forwarded to the Equality Commission on 24 July 2008.

The Department continued to roll out training on the new disability duties to 386 staff during 2008/09. In an effort to increase staff awareness of these duties and, in accordance with the DOE Human Resource Strategy 2008 - 2011, DOE HR aim to deliver this Equal Opportunity and Diversity training to 1,000 staff by 31 March 2011.

The Department has submitted a number of actions for inclusion in the Gender Action Plans as part of OFMdfM's Gender Equality Strategy 2008-2011.

The Department has nominated a dedicated Champion for Children who is 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. The Department's Road Safety 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 the Inter-Departmental Voluntary and Community Sector Joint Forum.

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

The Department will continue to be represented 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 provide guidance and will hold a series of seminars to ensure that all staff are made fully aware of changes to the Guidance and to the responsibilities of policy makers.

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.

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:

	Outline change 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	•	

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 2008-09**

In keeping with the commitments given in the Programme for Government 2008-2011 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 reduce 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 2008-2009, 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 no Section 75 complaints were received by the Department during 2008/09. During the reporting year,

work was completed on a Section 75 complaint which was received during 2006. The Department received notification from the Equality Commission on 8 September 2008 which stated that the Commission had concluded that a failure to comply with the Department's Equality Scheme had not been established (further details set out in Section 8).

The Department's Business Plan 2008-2009 committed the Department to ensuring that it will monitor progress in complying with obligations in respect of Equality of Opportunity (including good relations), providing guidance and reporting progress. This was achieved in a number of ways:-

- The Director of Corporate Services continued to have overall responsibility for the Equality Unit, in which a Deputy Principal and Staff Officer work full time on Equality issues reporting to a Principal Equality Officer who has additional responsibilities for the Department's Central Management Branch and Minister's Private Office.
- The Equality Unit continued to be assisted by an Equality Working Group made up of officials representing all divisions and agencies across the Department, who helped drive forward and monitor the practical implementation of the commitments set out in the Department's Equality Scheme. The group fulfilled its commitment to meet twice during 2008/09, 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.
- During the reporting year, the Equality Unit prepared and issued Departmental Guidance on Consulting with Children and Young People to all staff following publication of the Equality Commission's Guidance. A training course 'Engaging with Children and Young People' led by representatives of The Participation Network (TPN) was held in DOE headquarters and attended by 15 staff. Some staff

had previously availed of this training at TPN premises. This training will continue to be provided for Departmental staff during 2009.

- Staff continued to be kept aware of developments through the Department's in house magazine, monthly team briefing and Agency business planning events.
- The Department continued to share statistician support with the Department for Regional Development, who contributed to the work of the Equality Unit by way of advice and guidance to the various business areas in respect of data collection and analysis.

Section 2: Screening

- **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.
Driver and Vehicle Agency (DVA)			
Display of Approved Driving Instructors (ADI) and Potential Driving Instructor (PDI) certificates and Licences in vehicles in which lessons are given.	F	N	N
Motor Vehicles (Driving Licences) (Amendment) (Test Fees) Regulations (Northern Ireland) 2009.	F	N	N

Local Government Policy Division (LGPD)			
Review of Entertainment Licence Fees.	F	N	N
New Local Government Pension Scheme.	F	N	N
The Local Government (Finance) Bill.	F	N	N
The Draft Local Government (Contracts and Compulsory Purchase) Bill.	F	N	N
Northern Ireland Environment Agency (NIEA)			
Proposals to introduce a Fees & Charges Scheme under The Water Abstraction & Impoundment (Licensing) Regulations (Northern Ireland) 2006.	F	N	N
Corporate Communications Strategy and Plan 2008 – 2011.	F	N	N
Three draft River Basin Management Plans (RBMPs) including proposals for a Programme of	F	N	N

Measures.			
Pollution Prevention and Control Charging Scheme and Radioactive Substances Scheme 2009.	F	N	N
Northern Ireland Environment Agency (NIEA) Enforcement Policy.	F	N	N
Managing Stormwater: A strategy for promoting the use of Sustainable Drainage Systems (SuDs) within Northern Ireland.	F	N	N
The Introduction of a Fees and Charges Scheme for the Extraction of Marine Minerals from the Seabed.	F	N	N
Financial Provision Policy for waste activities in Northern Ireland.	F	N	N
Proposed revisions to the Waste Management Charging Scheme (Northern Ireland) 2003.	F	N	N
Planning and Environmental Policy Group (PEPG)			
Proposed	F	N	N

Regulations to Restrict the Use of Lead Shot over Wetlands.			
Consultation Document on draft regulations implementing the Single (Internal) Market provisions of the Batteries and Accumulators and Waste Batteries and Accumulators Directive (2006/66/EC) (“the Batteries Directive”).	F	N	N
The REACH Enforcement Regulations 2008. These UK-wide Regulations will implement Regulation (EC) 1907/2006.	F	N	N
Northern Ireland Environmental Noise Directive Action Plan and Competent Authority Noise Action Plan Guidance.	F	N	N
The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2008.	F	N	N
Consultation on Proposals for additional designations under	F	N	N

the Shellfish Waters Directive.			
Draft Planning Policy Statement (PPS) 21 – Sustainable Development in the Countryside.	F	N	N
Consultation Document on draft regulations implementing the waste battery collection and recycling provisions of the Batteries and Accumulators and Waste Batteries and Accumulators Directive (2006/66/EC) (“the Batteries Directive”).	F	N	N
The Groundwater Regulations (Northern Ireland) 2009.	F	N	N
Consultation document on the Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2009.	F	N	N
The Environmental Protection (Controls on Ozone-Depleting Substances) (Amendment) Regulations (Northern Ireland)	F	N	N

2009.			
The draft Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2009.	F	N	N
Draft Waste Management Strategy Regulations (Northern Ireland) 2009.	F	N	N
Planning Service			
The Planning (Control of Advertisements) (Amendment) Regulations (Northern Ireland) 2008.	F	N	N
The Planning (Environmental impact Assessment) (Amendment No2) Regulations (Northern Ireland) 2008	F	N	N
The Planning (Avian Influenza) (Special Development) Order (Northern Ireland) 2008.	F	N	N
Craigavon Town Centre Boundaries and Retail Designations Plan 2010: Plan Policy R1 – Planning Permission will only be granted for Retail Uses at Ground Floor	F	N	N

Level within the Primary Retail Frontages in Lurgan and Portadown.			
The Planning (Management of Waste from the Extractive Industry) Regulations (NI) 2009.	F	N	N
Planning Service Web Management Policy.	F	N	N
Reform of the Planning System in Northern Ireland.	F	N	N
Road Safety Division (RSD)			
The Mutual Recognition of Driving Disqualifications (Northern Ireland and Ireland) Regulations.	F	N	N
Amendments to Regulations covering the construction and use of taxis.	F	N	N
Implementation of European Whole Vehicle Type Approval Scheme.	F	N	N

Section 3: Equality Impact Assessment (EQIA)

- **Please provide an update of policies subject to EQIA during 2008-09, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2009-10**

EQIA Timetable – April 2008 - March 2009

Title of Policy EQIA	EQIA Stage at end March 09 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals and the relevant Section 75 categories due to be affected.
Development Control Advice Note (DCAN) 9: Residential and Nursing Homes	1	Not yet started
Development Control Advice Note (DCAN) 13: Creches, Day Nurseries and Pre School Play Groups	1	Not yet started. Will be partially incorporated into future Planning Policy Statement Four (PPS 4).
Derry Airport Local Plan	1	Plan start to be agreed
Ards / Down Area Plan 2015	6	EQIA and public consultation complete. Final EQIA was issued along with Adopted plan in March 2009
Banbridge / Newry and Mourne Area Plan 2015	5	EQIA was published for consultation along with the Draft Plan on 22 August 2006. Legal proceedings, now withdrawn, have significantly delayed the production of this plan Stage 1 of the Independent Examination which covers Strategic Issues will commence on 17 August 2009
Magherafelt Area Plan 2015	5	EQIA and public consultation complete. Final EQIA will issue along with Adopted Plan following the Independent Examination. Legal proceedings, now withdrawn, have significantly delayed the production of this Plan. Stage 2 of the Independent Examination which covers Site Specific Issues commenced in May 2009.
Dungannon & South Tyrone Draft Area Plan – Revised By-pass option	1	Revised By-pass option has now been shelved. Possible alternative routes are being considered.
Belfast Metropolitan Area Plan 2015	5	Draft EQIA and public consultation complete. Final EQIA will issue along with Adopted Plan which will follow

		receipt of the PAC report into the Public Enquiry. Plan Amendment No 1 was published 14 February 2006 and the screening exercise determined that there were no significant equality implications for S75 groups. Therefore, an EQIA was considered unnecessary.
Northern Area Plan 2016	5	EQIA and public consultation complete. This Plan is still the subject of ongoing legal proceedings which are likely to cause significant delay. Final EQIA will issue along with Adopted Plan following Independent Examination.
Antrim / Ballymena / Larne Development Plan 2016	1	The Department has temporarily ceased to carry out any further substantive work on this plan due to ongoing legal proceedings which are likely to cause significant delay. An EQIA will be published for consultation along with the Draft Plan.
Armagh Area Plan 2018	1	The Department has temporarily ceased to carry out any further substantive work on this plan due to ongoing legal proceedings which are likely to cause significant delay. An EQIA will be published for consultation along with the Draft Plan.
West Tyrone Area Plan 2019	1	The Department has temporarily ceased to carry out any further substantive work on this plan due to ongoing legal proceedings which are likely to cause significant delay. An EQIA will be published for consultation along with the Draft Plan.
Coleraine Borough Houses in Multiple Occupation Subject Plan 2016	1	Issues Paper published in April 2006. progress on the preparation of this Draft Plan has been delayed due to associated ongoing legal proceedings with the NAP. An EQIA will be published for consultation along with the Draft Plan.
Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015	6	Final EQIA issued with the Adopted Plan which was published in December 2008. First monitoring report due in December 2009.

- Where the EQIA timetable for 2008-09 (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.

The NIEA Education policy has now been subsumed in the Agency's Corporate Communications Plan. A re-screening exercise was carried out on 18 November 2008 and it was decided that the policy is unlikely to have any significant adverse implications for S75 groups and therefore will not now be subject to EQIA.

It has been decided that DVA Licensing's Vehicles Integration Northern Ireland policy will not now proceed and therefore work on the draft EQIA has ceased.

Work has not yet commenced on DCAN 9 and DCAN 13. DCAN 9 'Residential and Nursing Homes' is currently not part of Planning Policy Section's (PEPG) work programme. DCAN 13 'Crèches, Day Nurseries and Pre School Play Groups' will be partially incorporated into future Planning Policy Statement 4 (PPS 4).

Ongoing EQIA Monitoring Activities April 2008- March 2009

Title of EQIA subject to Stage 7 monitoring	Indicate if differential impacts previously identified have reduced or increased	Indicate if adverse impacts previously identified have reduced or increased
Review of General Grant (Resources Element)	Unchanged	Unchanged
Taxi Driver Licensing Procedures	Unchanged	Unchanged
Driving Theory Test Procedures	Unchanged	Unchanged
Procedures Used to issue Driving licenses	Unchanged	Unchanged

2009-10 EQIA Time-table

Title of EQIAs due to be commenced during April 2009 – March 2010	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6

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 are responsible for sourcing, delivering or procuring all equality training programmes for NICS staff which will help ensure consistency of content and quality in the delivery of equality training.

Equality of Opportunity and anti-discrimination issues are included in all induction training courses and the training courses for new managers. In the 2008/2009 financial year, DOE HR has trained **386** staff in Equal Opportunities and Diversity training. In accordance with the DOE Human Resource Strategy 2008 - 2011, DOE HR aim to deliver this Equal Opportunity and Diversity training to 1,000 staff by 31 March 2011.

This work progresses and we continue to liaise with the Centre for Applied Learning alongside our own trainers to deliver this target.

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.

The Department arranged on two occasions during the reporting year for a further group of policy making staff to undertake training on Engaging with Children and Young People. This training was delivered by Participation Network (TPN) with whom the Department has built a good relationship. TPN is an initiative supported by OFMDFM which has been developed to support statutory agencies, local government and government departments in Northern Ireland to fulfil their duties to effectively engage children and

young people in public decision making, in line with their Section 75 obligations. The training has proved to be very successful and feedback received from attendees continues to be very positive. Further training is planned during 2009.

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 representatives to consider whether they wished to become involved with a policy and therefore plan their resource allocation in advance and, in respect of screened out policies, whether they wanted to challenge the decision. Consultees were invited to take part, in their preferred manner, in both draft and final EQIAs. Details on all of the above were 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 divisions and agencies such as Equality Commission publications, 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 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 2008/09.

The Department hosted its annual Equality Forum of policy makers and S75 representatives on 25 November 2008 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 Section 75 and progress with the Department's EQIA timetable.

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

The Department has been represented at meetings of the Sign Language Partnership Group by officers from Driver Vehicle Agency (DVA) and Planning Service. It has also been represented at a Migrant Workers Thematic Sub-Group meeting by officers from DVA and Road Safety Division (RSD).

Planning Policy Section, within PEPG, have had a number of requests to make publications available in an alternative format within the reporting period 2008-2009. This included a request which was facilitated by an official from the section making a home visit to read aloud Draft PPS 18 – 'Renewable Energy' and to answer a number of queries in order to assist a member of the public to make their consultation response.

During the public consultation exercise for Draft PPS 21- 'Sustainable Development in the Countryside' the section received several requests to make the document available in large print format for customers with a visual impairment.

Planning Policy Section also undertook 16 public information days throughout Northern Ireland, during January and February 2009, to help explain the new policies contained within Draft PPS 21 to members of the public. Furthermore 2 half day seminars were held for Councils and Non Government organisations - these included a presentation on draft PPS 21 and a question & answer session with officials.

Planning Service continues 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. Recent examples include the Subject plans for the Craigavon Town Centre Boundaries and Retail Designations Plan 2010 (adopted June

2008) and BMAP Houses in Multiple Occupation Plan 2015 (adopted December 2008).

Planning Service facilitates 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 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 Service has continued to install and upgrade a number of induction loop systems within relevant rooms throughout Planning Service offices, most recently, in all Craigavon Divisional Office Interview Rooms.

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.

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

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

Staff continued to be kept aware of S75 developments through the Department's in-house magazine, monthly team briefing and Agency business planning events.

Issue 18 of Equality Times, an in-house magazine used to promote equality of opportunity in DRD, DOE and DCAL, was released in May 2008. The magazine included an article on the Disability Action Plan 2007-2010. This edition also included articles on Islam in Northern Ireland and the Belfast Islamic Centre and Community Relations Week 2008. Issue 19 contained articles on the Northern Ireland Council for Ethnic Minorities (NICEM), Judaism, the impact of the Disability Discrimination Act on Workplace 2010 and Disability Etiquette.

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.**

The Department for Regional Development continues to provide the statistical support for the Department 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.

OFMDFM has published two research papers which were funded by the Equality and Social Need Steering Group. These were 'Differences in mortality rates in NI in 2002-2005 – a section 75 and social disadvantage

perspective' (published October 2008) and 'Personal problem debt in Northern Ireland: a qualitative study' (published June 2008).

The Department held its annual Equality Forum meeting between policymakers and representatives of Section 75 groups. These meetings provide an opportunity for policymakers to update S75 groups on policy progress and issues of concern. Section 75 representatives 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. The 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 data which is used.

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 Department has carried out an exercise to review the data available for follow – on monitoring and reporting. The aim was to review the data available, to identify any gaps and to consider how these might be filled. The results have been 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 will be undertaken.

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

The Department has carried out an exercise to review the data available for follow – on monitoring and reporting as detailed above.

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

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, the Department's Disability Action Plan, screening exercises, consultations and EQIAs.

Where possible, **NIEA** continues to improve access for physically disabled people in its country parks and nature reserves through its ongoing upgrading programme.

Work on the development of Ness Country Park is almost complete. The new facilities will be opened formally in July 2009. An extensive network of paths and the Visitor Centre will be accessible to the less able, though some paths involving steps cannot be reached by wheelchair. Literature and signage for the Park will show clearly those routes involving steps.

The Agency continues to grant aid Shopmobility, Belfast's *Disabled Ramblers Northern Ireland* project. This initiative delivers and promotes a series of summer rambles, and supports the provision of powered scooters at Crawfordsburn and Roe Valley.

The production and installation of DVD information films for Carrickfergus Castle, Dunluce Castle and Scrabo Tower has been completed. Plans to provide viewing locations accessible to the less able at Scrabo Country Park and Carrickfergus Castle have not yet been implemented.

NIEA carried out a postal survey among ethnic minority groups in 2008 to assess the level of awareness of its services. This survey did not indicate any specific requirements or issues amongst these groups but provided an opportunity to promote awareness of the Agency and its work. A follow-up survey will be carried out in 2009 as part of a consultation exercise on the Agency's External Communication Strategy. NIEA also continues to make available a wide range of educational and informational leaflets in various European languages.

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

Booklets produced for Carrickfergus Castle have been printed in twelve different languages (Cantonese, French, German, Irish, Italian, Lithuanian, Mandarin, Polish, Portuguese, Russian, Spanish, Ulster-Scots), along with the English language version. These were launched on 1 July 2008. The NIEA plans to produce further multi-lingual booklets for Dunluce Castle, Enniskillen Castle, Devenish, Inch Abbey, Grey Abbey and Navan Fort in 2009/10.

A touring exhibition on Irish Sign Language has been hosted at Crawfordsburn Country Park Visitor Centre since December 2008 and will be moving to Castle Archdale Country Park in June 2009. The display includes a number of pop-up display panels and some booklets and leaflets giving advice for the public.

NIEA presented its 'Positive Steps: Young People and the Environment' outdoor exhibit at both Balmoral Show and the Hillsborough Garden Show in 2008. The stand which was developed by the NIEA Environmental Education Team was very hands on and purposely low in technology to educate the public and particularly, children, on the importance of sustainable living, biodiversity, conservation, environmental protection and our built heritage.

Road Safety Division produced a revised Highway Code for Northern Ireland which was published in 2008. This document was, for the first time, also produced in the languages of the largest minority groups in Northern

Ireland – Polish, Lithuanian, Mandarin and Portuguese. The Highway Code is also available in Russian. The documents are available on-line and can be viewed at <http://www.roadsafetyni.gov.uk>

Road Safety Division launched a special multimedia guide on 18th December 2008 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 the current portfolio of successful television and radio advertisements, have been translated into Polish, Lithuanian, Portuguese and Mandarin Chinese. A CD-Rom containing translations of the recently revised Highway Code is also included in the package and will soon be available on the road safety website.

The Department launched its road safety education interactive website and in particular 'Kidzone' in May 2008. The road safety stand at the Balmoral show was used to publicise and promote the website and was one of the most popular stands at the show.

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 BSL video translation. A translator will be arranged if no voice over is available. Extra time and the use of a Reader / Recorder can also be requested under certain circumstances.

In the adoption of the Craigavon Town Centre Boundaries and Retail Designations Plan 2010 and BMAP HMO Subject Plan for Belfast City Council Area 2015, **Planning Service**, acting on feedback from representatives of the relevant Section 75 Groups, ensured that the text informing the public that the document is available in a range of formats to meet the needs of all those who wish to access their services, was prominently printed on the inside cover of the published Adopted Plan. The Agency will continue to do this for subsequent adopted plans.

During 2008/09 **Planning Service** continued to implement a unique consultation process for the Rathlin Islanders following a request from Community Technical Aid (CTA) and the Rathlin Community Development Association (RCDA). Planning Service identified that the island's small population were often restricted in getting to the weekly planning clinics in

Ballycastle. Rathlin is 6 miles off-shore and weather and financial restraints often prevent the population from fully participating in the Planning process. The Moyle District Council applications are now emailed each week to the RCDA. At the request of the RCDA, a copy file is posted and/or electronically sent to them to inform them further of a particular application. The islanders can then decide whether they need to take time away from their work to visit the weekly planning clinic on the mainland.

In the Belfast Divisional Planning Office a request for provision of an interpreter was made by a member of the public with hearing difficulties. An interpreter from RNID attended the Planning Office on 8 October 2008 and liaised between the member of the public and a planning officer to allow for an explanation of the planning application proposal.

During the last financial year Omagh Planning Service has dealt with 2 requests from the Royal National Institute for the Deaf for an Interpreter to assist a member of the public who wished to view a Planning Application File. Omagh Planning Service accommodated this request and the member of the public viewed the file on 2 occasions assisted by an interpreter.

The Craigavon Divisional Planning Office has improved reception to have Induction Loops in all four interview rooms located within their office.

Planning Service continues to facilitate those living in remote rural areas through the provision of Planning Clinics in nearby towns (staffed by PS operating out of Sub Divisional Planning Offices) eg Ballycastle clinic (facilitated by Coleraine SD PO) and Strabane, Cookstown and Dungannon clinics (Omagh SD PO).

Planning Policy Section, when publishing a Planning Policy Statement, provides copies of its consultation drafts or final documents to a wide variety of groups/ individuals, including equality groups. Publications are also made available to members of the public online or by request in a number of formats, including hard copy, large print, disc, Braille or audiocassette. It may also be made available in minority languages for those who are not proficient in English.

Following publication of draft PPS 18 (Renewable Energy), a member of the public with a visual impairment contacted the **Planning Policy Section** requesting that the document be made available in an audio format. Following discussions with the respondent it was agreed that it would be

more advantageous for an official from the Planning Policy Section to visit their home and read the documents aloud, providing the opportunity to explain the policy and guidance whilst taking note of any comments or concerns raised. The respondent agreed to this proposal and was subsequently visited by an official who facilitated this process.

During the public consultation exercise for Draft PPS 21- 'Sustainable Development in the Countryside' the section had several requests to make the document available in large print format for members of the public, with a visual impairment.

Planning Policy Section also undertook 16 public information days throughout Northern Ireland, during January and February 2009, to help explain the new policies contained within Draft PPS 21 to members of the public. Furthermore, 2 half day seminars were held for Councils and Non Government organisations - these included a presentation on draft PPS 21 and a question and answer session with officials.

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 no new Section 75 complaints during the 2008/09 year. During the year work was completed on a complaint which had been received during 2006/07.

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

response. On **13 February 2008** the Commission formally wrote to the Department advising that an investigation had been authorised into the screening of PPS1. Officials from the Department's Equality Unit met with the Commission on 13 March 2008 to discuss the case and the Department provided the Commission with a written account of the screening exercise from officials involved in the screening of PPS1 at the time the Department's Equality Scheme was drawn up. Further papers were forwarded to the Commission on 12 May 2008, which provided greater detail on the screening applied to PPS1. On **8 September 2008** the Department received the Commission's final report into the investigation which stated that the Commission had concluded that a failure to comply with the Department's Equality Scheme had not been established.

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

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

The Department again arranged, on two occasions in this reporting year, for a group of policy making staff to undertake training on consulting with children and young people. This training was delivered by Participation Network (TPN) with whom the Department has built a good relationship. TPN is an initiative supported by OFMDFM which has been developed to support statutory agencies, local government and government departments

in Northern Ireland to fulfill their duties to effectively engage children and young people in public decision making, in line with their Section 75 obligations. The training has proved to be very successful and feedback received from attendees continues to be very positive. Further training is planned during 2009.

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 S 75 representative groups at six monthly intervals (October 2008 and April 2009) setting out details of the policies screened out for equality impact assessment. In February 2009 the Department was challenged on the screening out of the Local Government Finance Bill. The Department considers that, as the provision regarding severance arrangements for councillors is an enabling power, it will not have an adverse effect on any of the section 75 groups.

The detail of the severance scheme will be provided for in subordinate legislation which will be subject to equality screening and public consultation.

The Department also issued, on a six monthly basis, a forward look of consultation exercises to the S75 representative groups to allow them to consider whether they wished to become involved with a policy and therefore, plan their resource allocation in advance. Consultees were invited to take part, in their preferred manner, in both draft and final EQIAs. Details on all of the above 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 25 November 2008. 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. Consultation is a standing agenda item and any examples of good practice or areas of concern are taken on board and circulated around the Department by the Equality Unit and Departmental policy makers.

Planning Service continues to work with consultants to ensure inclusivity in the preparation of Area Development Plans. This is particularly successful in capturing the views of marginal groups within the community who may not have the capacity to clearly express their views. In addition,

the Agency finds that face-to-face meetings with key stakeholders benefits policy development, whilst also developing the Agency's understanding of what the sector does.

DVA (Licensing) continued to engage with Disability Action on a twice-yearly frequency to ensure that issues which would impact on drivers with a disability are subject to meaningful discussion and to review progress and evidence on the driving assessments carried out by Disability Action on behalf of the Department.

Road Safety Division 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. The Department launched its road safety education interactive website and in particular, 'Kidzone', in May 2008. The road safety stand at the Balmoral show was used to publicise and promote the website.

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

During the reporting year, in the preparation of draft Planning Policy Statement 2 'Natural Heritage', there was engagement with key stakeholders – this involved a series of meetings with both government and non government agencies culminating in a workshop in January 2009. Similarly, in the preparation of draft PPS 16 'Tourism', a number of meetings took place with government and non government agencies culminating in a stakeholder meeting on 9th February 2009. Both Planning Policy Statements are due for publication in draft form for public consultation in September 2009.

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 S75 awareness 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 the Migrant Workers Sub Group and the Inter-Departmental Voluntary and Community Sector Joint Forum.

As part of the first Triennial Action Plan for 2006-2009 in respect of *A Shared Future* –Policy and Strategic Framework for Good Relations in Northern Ireland, the Department identified two specific objectives in relation to planning policy on access to shared spaces/facilities/services and utilisation of **NIEA** properties to support Shared Future objectives.

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.

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

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 2008.

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 90,000 visitors took part in almost 300 NIEA events.

Almost 8,000 people visited the 29 NIEA properties opened during European Heritage Open Days on the second weekend in September, out

of a total of 52,000 who visited some of 232 properties participating in the event. This was an increase in numbers for the 11th year in a row and is part of a wider European effort to showcase our common heritage. Given the significant increase in the Polish population in the region, NIEA's brochure included a section in Polish and highlighted events also on in that country as part of this initiative.

Some 37,800 visits were recorded at NIEA monuments at times when living history events were staged, many during 'Archaeology Days' held throughout June. This represents an increase of 23.5% on 2007 figures, which highlights the popularity of the use of costumed actors in bringing our historic heritage to life for visitors.

A new departure in 2008 was the provision of a live video link to the seabed from our Coastal Zone centre at Portrush, coinciding with World Oceans Day and Marine Week. This extremely popular initiative gave visitors of all abilities access to the marine world normally available only to divers.

NIEA has replaced the interpretation panels at 8 historic monuments in state care, and provided new interpretative DVDs at Scrabo Tower, Dunluce and Carrickfergus Castles. Multi lingual leaflets are now available at Carrickfergus Castle.

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 BSL video translation. During the period 01 April 2008 – 31 March 2009, 5,768 candidates availed of the audio voiceover facilities and 13 candidates used the on-screen BSL video translation facilities. A translator can be arranged if no voiceover is available, with 22 candidates making use of this facility during the April 2008 – March 2009 period. Extra time, the use of a Reader / Recorder and a sign language interpreter can also be requested under certain circumstances with a total of 393 candidates making use of these services during April 2008 – March 2009.

The following theory tests were delivered with voiceovers

LANGUAGE	TOTAL
Albanian	3
Arabic	11
Bengali	24

Cantonese	97
Dari	0
English-UK	5,125
Farsi	11
Gujarati	0
Hindi	5
Kashmiri	0
Kurdish	0
Mirpuri	0
Polish	397
Portuguese	26
Punjabi	2
Pushto	1
Spanish-Castilian	10
Tamil	2
Turkish	32
Urdu	22
Welsh	0
TOTAL	5,768

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

LANGUAGE	TOTAL
Arabic	1
English-UK	1
Lithuanian	2
Malayalam	1
Mandarin	10
Polish	3
Romanian	4
TOTAL	22

13 BSL on-screen video theory tests delivered

2 sign language interpreter tests

111 Reader / Recorder tests

- **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

Programme for Cohesion, Sharing and Integration remains the subject of discussion between government Ministers.

Section 11: 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 in-house magazines, team briefing and business planning events. Given the passage of time, the Department considers that it has moved forward from knowledge of the statutory duties to understanding and implementation. There are numerous examples of policy-making decisions which have benefited from improved consultation with end users and better understanding of their needs. This is reflected in positive feedback received from S75 representative groups at the Department's Equality Forum and the fact that again this year, no Section 75 related complaints were received by the Department.

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.

During the reporting year the Department was represented at meetings and seminars in relation to the Equality Commission's new Guidelines which were issued for consultation in July 2008. The Department's concerns, particularly in relation to the proposal that consultation should be undertaken on all filtering exercises, including those which had been filtered out for EQIA, have been conveyed to the Commission. The Department awaits with interest the new Guidelines to be published later this year.

Annual Report 1 April 2008 / 31 March 2009
'Disability Duties' Questions

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

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 ¹	Outcomes / Impact ²
National ³			
Regional ⁴	DVA's Driver Licensing Division seeks 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, the Disabled Drivers' Association and various other disabled drivers' associations	DVA has met with Disability Action to discuss matters relating to disabled drivers in Northern Ireland.	It was agreed that no changes to DVA procedures were needed at this stage and that we would continue to meet to monitor the situation.

¹ **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.

² **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.

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

	which represent the rights of disabled drivers. The Agency will keep membership of these groups under review.		
Local ⁵			

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

⁵ **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	<p>The Department's Equal Opportunities Branch has identified the need for and is undertaking a continuous programme of extensive Equal Opportunities training directed at all grades. This training has been developed by the Department to make staff aware of discrimination and incorporates the employment legislation that includes disability. It also includes disability awareness and covers the Department's Disability Action Plan. 1000 front line and office holders will be trained by March 2011.</p>	<p>In the 2008/2009 financial year, DOE HR has trained 386 staff in Equal Opportunities and Diversity training.</p>	<p>This work progresses and we continue to liaise with the Centre for Applied Learning alongside our own trainers to deliver this target.</p>
2			

3			
4			

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	The Department's Equality Unit carried out an annual review of the Department's "Guide to Making Information Accessible".	A full review of the Guide was carried out in October 2008 and comments were invited from S75 groups. The revised Guide was discussed at the Department's Equality Forum meeting on 25 November 2008.	The Guide was updated to take on board S75 representatives' comments and any new good practice. It was placed on the Department's Intranet site in December 2008 where it is available to all Departmental staff. Useful comments were also received from a member of staff who is profoundly deaf.
2			
3			
4			

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 ⁶ / Outputs	Outcomes/Impacts	Reasons not fully achieved
1				
2				
3				
4				

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

	Action Measures not met	Reasons
1		
2		
3		

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

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 guidance contained in the Department's "Guide to Making Information Accessible". The Guide 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

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 reviewed its Disability Action Plan and submitted its revised version to the Equality Commission on 24 July 2008.

Appendix A

EQIA General Grant Monitoring Report – March 2009

Background

Local Government Policy Division is committed to continually monitor the impact of the General Grant (Resources) formula on the Section 75 groups. Following the exercise to calculate the General Grant allocation to district councils for 2009/2010, Central Statistics & Research Branch undertook an exercise to examine the impact of the formula on these groups over the period 2004/2005 – 2009/2010 and their report on the outcome of this exercise is outlined as follows:-

Methodology

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

The General Grant (Resources) recipient profiles for 2005/2006 - 2009/2010 were then compared to the recipient profile for 2004/2005 (this being the year before the formula was revised).

Conclusion

There is very little difference in the Section 75 profiles of the recipient District Councils in the last 5 years from the profile seen in 2004/2005. On this basis, it is fair to comment that the changes that have been made to the General Grant (Resources) formula subsequent to 2004/2005 have not had a negative impact upon any particular Section 75 group. It is also reasonable to suggest that the formula stands up well to any changes in the inputs to the formula.

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

Michael Bennett
Assistant Statistician
Central Statistics and Research Branch
Department for Regional Development



DRIVER & VEHICLE AGENCY

**FIRST MONITORING REPORT ON PROCEDURES
USED TO ISSUE TAXI LICENCES EQIA**

JUNE 2009

FIRST MONITORING REPORT ON EQUALITY IMPACT ASSESSMENT ON PROCEDURES USED TO ISSUE TAXI LICENCES

1. INTRODUCTION

The primary purpose of the Driver & Vehicle Agency (DVA) is to promote road safety and improve the quality of the environment by implementing the Government's policies on driver and vehicle licensing, testing and on roadside enforcement of road traffic regulations. The Agency aims to promote and enhance road safety by implementing Government policies that ensure all applicants issued with taxi driver licences are deemed fit and proper persons and the vehicles they drive are fit for purpose and in a roadworthy condition.

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 beliefs, political opinion, racial grouping, 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 those without.

2. BACKGROUND

In Northern Ireland the DOE through the Driver & Vehicle Agency is responsible under the Road Traffic (Northern Ireland) Order 1981 for the licensing of taxi drivers and of PSVs used as taxis. Customer contact with the licensing authority is mostly episodic in that the grant of a taxi driver licence is for 5 years and annually for that of a taxi vehicle.

DVA Taxi Licensing published their Equality Impact Assessment Report in July 2006. The EQIA identified adverse impacts arising from the policies in place for the issue of taxi licences as set out in the summary table below. These impacts have been mitigated against as much as possible, bearing in mind the Agency's responsibilities to the travelling public in terms of road safety.

3. SUMMARY OF ASSESSMENT OF IMPACTS FROM EQIA

Category	Issues Arising
Gender	No evidence was found to suggest the licensing process has a differential impact on people of different gender. It is noted however, that only a small proportion of taxi applications are female, although it is not felt that the licence process impacts differentially.
Age	The process requires renewal applicants aged 45 years or over to provide a full medical report. Currently there is no medical support for raising this age limit. The procedure for applicants with diabetes subject to insulin treatment, with regard to how this may impact on applicants of different ages. Presently, those who held a licence in 1991 are allowed to hold a licence, whilst new applicants with the same condition are refused a licence. The number this applies to is declining.
Religion	Data suggest that there may be fewer applications for taxi licences from Protestants than Roman Catholics. Qualitative data did not suggest any differential impacts arising from this policy on people of different religious

	belief.
Political Opinion	One question raised was whether ex-prisoners released early under the Belfast Agreement should have to allow a period of time to elapse after their release before holding a Taxi Licence, in line with the criteria applied by the Department. DVLNI feel with the need to ensure the reputation of the industry, the safety of the passengers and the passing of time since the Belfast Agreement (with the result that very few people will be affected by the time limit) that the current approach is reasonable.
Disability	There is a clear impact on applicants with an insulin dependent diabetes condition as they can hold a car driving licence but not a taxi licence. Northern Ireland practice is in line with GB practice and recommended best practice, and to date there is no medical support for changing this practice.
Race	It was suggested that the requirement to present a certified copy of the applicant's birth certificate or passport could have a differential impact on individuals who were born outside the UK and Ireland. No evidence was found, however, to suggest the licensing process has a differential impact on people of different race.
Marital Status	No evidence was found to suggest the licensing process has a differential impact on people of different marital status.
Sexual Orientation	No evidence was found to suggest the licensing process has a differential impact on people of different sexual orientation.
Persons with dependants and those without	No evidence was found to suggest the licensing process has a differential impact between persons with dependants and those without.

4. RESULTS OF MONITORING

4.1 GENDER

In recognition of the fact that the industry is male dominated – only 8% of licensed taxi drivers in Northern Ireland were female at 1 June 2009, DVA will, where appropriate, seek to recognise more fully the increasing involvement of women in the Northern Ireland taxi industry by encouraging the participation of females in future initiatives, and by considering the scope for support and training to be

included where possible, in the development of future strategies particularly those arising from the Taxis Act (Northern Ireland) 2008. As part of its normal policy development process, DVA will continue to consider the promotion of equality of opportunity.

4.2 AGE

The licensing process requires applicants aged 45 and over, a sector of the industry that constituted 45% at 1 June 2009, to submit a medical report in support of their application for a new or renewal taxi licence. This follows the procedures in place in Great Britain where, as in Northern Ireland, the compelling consideration is a duty of care to other road users, including fellow taxi drivers and their passengers.

4.3 RELIGION

The EQIA reported that responses to the DOE Quantitative survey of NI Taxi Drivers 2004 indicated that 40% of applicants were Roman Catholic whilst 35% were Protestant. The Agency is considering a number of methods of gathering more updated data on religious belief, which will be included in the next monitoring report in June 2011. However, it is outside the control of the Agency as to who applies for a taxi driver licence and there may be little that can be done to mitigate against unequal uptake.

4.4 POLITICAL OPINION

An issue raised by the EQIA was whether ex-prisoners released under the Belfast Agreement should have to allow a substantial period of time to elapse after their release before holding a licence, in line with the criteria applied by the Department. The licensing authority, whilst aware of the need to uphold the reputation of the industry and the safety of the travelling public, continues to recognise the importance of measures to facilitate the reintegration of offenders into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities etc. This approach is in line with overall Government policy in this area which continues to have due regard for the need to promote equality of opportunity as required by Section 75.

4.5 DISABILITY

DVA's policy impacts upon applicants with an insulin dependent diabetes condition as they cannot by law hold a taxi licence. Northern Ireland practice is in line with the majority of taxi licensing authorities in Great Britain.

The Government has produced medical guidelines to help in determining when a particular disability or medical condition might cause the driving of a vehicle by a person to be a source of danger to the public. These guidelines were designed to help medical practitioners in assessing fitness to drive under two broad divisions of licence, Group 1, ordinary driving licences, and Group 2, vocational driving licences

such as large goods vehicles but excluding taxi driver licences. The guidelines explicitly state that best practice in the field of taxi licensing is that the Group 2 standards applied by the Driver and Vehicle Licensing Agency in Swansea, in relation to bus and lorry drivers, should also be applied to taxi drivers by licensing authorities. The demands on a taxi driver are different from the demands on other drivers. This has to be taken into account by the experts formulating medical guidelines and advising licensing authorities in relation to the fitness to drive a taxi. All of the enquiries made by DVA's medical advisers as to which standard should be applied in relation to the fitness of a driver suffering from insulin dependent diabetes to drive taxis, indicates best practice is, that drivers with insulin dependent diabetes should not hold taxi licences. On the issue of "grandfather rights", i.e. where those insulin dependent diabetics who held a taxi driver licence at 31 October 1991 were exempt from regulations introduced at that time debarring them from being granted a future taxi driver licence, there are now no holders of taxi driver licences who have this entitlement. That advice represents the advice of the Secretary of State for Transport's Honorary Medical Advisory Panel on Driving and Diabetes Mellitus, the advice of the Chief Medical Adviser for the Drivers Medical Development Group, responsible for the publication of the government approved guidelines, the advice of the Chief Medical Adviser to the Department of Transport and the

recommendation of the European Working Group on Driving and Diabetes.

The Department, as the licensing authority, when considering applications of this type has to take into consideration the national medical guidelines and what best practice says about this disability and its effects on driving a taxi. However the issue will be subject to ongoing monitoring.

4.6 RACE

When the Equality Impact Assessment Report was published, it recognised that there was evidence to suggest that some applicants from ethnic minorities from outside the UK or Ireland applying for taxi licences might find it more difficult than others to meet the requirements of the policy in respect of providing evidence of identity or other documentation, such as medical records.

It is recognised that there is a need to ensure that Driving Licences and Birth Certificates which represent the main forms of identification, are underpinned by a robust process for verifying identification of individuals. In order to mitigate against potential differential impacts on people of different racial backgrounds, DVA have in place an Identity Checking Section to deal with all foreign documentation. This section will scrutinise all foreign documentation on a case by case

basis and will brief relevant staff on whether alternative documentation etc can be accepted. The Identity Checking Section also attends venues throughout Northern Ireland to inform and advise foreign nationals of the driving licence requirements in Northern Ireland.

4.7 MARITAL STATUS

The EQIA identified no evidence suggesting that the licensing process had any adverse impact on people of different marital status. Currently there is no evidence indicating that this situation has changed. However the Agency will continue to monitor the situation.

4.8 SEXUAL ORIENTATION

The EQIA identified no evidence that the licensing process has any adverse impact on people of different sexual orientation. There remains no indication or evidence that there is any change to this and the Agency will continue to monitor the situation.

4.9 PERSONS WITH DEPENDANTS

The EQIA identified no evidence that the licensing process has any adverse impact on people with dependants. There remains no indication or evidence that there is any change to this but the Agency will continue to monitor the situation.

5. IT FACILITIES

The Taxi Licensing computer database which was replaced in late November 2008 was able to provide Section 75 information only on a very limited basis. We are confident that the replacement system will assist in the provision of appropriate information to enable quantitative analysis to be carried out in the future.

DVA is committed to carrying out ongoing monitoring on this issue and we shall investigate methods whereby statistical S75 information can be updated in respect of taxi driver licensing. The next monitoring report will be in 2 years ie June 2011.

Jim Dumigan, DVA

JUNE 2009

Appendix C



**Driver & Vehicle Agency
Driving Theory Test**

**EQUALITY IMPACT ASSESSMENT
THIRD MONITORING REPORT**

Driver & Vehicle Agency
**Balmoral Road
Belfast
Northern Ireland
BT12 6QL
Tel: 02890 681831
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This document can be accessed on the internet at

www.dvani.gov.uk

June 2009 (v1)



1. Introduction

- 1.1 The main purpose of the Driver & Vehicle Agency (DVA) is to contribute to road safety, law enforcement and a cleaner environment by promoting compliance of drivers, vehicles and transport operators through testing, licensing and education. The Agency aims to promote and improve road safety by implementing the Government's policies to test learner drivers to ensure they have the knowledge and ability to drive competently and safely before they get a full licence and by maintaining the roadworthiness of vehicles.
- 1.2 Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions to have due regard to the need to promote equality of opportunity –
- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - Between men and women generally;
 - Between persons with a disability and persons without; and
 - Between persons with dependents and persons without.
- 1.3 In addition without prejudice to the above obligation, public authorities are required to promote good relations between people of different religious beliefs, political opinion or racial group.
- 1.4 In January 2005, the Agency carried out an equality impact assessment (EQIA) of the driving theory test under the Department of the Environment's Equality Scheme, which was approved by the Equality Commission in February 2001. The EQIA considered differential impacts on the nine social groupings specified under Section 75 of the Northern Ireland Act. The main findings of the EQIA and the Agency's proposals for mitigation are set out below.
- 1.5 A first Monitoring Report was published in September 2006 covering the period 1st April 2005 to 31st March 2006. A second Monitoring Report was published in July 2007 covering the period 1st April 2006 to 31st March 2007. This report is the third Monitoring Report and covers the period 1st April 2007 to 31st March 2008. The EQIA and the three monitoring reports are available to view on the Agency's website at www.dvani.gov.uk and at www.nics.gov.uk/pubs/equalityimpact and can be made available in alternative formats (such as large print, audio cassette, Braille, or minority languages etc). These can be requested by contacting DVA Customer Services at Tel: 0845 601 4094 or Textphone: 028 9066 5453.

2. Main Findings of EQIA

- 2.1 For the purpose of the initial EQIA the Agency used information gathered from the following sources:

- data from the then theory test contractor Prometric;
- interviews with designers of the test and with delivery agents;
- a postal survey of recent test candidates;
- a telephone survey of English voiceover users;
- a focus group of candidates whose first language was Cantonese;
- interviews and consultation with representative organisations for minority groups.

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

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

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

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

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

Internet Booking Site - The Internet booking and information websites have been modified to aid with the identification of the available and most appropriate accommodations. This includes a dedicated link to access the required information.

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

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

Action *Telephone Booking Service* - The telephone booking service ‘Interactive Voice Response’ script and Call Centre Operator scripts were extensively redeveloped to encourage candidates to utilise the available facilities and to help booking staff assist candidates with identifying the most appropriate accommodations. These remain under constant review with the current theory test contractor, Pearson VUE, and are amended in response to feedback from candidates. Work to further

	enhance these scripts is on-going. The most recent update to the script was issued in June 2008.
Proposal 3	The Agency will accommodate candidates who wish to sit a translator assisted test at all centres by making test facilities available at a time convenient to the candidate but when no other candidates are present in the test centre. Translator costs at all centres are to remain the responsibility of the candidate.
Action	All test centres can be closed to accommodate translated tests. Demand for translated tests is monitored monthly and the provision of closed translator booths with video and audio recording equipment remains under review.
Proposal 4	The Agency will enhance awareness of available training materials by including information in future fact sheets and on the Internet booking site. DVA will provide assistance to any group wishing to obtain a copyright licence to the theory test item bank to enable them to produce materials designed specifically to meet the needs of their members.
Action	<i>Training Material</i> - Candidates have the option to purchase the official Driving Standards Agency (DSA) training material on-line directly from The Stationary Office's website via a link from DVA's website. Assistance is also provided by DVA to any group wishing to obtain a copyright licence to produce materials designed specifically to meet the needs of their members.
Proposal 5	The Agency will examine the criteria used for allocating extra time to candidates.
Action	To date there has not been sufficient evidence to support reviewing the criteria against which extra time is allowed.
Additional Action	In addition, the EQIA report identified that there was qualitative evidence to suggest that people from ethnic minorities were more likely to fail the theory test due to: lack of knowledge of how to access the test service and the facilities available to assist them; and the lack of training materials translated in to minority languages. The Agency has increased the available test voice-overs from 5 to 21 minority languages.

3. Changes to Theory Test

- 3.1 From 3 September 2007 the number of multiple choice questions on the theory test increased from 35 to 50. As a result, the number of marks required to pass the multiple choice section of the theory test was also increased from 30 to 43. This increase has resulted in a lower pass rate amongst all applicants. During the periods of the 1st and 2nd monitoring report the overall pass rates were 72.7% and 70.7% respectively. In comparison the overall pass rate for the period of this monitoring report was 68%. In general the pass rate for the section 75 groupings for the period of this monitoring report has also decreased compared to previous years. In relation to disability the pass rate fell from 32.9% during the period of the 2nd monitoring report to 25.6% during the period of this monitoring report. With reference to the various age groups there was an average decrease from the period of the 2nd monitoring report of 3.5%. The ethnic minority pass rate fell

from 70.1% to 67.9% during the period of this monitoring report. In relation to gender, the pass rate for men fell from 68.4% to 65.8% and the pass rate for women fell from 73.6% to 71%.

4. Main Findings of 3rd Monitoring Report

People With Disabilities

- 4.1 During the period of this monitoring report the pass rate for candidates who availed of the accommodations (extra time, sign-language on-screen video, sign-language interpreter and reader) was 25.6%. The pass rate for people with disability remains low when compared to the overall pass rate of 68%, with the changes made to the test as outlined at paragraph 3 above having had a negative impact upon all candidates including those with a disability.

People Aged 25 and Over

- 4.2 During the period of this monitoring report the pass rate for candidates in the 26 to 35 age group was 74.9% and the pass rate for the 36 to 45 age group was 73%. These pass rates are relatively higher than the overall pass rate of 68% for the period of this monitoring report. There is now neither quantitative nor qualitative evidence to suggest that a negative impact remains. (See paragraph 5.4)

People from Ethnic Minorities

- 4.3 During the period of this monitoring report quantitative evidence gathered as part of the customer satisfaction survey, completed at the end of the theory test, shows that for candidates who responded that they were: Black or Black British; Asian or Asian British; Chinese; Mixed; or Other the pass rate was 67.9%. This pass rate is in line with the average pass rate for the period of the report for all candidates of 68%. There is now neither quantitative nor qualitative evidence to suggest that a negative impact remains. (See paragraph 5.6)

Women with Dependants

- 4.4 The candidate's status with regard to dependants is currently not captured as part of either the theory test booking function or the satisfaction survey. However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between people with dependants and the sample group as a whole. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of the candidate being responsible for dependants. (See paragraph 5.7)

5. Evaluation of Mitigating Actions

Background

5.1 This monitoring report analyses both quantitative and qualitative information gathered by the theory test contractor (Pearson VUE). This includes: actual booking and testing information; responses provided by candidates to an on-screen customer satisfaction survey conducted at the conclusion of the theory test; and candidate complaints. This information has been gathered during the period 1st April 2007 to 31st March 2008 and has been used to perform the analysis of mitigating actions. This information is composed of the following:

Source	Volume
Theory Tests Conducted - Pass & Fail	55,964
Candidate Responses to Satisfaction Survey - % Satisfied	98%
Written Complaints	10

Evaluation

People with Disabilities

5.2 The EQIA report identified that there was a differential negative impact upon candidates with a disability. Of those candidates who responded to the EQIA postal survey in 2000, who felt that they had a disability (only 19 people) there was a 26.3% pass rate. During the period of this monitoring report, the pass rate for candidates who availed of the available accommodations was 25.6%. The pass rate for people with disabilities is relatively low compared to the overall pass rate of 68% for the period of the monitoring report. The decrease in the pass rate for those with disabilities from the period of the 1st monitoring report to the period of the 2nd monitoring report was not statistically significant and the more significant decrease from the period of the 2nd monitoring report to the period of this monitoring report results from the changes that affected all candidates as described at paragraph 3.

5.3 A wide variety of accommodations are available, to facilitate candidates with a disability in the completion of their theory test and to minimize any negative impact that may occur. These include British Sign Language (BSL), Extra Time up to double time, use of a Reader, use of a Recorder, use of a separate room and use of a sign language interpreter. A candidate with a disability may also wish to avail of the voiceover facilities depending on their particular circumstances.

Age

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

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

- 5.5 During the period of this monitoring report, the pass rate for the 26 to 35 age group was 74.9% and the pass rate for the 35 to 44 age group was 73%. The pass rates for these age groupings are relatively higher than the overall pass rate of 68% for the period of this monitoring report. There is neither quantitative nor qualitative evidence to suggest that there is a negative impact for these age groups.

Race

- 5.6 The EQIA report identified that there was qualitative evidence to suggest that people from ethnic minorities were more likely to fail the theory test due to: lack of knowledge of how to access the test service and the facilities available to assist them; and the lack of training materials translated in to minority languages. The Agency has increased the available test voice-overs from 5 to 20 minority languages. The facility for translator assisted tests remains. Quantitative evidence gathered as part of the customer satisfaction survey completed at the end of the theory test during the period of this monitoring report shows that for candidates who responded that they were: Black or Black British; Asian or Asian British; Chinese; Mixed; or Other, the pass rate was 67.9%. This pass rate is in line with the overall pass rate for the period of the monitoring report of 68%. There is neither quantitative nor qualitative evidence to suggest that there is a negative impact for these age groups.

Dependants

- 5.7 The EQIA report identified that there was a differential negative impact upon candidates who indicated that they were women with dependants with a pass rate of 52.2% against a pass rate of 65.6% for women without dependants. The candidate's status with regard to dependants is currently not captured as part of either the theory test booking function or the satisfaction survey (please refer to paragraph 5.4 for future actions regarding data capture). However, the Agency's

annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between people with dependants and the sample group as a whole. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of the candidate being responsible for dependants.

Gender

- 5.8 The EQIA report identified that there was no significant difference in the pass rates based on gender with a pass rate of 58% for men and 67.4% for women. The candidate's gender is captured as part of theory test booking function. Quantitative evidence gathered during the period of this monitoring report shows a pass rate of 65.8% for males and 71% for females. These pass rates fall in line with the overall pass rate for the period of the monitoring report of 68%. There is neither quantitative nor qualitative evidence to suggest that there is a negative impact based on gender.

Grouping	Pass Rate
Overall	68%
People with Disabilities	25.6%
Age – Under 25	66.2%
Age – Over 25	73.4%
Race	67.9%
Gender - Male	65.8%
Gender - Female	71%

Religious Belief

- 5.9 The EQIA report identified that there was no significant difference in the pass rates based on religion with a pass rate of 65.1% for candidates who indicated that they were 'Protestant', 65.9% for those who indicated they were 'Catholic' and 55.2% for those who indicated 'No Religion'. The candidate's religion is currently not captured as part of either the theory test booking function or the satisfaction survey (please refer to paragraph 5.4 for future actions regarding data capture). However, the Agency's annual customer satisfaction survey which includes questions on the theory test indicates no difference in satisfaction levels between Protestants and Catholics. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of religion.

Political Opinion

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

booking function or the satisfaction survey (please refer to paragraph 5.4 for future actions regarding data capture). However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between those respondents who indicated that they were Nationalist and those who indicated they were Unionist. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of politics.

Marital Status

- 5.11 The EQIA report identified that there was no significant difference in the pass rates based upon marital status with a pass rate of 64.3% for candidates who indicated that they were 'Single' and 57.1% for those who indicated they were 'Married'. The candidate's marital status is not currently captured as part of either the theory test booking function or the satisfaction survey (please refer to paragraph 5.4 for future actions regarding data capture). However, the Agency's annual customer survey which includes questions on the theory test indicates no difference in satisfaction levels between respondents on the basis of marital status. Also, there have been no complaints from candidates regarding any aspect of the test or service on the basis of marital status.

Sexual Orientation

- 5.12 The EQIA report stated that there was no evidence to suggest any differential impacts relative to sexual orientation. The candidate's sexual orientation is not currently captured as part of either the theory test booking function, the theory test satisfaction survey or the agency's annual customer satisfaction survey (please refer to paragraph 5.4 below for future actions regarding data capture). However, there have been no complaints from candidates regarding any aspect of the test or service on the basis of sexual orientation.

Future Actions

- 5.13 To monitor all the section 75 groupings specified within the EQIA, tailored questions need to be incorporated within the customer satisfaction survey taken at the conclusion of the theory test. Investigation is currently underway to establish if further questions can be added to the theory test customer satisfaction survey. This will involve pursuing costs from the theory test contractor for the development of an extended survey for DVA candidates only and consequently developing a contract variation in order to implement such changes. It may be the case that cost implications prevent an extension to the survey being implemented. If this situation arises, other avenues will have to be investigated to improve the level of equality monitoring.

- 5.14 The possibility of using an interactive translation facility has been considered but it is not likely to be a feasible option given that 65% of theory test bookings are made via the Internet and a contract variation would have to be raised in order to introduce this facility incurring potentially high costs.

6. Conclusions

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



DRIVER AND VEHICLE AGENCY

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

June 2009



Awarded for excellence

1.1 Section 75 Considerations

DVA Licensing published their Equality Impact Assessment Report in July 2006 and the First Monitoring Report was published in July 2008. The EQIA report and subsequent monitoring report did not identify any significant adverse impact on any of the Section 75 groups. The purpose of this second 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 1995⁷ and subsequent regulations including, in particular, the Motor Vehicle (Driving Licences) (Northern Ireland) Regulations 1996⁸. This legislation has been amended extensively but due to the proximity to implementation of the 3rd EU Directive on Driver Licensing is unlikely to be consolidated.

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

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

1.3 Customer Satisfaction Surveys

In April 2008, Driver and Vehicle Agency (DVA) Licensing commissioned the Market Research Team (MRT) at Driver and Vehicle Licensing Agency (DVLA) to conduct a postal survey of DVA Licensing customers from the 3 main business areas – Driver Licensing, Vehicle Licensing and Road Transport Licensing Division.

The sample was selected on a random basis by DVA Licensing, proportionate to the number of applications made.

The 2008 Customer Satisfaction Survey undertaken by DVA Licensing assessed the satisfaction levels and opinions of DVA Licensing customers regarding the aspects below:

- Contact with DVA Licensing
- Communicating with DVA Licensing
- Direct access to DVA Licensing services/information
- Quality of printed information – forms and leaflets
- Accuracy of documentation
- Improving DVA Licensing services
- Overall satisfaction
- The role of DVA Licensing

The findings of the survey revealed that;

- 94% of respondents were very satisfied/ satisfied with the period of time taken to process their application, with 98% of respondents claiming the documentation they received was correct.

- The majority of applicants (94%) contacted DVA Licensing by post with almost a third (32%) by personal visit and 17% by telephone – this is similar to 2007.
- The two main areas of dissatisfaction among respondents was with the time taken to get through to a member of staff on the telephone (24%) dissatisfaction, and the time spent queuing at Driver and Vehicle Licensing premises (23%) dissatisfaction.
- The main services that respondents considered important for improving customer service were: wider range of renewal facilities at the Post Office® (71%), ID checking at Post Offices for driving licences (33%), introduction of licensing facilities at DVA Centres (MOT Centre) (31%), extended opening hours (30%), Fast Track facility (27%) and additional methods of payment e.g. Credit Card/Direct Debit (40%).³

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 issues of concern in the 2008 Customer Satisfaction Survey, related to the time spent queuing at DVA premises or the time taken to get through to a member of staff.

The majority (94%) contacted DVA Licensing by post, with almost a third (32%) by personal visit and 17% by telephone.

94% of respondents were very satisfied/satisfied with the period of time taken to process their application, with 98% of respondents claiming the documentation they received was correct.

DVA Licensing will continue to assess, monitor and improve the waiting time at Local Licensing Offices.

³ in this instance, a non-adjusted percentage is quoted to take account of respondents having the option of selecting more than one answer.

1.5 Inter Agency Working Groups

As part of its commitment to improving service delivery, DVA Licensing has instituted a number of working groups that have involved the Occupational Health Service (OHS), Disability Action and Driver and Vehicle Testing.

DVA Licensing, Disability Action and OHS continue to meet on a quarterly basis to discuss service delivery in relation to driver medical referrals.

These meetings allow for discussion and agreement on any new policies or procedures. The agenda for these meetings 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 Report in July 2008 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.

1.8 Funding of Procedures to Assess Medical Fitness to Drive

DVA Licensing absorbs 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 regularly with Disability Action and Occupational Health Service to review all issues relating to those applicants with medical conditions.

2.0 Improving Data Capture

The Driver Licensing computer database is not able to provide information on licence 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.