

**Department of Enterprise, Trade & Investment  
(DETI)**

***Revised Equality Scheme***

**Section 75 Northern Ireland Act 1998**

**DETI**

DEPARTMENT of ENTERPRISE,  
TRADE and INVESTMENT

An Equal Opportunities Organisation

**June 2003**

## **REVISED EQUALITY SCHEME FOR THE DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT**

Statement by the Minister and Permanent Secretary.

1. The Department of Enterprise, Trade and Investment (DETI) published its first Equality Scheme in April 2001.
2. In the foreword to that scheme the proposal to establish a single Economic Development Agency for Northern Ireland – now known as Invest Northern Ireland (Invest NI) – was noted. It was also noted that the new Agency would draw up and implement its own Equality Scheme, and that associated revisions would be made to the DETI Equality Scheme at that time.
3. Invest NI came into being on 1 April 2002, and has prepared its own Equality Scheme, which has been subject to consultation. This document contains the associated revisions to the DETI Scheme referred to above.
4. DETI remains fully committed to the fulfilment of its Section 75 obligations on the promotion of equality amongst the Section 75 groups, and good relations between persons of different religious belief, political opinion or racial group. *In particular, we will provide the necessary resources (in terms of people and finance), the internal arrangements, and a planned programme of communication and training to ensure that the Department complies with our Section 75 equality duties.*

5. We will ensure that all officials of the Department continue to be fully aware of the need to implement the provisions of the Scheme, which are designed to help integrate the issue of equality into our overall Departmental thinking and decision-making processes.



IAN PEARSON MP

**IAN PEARSON**  
**Parliamentary Under Secretary**  
**of State**



**BRUCE ROBINSON**  
**Permanent Secretary**

<b>CONTENTS</b>	<b>PAGE</b>
1. Introduction	1
2. Arrangements for assessing compliance with Section 75 duties.	4
3. Functions and policies.	9
4. Equality impact assessments.	22
5. Timetable.	25
6. Monitoring.	27
7. Publication of equality impact assessments and monitoring.	30
8. Consultation.	32
9. Public access to information and services.	37
10. Training and awareness raising.	39
11. Complaints.	44
12. Publication of the Scheme.	45
13. Review of the Scheme.	46
 <u>Annexes</u>	
A. Functions of DETI's Four NDPBs.	47
B. Main Groups identified as relevant to Section 75 categories listed in the Northern Ireland Act 1998.	49
C. DETI Organisation Chart.	50
D. Consultation list.	51
E. Timetable for reviews and other associated activity.	54
F. DETI policies.	56
G. DETI Screening Form	59



## 1. Introduction

1.1 The **Department of Enterprise, Trade and Investment (DETI)** is responsible for economic policy development, energy, tourism, mineral development, health and safety at work, Companies Registry, Insolvency Service, consumer affairs, and labour market and economic statistics services. It also has a role in ensuring the provision of the infrastructure for a modern economy. Economics, financial and personnel management services are provided centrally within the Department.

1.2 DETI has four agencies established as non-departmental public bodies (NDPBs) to assist in strategy implementation:

- Invest NI;
- Northern Ireland Tourist Board (NITB);
- Health & Safety Executive (HSENI); and
- General Consumer Council (GCCNI).

The functions of these NDPBs are set out in **Annex A**.

1.3 While each of these organisations has their own Equality Schemes, ongoing liaison with them will continue to ensure the co-ordination of equality activity and development of knowledge of the issues across the breadth of the Department (see Section 2).

1.4 Section 75 of the Northern Ireland Act 1998 requires the Department, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

The main groups relevant to these categories are set out in **Annex B**.

1.5 In addition, without prejudice to its obligation above, the Department shall, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

1.6 Schedule 9 of the Act requires the Department to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75. This document is the Department's public statement on:

- how it intends to meet its statutory requirements;
- how it carries out all its functions, powers and duties;

- its commitment to the allocation of necessary resources (in terms of people, time and money) to ensure that the statutory duties are complied with, and that the Scheme can be implemented effectively and on target;
- its commitment to ensuring that effective internal arrangements are in place to ensure duties are effectively complied with and for monitoring and reviewing progress; and
- its commitment to the development and delivery of a planned programme of communication and training on the Scheme and equality obligations contained therein.

1.7 The Scheme, and associated Implementation Plan, will also be used internally as a working document for Departmental staff to ensure their compliance with the Section 75 duties.

1.8 *Finally, while DETI is legally obliged to prepare an Equality Scheme in accordance with the guidelines issued by the Equality Commission, it will also seek to use the document in a very practical way to address historical discrimination and inequalities faced by Section 75 Groups.*

## 2. Arrangements for Assessing Compliance with Section 75 Duties

- 2.1 This scheme will run from the date of approval by the Equality Commission until **March 2005** when it will be subject to external review (see section 13).
- 2.2 The Department is committed to the fulfilment of its Section 75 duties throughout all parts of its organisation. To this end, internal arrangements are in place to ensure that this commitment is effectively and demonstrably carried out. Overall management responsibility for taking forward Section 75 within the Department lies with the **Equality and Diversity Unit** of the Policy Services, Tourism and Equality Division. This Division is currently headed by **Mr Malcolm Briant**, a member of the Northern Ireland Senior Civil Service. An organisation chart is provided at **Annex C**.<sup>1</sup>
- 2.3 The **Equality and Diversity Unit (EDU)** is responsible for implementing a number of associated and linked initiatives relating to equality and human rights, as follows:
- implementation of **Section 75** obligations;
  - **New TSN**;
  - **Human Rights**;
  - contribution to the development and implementation of **cross-Departmental Strategies** on e.g. **Gender, Age, Disability, Race, Victims and Children**. This cross-departmental work will develop during the life of the Scheme in the light of Programme for Government (PFG) objectives; and

---

<sup>1</sup> Should there be changes to the structure of this Division, or named officers, the Department will inform the Commission and consultees at Annex D.

- membership of the **Joint Government and Voluntary and Community Sector Forum**.

2.4 EDU is organised to ensure that all of these initiatives are co-ordinated to optimise their complementarity. EDU co-ordinates and leads Departmental action, and has developed an Implementation Plan to ensure the necessary actions are planned, and progressed, in accordance with the Scheme's commitments and timetable. EDU also chairs an **Equality and Diversity Working Group (EDWG)** representing all Divisions within DETI and its NDPBs. EDWG meets regularly to progress the range of equality related issues listed at paragraph 2.3.

2.5 **Paul Brunton**  
**Equality & Diversity Unit,**  
**DETI,**  
**Netherleigh, Massey Avenue,**  
**Belfast, BT4 2JP,**  
**Tel No: 02890 529636,**  
**Fax No: 02890 529542**  
**Email: [paul.brunton@detini.gov.uk](mailto:paul.brunton@detini.gov.uk)**  
**Textphone No: 02890 529304**

is the central point of contact for both the public and officials in all matters relating to Section 75 issues. EDU also represents the Department on Inter-Departmental groups to co-ordinate the implementation of Section 75 obligations across NI Departments.

2.6 EDU also services an **Equality & Diversity Steering Group (EDSG)** within the Department chaired currently by **Mr Jim Wolstencroft**, one of the Department's Deputy

Secretaries, and comprising senior members of **DETI** and representatives from the Department's **NDPBs**. The Group meets regularly to monitor and review the Department's progress on the Implementation Plan for the Equality Scheme and other equality related activity such as New TSN and Human Rights, and reports progress to the **Minister and Permanent Secretary**. The **DETI Departmental Board**, which is comprised of the Permanent Secretary, the two Deputy Secretaries and the Chief Executives of Invest NI and the NI Tourist Board, considers an equality progress report from EDU on a quarterly basis.

- 2.7 The Group also receives and submits to the **Minister and Permanent Secretary** an annual review, conducted by EDU, on progress made on the Department's activities during each year to implement its Section 75 obligations and all aspects of its Equality Scheme. This review involves all the Department's Divisions, and is submitted to the Equality Commission to assist it in compiling its own Annual Report. The Department has to date submitted two annual progress reports to the Commission. A copy of the Departmental annual review is also published. The Department liaises with the Commission to ensure that progress is maintained.
- 2.8 *DETI is conscious that, although the equality duty is given stronger legal weight than the good relations duty, the two are inextricably linked. The Department will therefore seek, during the timeframe of this Equality Scheme, to draw up specific action proposals to address the good relations duty, taking account of both the good relations framework recently issued by the **Community Relations Council**, and the consultation paper "A Shared Future" (January 2003) issued by the **Community Relations Unit** of the **Office of***

*First Minister and Deputy First Minister. Any such specific action proposals will be subjected by DETI to Equality Impact Assessment (EQIA), as appropriate. DETI will consult with, amongst others, the Equality Commission for Northern Ireland, the NI Human Rights Commission, Community Relations Council (NI), Multicultural Resource Centre, NI Council for Ethnic Minorities and any other relevant groups in order to develop its commitment to the promotion of good relations between persons of differing religious beliefs, political opinions and racial group.*

2.9 Actions, objectives and targets relating to the statutory duties contained in this Equality Scheme and its Implementation Plan are included in the **Department's Corporate Plan (2002-05) and its annual Operating Plans**. Officials include implementation of the statutory duties in their annual personal performance and development plans, as appropriate to their role, to ensure the effective integration of equality issues throughout the whole Department. As part of the standard appraisal and reporting system within the Department personal performance and development plans are monitored, and reviewed in the context of the **Investors in People Initiative**.

2.10 The Department has ensured that implementation of the Section 75 duties is supported with necessary resources (in terms of people, time and finance) so that the statutory duties are complied with. Staff have been informed and trained on the requirements of the statutory obligations, and how they can be efficiently implemented. Further details on training are given in **section 10**.

2.11 The Department is committed to **consulting** widely on how it carries out its statutory duties ensuring that consultation is timely, open and inclusive. Detailed arrangements for consultation are given in **section 8**.

### 3. **Functions and Policies**

- 3.1 The first DETI Equality Scheme identified 16 policies and, on the basis of the internal assessment and public consultation, included all these policies within its equality impact assessment (EQIA) timetable.
- 3.2 In light of the establishment of Invest NI, and the development and publication of new Corporate Plans (2002-05) for both organisations, these policies have been reviewed and the following paragraphs set out the revised DETI policies. **Annex F** tracks the original policies, and how they have been addressed by DETI and Invest NI.
- 3.3 For the purposes of the Act the functions of the Department include its powers and duties which are wide-ranging and usually defined in legislation. The following are the Department's (DETI HQ) policies which have been developed to carry out its functions:

***(A) In consultation with the private sector and social partners to pursue policies which effectively target individuals in greatest need, particularly the long-term unemployed, and also areas in greatest need, with the effect of reducing community differentials (DETI – Equality & Diversity Unit).***

The Department will take forward this policy in the context of implementing its New Targeting Social Need Action Plan. In progressing its Action Plan, the Department will work closely with the OFM/DFM, other NI Departments and with a range of non-Governmental organisations to ensure a co-ordinated approach.

***(B) Through DETI managed European Union Structural Funds programmes to contribute to the creation of a more peaceful, prosperous and stable society via processes of economic renewal and transition (DETI - European Programmes).***

This involves developing and implementing European programmes under the EU Structural Funds programme (including Peace II), and ensuring that such programmes are optimised, adequately controlled and properly accounted for. Support has been made available for projects including development of workspace units, creation of strategic area plans and establishment of business incubators.

***(C) To develop an integrated approach to the Social Economy, through partnership between Social Economy organisations, Government Departments, Local Government, and the community and voluntary sector to maximise its contribution to NI economy (DETI – Social Economy Branch)***

This involves:

- greater shared understanding of the social economy within Government through an Inter-departmental Steering Group (IDSG);
- better integration across social economy organisations through the Social Economy Network;
- increased opportunity for consideration of social economy issues at Ministerial/Executive level through the Social Economy Forum; and
- an increase in social economy's contribution to Northern Ireland life in terms of economic, social and human capital.

## **Energy**

Electricity (Northern Ireland) Order 1992

Gas (Northern Ireland) Order 1996

***(D) To achieve a secure, diverse, competitive and efficient Northern Ireland energy market in an all-island and European context (DETI-Energy)***

The electricity and gas industries in Northern Ireland are in the private sector. However, the Department has statutory duties under the Electricity and Gas Orders which are exercised jointly with the Director General of Electricity Supply and the Director General of Gas (collectively known as “the Regulator”).

These statutory duties are to be revised in the Energy Order which was published for consultation in June 2002 along with an Equality Impact Assessment of its provisions. Under the Order, the Department’s proposed principal objectives in relation to gas and electricity differ to reflect the relative maturity of the industries in Northern Ireland. However, the Department and the new regulatory Authority are obliged in respect of each of these industries to have regard to the interests of specified vulnerable consumer groups *such as those who are chronically ill, have a disability or those on a low income.*

The Department’s present energy objective – to achieve a secure, diverse, competitive and efficient energy market – is

being reviewed in the context of preparing a new energy strategy for the next 10 years and beyond. A consultation exercise has already taken place, seeking views on this objective and other energy issues. The new strategy, which should be finalised early in 2003, may require equality impact assessments to be carried out as elements of it are implemented or further legislation is required. For example, as the Department considers introducing a new support mechanism and the setting of targets for the proportion of electricity produced from renewable energy sources, an equality impact assessment will be completed.

***(E) To promote, develop and market energy efficiency/alternative energy sources through demonstration schemes and Non-Fossil Fuel Obligation (NFFO) arrangements (DETI-Energy).***

The generation of electricity from renewable sources ie from non-fossil fuels involves the maximisation of EU and central government funding to promote the adoption by both the public and private sectors of new energy technologies, or technologies which are under-developed, in Northern Ireland. Demonstration projects are widely publicised and open to visitors with the aim of raising awareness of the technologies concerned and encouraging their replication in other parts of NI – eg wind-farms and hydro-electric schemes. Generation of electricity from such renewable sources is currently encouraged through the holding of NFFO competitions, the winners of which are guaranteed a market for their electricity. However the new

Energy (Northern Ireland) Order 2003 contains enabling powers for the introduction of a Renewables Obligation requiring each licensed supplier to obtain a portion of its electricity from renewable sources. This measure would, in effect, replace the existing NFFO schemes.

### **Business Regulation**

Companies (NI) Order 1986

Companies (NI) Order 1990

Companies (NI) Order 1990 (No. 2)

Credit Unions (NI) Order 1985

Industrial & Provident Societies Act (NI) 1969

*The above legislation covers the incorporation of companies, credit unions and industrial and provident societies together with the registration of documents required to be delivered under companies, societies, insolvency and related legislation. In order for companies to obtain the limited liability status they are required to register their details and meet filing requirements as specified in this legislation.*

Insolvency (NI) Order 1989

Companies (Northern Ireland) Order 1989 Part II

*The Insolvency Service administers and investigates the affairs of bankrupts and companies in compulsory liquidation and handles the disqualification of directors in all corporate insolvencies under the provisions of this legislation.*

Weights and Measures (NI) Order 1981

Consumer Protection (NI) Order 1987

*The Weights and Measures (NI) Order 1981 aims to ensure goods sold by weight, volume, length or area are accurately measured. Part III of the Consumer Protection (NI) Order 1987 makes it an offence for a trader to give consumers price indications which are misleading or to make price comparisons which are not genuine, fair and meaningful.*

***(F) To encourage and maintain most favourable regulatory climate for the growth of business industry and commerce (DETI–Corporate Regulation).***

This involves the incorporation of companies, credit unions and Industrial and Provident societies, together with the registration of documents to be delivered under companies, societies, insolvency and related legislation. It also involves the delivery of annual accounts and annual returns to meet deadlines and the provision of company and society information to the public.

***(G) To promote and maintain the integrity and working of the market place by administering and investigating the affairs of bankrupts and companies in compulsory liquidation and handling the disqualification of directors in all corporate insolvencies (DETI–Insolvency Service).***

This involves the following activity:

- the preservation and protection of assets and the carrying out of the initial stage in the administration of all bankruptcies and compulsory liquidations;
- the investigation of the conduct of bankrupts and directors of insolvent companies (including making enquiries into the causes of the insolvency), with a view to appropriate prosecution and/or disqualification action;
- acting as trustee and liquidator in compulsory insolvencies where no private sector insolvency practitioner is appointed;
- authorisation and regulation of insolvency practitioners;
- formulation of liquidation policy;
- operation of the Insolvency Account; and
- the preparation of insolvency legislation.

***(H) To promote and maintain a fair trading environment in which consumers are protected against malpractice and responsible business activity is encouraged (DETI – Consumer Affairs Branch).***

This involves the following main areas:

- weights and measures;
- false or misleading description of goods and services;
- misleading price indications;
- credit transactions;
- estate agency and the misdescription of property;
- counterfeit goods; video recordings;
- timeshare transactions and package travel; and
- businesses who persistently trade unfairly.

Complaints about illegal practices under these, and other, trading standards laws are handled in addition to enquiries and requests for information from traders and members of the public on a wide range of issues.

***(I) Financial Infrastructure in Support of Economic Development (DETI – Finance Division)***

This involves the provision of support for the sustainable development of NI's economy by stimulating self-sufficient enterprise. Through financial support DETI will encourage innovation and risk taking in all aspects of business from commercialisation of research to the provision of investment capital to support community economic development. To achieve this DETI will develop a balanced incentive package which will, in partnership with its key stakeholders, promote a wide range of financial products to a wide spectrum of businesses. DETI's longer-term goal is to achieve greater private sector capacity in the ongoing development of financial support for industry and the role of public support within it.

***(J) To ensure that all of Northern Ireland has a world class infrastructure in terms of broadband capacity, access and cost. (DETI – Telecommunications Policy Unit)***

This involves:

- promoting competition in the telecommunications market in NI;
- improving international connectivity;

- improving accessibility to broadband telecommunication, in particular in rural areas;
- stimulating demand by industry;
- aggregation of public sector demand for broadband as a market stimulus; and
- addressing the digital divide and New TSN.

3.4 In addition, there are a number of functions for which DETI (HQ) has a policy lead, but the delivery of which is executed by one of the Department's NDPBs (see para 1.2 of Section 2 and Annex A). These include:

- policies to achieve **higher levels of growth by indigenous and externally-owned businesses** (Invest NI);
- policies to **attract high quality, knowledge-based investment from outside Northern Ireland** (Invest NI);
- policies to promote **innovation** in all aspects; to stimulate high levels of **R&D**; and to design and improve **knowledge transfer** (Invest NI);
- policies to promote a more **enterprising culture** so as to raise the level and quality of business starts (Invest NI);
- policies to ensure that the potential of **tourism** is exploited in a sustainable way (Invest NI, NI Tourist Board);
- policies to promote **health and safety** (Heath & Safety Executive, NI); and

- policies to promote **consumer representation** (General Consumer Council, NI).

3.5 In a number of instances, e.g. in the areas of innovation, financial infrastructure, telecoms, social economy and tourism, new policies will be developed over the next few years in accordance with the published Corporate Plans of DETI(HQ) and Invest NI. *While these policies will be screened, and if such screening shows up significant equality of opportunity issues for any of the Section 75 groups impact-assessed in due course, the timetable for any such assessments will fall outside the timeframe for this revised DETI Scheme (due to end in March 2005).* In other instances, e.g. the Department's functions relating to encouraging the growth of existing industry and the attraction of new investment, these policies have already been impact-assessed under the previous DETI Equality Scheme and are subject to re-review in the period 2006-2007. Finally, in some instances, e.g. health and safety and consumer representation policies, while the Department has the policy responsibility, it is the appropriate NDPB (in this case the Health and Safety Agency NI and the General Consumer Council NI) which has responsibility for developing and implementing the policy/policies. *In such cases the Department will take the lead in screening such policies, and, if significant impact for any of the Section 75 Groups is shown, take responsibility for any subsequent impact assessment. These NDPBs also have their own complaints procedure, and when a person believes that he/she have been adversely affected by their failure to comply with their Scheme they will carry out an internal investigation of the complaint.*

- 3.6 The Department, as an integral part of the Northern Ireland Civil Service (NICS), fully subscribes to and operates NICS corporate personnel policies which are now subject to the requirements of Section 75 of the Northern Ireland Act 1998. In addition, the Department, in concert with other employing Departments and their Agencies working in conjunction with the Central Personnel Group in the Department of Finance and Personnel (DFP), contributes, and will continue to contribute, positively to the development and maintenance of such policies, including any impact assessment, through existing NICS-wide personnel fora, for example, the Personnel Directors Group (PDG).
- 3.7 All Northern Ireland Departments and the Northern Ireland Office are represented, at Senior Management (member of the Northern Ireland Civil Service) level, on the PDG. The Group, which is chaired at Under Secretary level by the Central Personnel Group, meets at least twelve times a year to provide leadership and strategic direction on NICS Corporate personnel policies. In the application of those policies this Department continues to ensure that it applies its equal opportunities policies.
- 3.8 While DFP has overall responsibility for procurement policies for Northern Ireland Departments, the procurement arrangements for this Department are governed by a Service Level Agreement (SLA) with the Procurement Service of DFP. Under this SLA, the Procurement Service has undertaken to comply with all relevant legislation, including the requirements of Section 75 of the Northern Ireland Act 1998.

- 3.9 The Department provides such information required by DFP in carrying out EQIAs relating to employment or procurement policies, and will participate in any steering group established by DFP to oversee these assessments.
- 3.10 The Department acknowledges that there are difficulties in defining policies:
- some policies cut across different functions and different Departments and agencies (eg New TSN);
  - a programme or service may serve more than one policy;
  - no policy is discrete;
  - every policy is affected by, and affects, other policies;
  - there are also different levels of policy, for example, European Union policies, UK Government Manifesto commitments, local policies adopted by District Councils, Boards and Trusts; and
  - some policies implemented by this Department may have been developed elsewhere.
- 3.11 Where this Department has lead responsibility for a policy which requires close co-operation with, or is operationalised by, other Departments, it will ensure that those other Departments actively participate in any EQIA. This includes, in particular, their participation in a Steering Group for the assessment and access to data/research held by that Department which would be of relevance to the assessment.
- 3.12 Similarly, where this Department has lead responsibility for a policy delivered by its NDPBs, it involves them in any EQIA. The

Department also contributes, as appropriate, to EQIAs carried out by other public bodies on their own policies when they derive substantially from the central policies of this Department.

- 3.13 As regards the wider picture, if, as a result of an EQIA, the Department identifies a significant equality of opportunity issue arising from a UK-wide or European Union policy, it will advise the appropriate UK Department or the European Commission of its findings.
- 3.14 The Department of Trade & Industry (DTI) in London has developed an Equality Scheme covering its functions and policies as they relate to Northern Ireland. DETI's Equality & Diversity Unit works closely with DTI's Equality Impact Team *with regard to the DTI policies which impact on Northern Ireland. This relationship will be reflected in a co-operation agreement which will be drawn up shortly.*

#### 4. Equality Impact Assessments (EQIAs)

- 4.1 As noted at 3.1 the first DETI Equality Scheme identified 16 policies and, on the basis of the internal assessment and public consultation, included all these policies within its EQIA timetable.
- 4.2 The revised list of DETI policies at paragraph 3.3 includes both previously identified policies and new ones arising from DETI's 2002-05 Corporate Plan. Ongoing policies which were identified for EQIA have been rolled forward into this Scheme. New policies have been subjected to a screening process to identify whether they should be subject to a full EQIA.
- 4.3 DETI has considered the impact of each of the policies at 3.3 above in terms of the nine categories listed in Section 75 of the Act and set out in **Annex B** using the following criteria:
- (a) Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?
  - (b) Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?
  - (c) Is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?

- (d) Have consultations in the past with relevant representatives, organisations or individuals within groups indicated that particular policies create problems that are specific to them?

4.4 On the basis of this screening process the policies to:-

- promote mineral and petroleum exploration and development;
- ensure effective regulation of the gas and electricity industry in Northern Ireland and ensure diversification and security of supply; and
- take forward EU energy directives.

were found to have no equality issues, *and will therefore not be subject to a full EQIA*. A copy of DETI's screening form in respect of these policies is contained at Annex G. All other DETI policies have been included for an EQIA and the timetable for these is set out at Annex E.

4.5 Where sensible and appropriate from an evaluation and assessment perspective, individual, but related, programmes within each policy may be grouped together, *although caution will be exercised in any "grouping" of such programmes*. Where relevant, an EQIA will also include an Annex on the promotion of good relations (without prejudice to the statutory obligation on equality of opportunity).

4.6 The Department will carry out EQIAs in accordance with *Annex 1* of the Equality Commission's Guide to the statutory duties.

- 4.7 Before the introduction of any **new policies** the Department will carry out the **screening exercise** as set out in paragraph 4.1 at the early development stage to identify whether there would be any impact on the promotion of equality of opportunity or good relations, and whether greater equality of opportunity could be promoted and therefore be subject to a full impact assessment. *Both the screening exercise, and any subsequent impact assessment, will involve public consultation with relevant groups to draw together all available qualitative and quantitative data from both internal and external sources to inform the process. The Department will consult with those directly affected by the policy, whether or not they have a direct economic or personal interest.*
- 4.8 **Legislation** will normally be part of the process of implementing a policy. *When the Department puts forward a proposal for legislation, an assessment of implications for the statutory equality obligations will be included with the documentation associated with the legislation. This equality consideration will also apply to Orders in Council passed through Westminster during any suspension of the NI Assembly.*

## 5 **Timetable**

5.1 Over a period of 2 years from the submission of the scheme to the Equality Commission, the Department will carry out internal, or, *on an exceptional basis*, commission external reviews of a number of the policy areas at 3.3 including an EQIA.

- OFM/DFM will be responsible for conducting an overall EQIA of Policy A, on foot of the evaluation of New TSN;
- Policy B is scheduled for impact assessment in Year 1 (April 2003-March 2004) of the revised scheme;
- Policies C, I & J will be timetabled for assessment in DETI's next Equality Scheme (to be produced in late 2005);
- In the context of the Energy Bill (which was subsequently converted to an Order in Council and is expected to be made in February 2003) Policy D has been subject to an EQIA and policies F, G & H are currently undergoing an EQIA as scheduled in Year 2 of DETI's first scheme. These will be completed by 31 March 2003; and
- Policy E is scheduled for impact assessment in Year 2 (April 2004-March 2005).

The relevant Division of the Department will take the lead in these assessments, supported by the Equality & Diversity Unit, and with advice from Statistics Branch personnel as appropriate.

5.2 The Department, *in conjunction* with the appropriate NDPB, will also conduct impact assessments, as appropriate, of those policies

listed in paragraph 3.4. The timetables for these EQIAs are contained in the Equality Schemes for the appropriate NDPB.

5.3 The Department has prioritised its policy review programme on the basis of :

- relevance to social need;
- effect on people's daily lives;
- effect on economic, social and human rights;
- scale of expenditure incurred by the policy; and
- *the number of complaints received on the policy.*

5.4 The timetable proposed will be reviewed on an annual basis as part of the annual review (see para 2.7) to allow flexibility should particular priorities change. The timetable for these reviews, as well as arrangements for assessments of monitoring, access to information and services and training is given at **Annex E**.

## 6 Monitoring

- 6.1 Knowledge of the uptake of services provided by the Department, and the impact of its policies on the different Section 75 groups, will be important in assessing progress towards equality of opportunity. While the Department has extended its monitoring regime, as part of its New TSN Action Plan, to gather information on some of the Section 75 groups, this does not cover all of the groups, and is not in itself sufficient to increase the Department's knowledge of the impact of its policies as required by the statutory duties. In some instances, baseline data is not available, and the Department needs to establish this in order to measure and monitor developments and progress during the life of the Scheme.
- 6.2 The Department is assessing the extent of its baseline data and of existing monitoring within each of the policy areas and over the groups identified in the Act, and considering how it can be extended. In carrying out these assessments, led by the Equality & Diversity Unit, the Department is working with *its agencies, NICS departments and* bodies representing the Section 75 Groups to identify, from their own experience and knowledge, both quantitative and qualitative data and also existing research on their members.
- 6.3 Seeking such information on some of the groups may be difficult or sensitive. In some cases, the information may simply not be available. The Department will therefore work with the groups to consider how best to gain a greater knowledge of the impact of Departmental activity through, e.g., additional research. The

Department is also working closely with other NI Departments, who may have additional information and also with the Northern Ireland Statistics Research Agency (NISRA).

6.4 The assessments will consider, inter alia:

- the level of baseline data currently available;
- the need for additional monitoring information or research to supplement this over each policy and for each of the Section 75 groups;
- the readiness of the business sector, the public and groups to supply such information;
- resource implications;
- the availability and suitability of any proxy measures (eg postcode analysis);
- *relevant qualitative, and where appropriate, national and international data;*
- proposals for collection, maintenance and analysing of monitoring data; and
- proposals for evaluating effectiveness of monitoring.

- 6.5 On completion of these assessments, the Department will have identified baseline positions within each policy area, and will develop a comprehensive monitoring/research plan to address, in the most appropriate way, any gaps in knowledge. The plan will include a system for ongoing monitoring, monitoring access to information and monitoring for adverse impacts. Progress on the Plan, including monitoring results, will be published in the annual review (para 2.7).
- 6.6 If an EQIA within the overall policy review identifies potential differential adverse impact on particular groups within the Section 75 categories, and no alternative policy is considered feasible, the Department will consider how to mitigate any potential adverse impact. It may also arrange for specific research or additional monitoring to confirm the extent of the adverse impact, and/or the success of any mitigating measures. If subsequent monitoring shows that the policy has resulted in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the Department will review and revise the policy.
- 6.7 As with all monitoring and research data, information collected through specific exercises will be taken into account in any review of the policy. *Any affected Section 75 groups will be represented at all levels in the monitoring system.*

## 7. **Publication of Equality Impact Assessments and Monitoring**

7.1 The Department will consult on the outcome of any EQIA, and of any monitoring undertaken in relation to paragraphs 6.4 to 6.7 above with relevant groups. This material will be placed on the Department's Internet website at [www.detini.gov.uk](http://www.detini.gov.uk) , and an Executive Summary will also be available on request in printed form and in accessible formats, eg braille, large print, audio and minority ethnic languages, from

**John Hawkins**

**Equality & Diversity Unit**

**Netherleigh, Massey Avenue,**

**Belfast, BT4 2JP**

**Tel No: 028 90 529358**

**Fax No: 028 90 529542**

**Textphone No: 02890 529304**

**E-mail: [equality@detini.gov.uk](mailto:equality@detini.gov.uk)**

The Department will inform the general public about the availability of this material through press releases, including releases to specialist press. Specific consideration will be given to how best this information can be communicated to young people and those with learning disabilities. It will also directly inform bodies listed at **Annex D** when this material is available.

7.2 Published documentation on an EQIA of a particular policy will follow the Equality Commission's guidelines set out in *Annex 1* of the Guide to the statutory duties published in 2001.

7.3 In taking decisions on a current or proposed policy, the Department will take into account any relevant EQIA, monitoring and the outcome of the associated public consultation process.

## 8 Consultation

- 8.1 The purpose of public consultation is to enable the Department to hear and listen to the views of those who may be affected by its activities, and for these views to be considered as new policies are developed and existing policies are reviewed. The Department is committed to carrying out consultations in accordance with the Guiding Principles contained in the Equality Commission’s “Guide to the Statutory duties”.
- 8.2 Traditionally, the Department’s consultation processes have been based on written consultation exercises. This will continue to be a method of consulting. However, this approach will be supplemented by other methods of consultation to ensure that Section 75 groups and individuals have the opportunity to express their views in relation to the Department’s activities, and for the Department to receive feedback.
- 8.3 While many best practice consultation methods will be appropriate for all, Section 75 groups, and particular groups within the main groups, have different needs. To achieve an inclusive approach, the Equality & Diversity Unit is working with representative bodies of the Section 75 groups in order to identify how best to obtain the views of their members. This will include specific consideration of how best to communicate with young people and those with learning disabilities.
- 8.4 Consultation methods may involve face-to-face meetings, advisory groups, surveys, consultative panels, Internet discussions and other

innovative ways of consulting as there will be different means of consultation for different groups. It is important to establish the basis for ongoing dialogue and engagement during the life of the Scheme. In the context of the current OFM/DFM review of consultation strategy, DETI will also explore the possibility of establishing a standing Consultative Forum on equality issues involving Section 75 groups.

- 8.5 In organising consultation meetings, the Department will aim to ensure a full participation by considering the implications for such groups in relation to how the meeting is run and also the time, venue, accessibility, provision of childcare or signing etc for such meetings. Consultation with groups and individuals will begin as early as possible to enable all involved in the process to devote adequate time to considering the issues in question.
- 8.6 To ensure that all consultations are meaningful it is important that appropriate information is available for the Department, groups and individuals to consider the full implications of proposals, and for its part, the Department will take steps to ensure this eg through the release of relevant quantitative and qualitative data and other documentation such as consultants' reports.
- 8.7 In order to remove any barriers to the consultation process, it will be important that the language and formats used for any consultation are accessible and, as noted in paragraph 9.1 below, the Department proposes to review its arrangements for providing information and will consult representative groups on this issue. In the meantime, anyone wishing information in accessible formats

such as Braille, disc, audio cassette or in minority ethnic language, should contact

**John Hawkins**  
**Equality & Diversity Unit**  
**Netherleigh, Massey Avenue,**  
**Belfast, BT4 2JP**  
**Tel No: 028 90 529358**  
**Fax No: 028 90 529542**  
**Textphone No: 02890 529304**  
**E-mail: [equality@detini.gov.uk](mailto:equality@detini.gov.uk)**

and appropriate arrangements will be made as quickly as possible.  
*Any consultees using alternative formats will be entitled to the same length of consultation as those using conventional methods.*

- 8.8 In addition to consulting on EQIAs and monitoring, as outlined elsewhere in the Scheme, the Department will also consult *those listed in Annex D* on legislation, strategies, reviews and other plans.
- 8.9 *All consultees, listed in Annex D, will be issued with a brief summary of the EQIA setting out the findings of the assessment and advising them that a full copy will be made available on request.* The list, which has been compiled in accordance with the Equality Commission's Guide to the Statutory Duties (paras 3(b), p 37, and 4.1 p 44), is not intended to be exhaustive, and will be amended should new organisations/ associations be formed during the lifetime of the Scheme. *Published information will include the aims of the policy, details of consideration of mitigating measures*

*and details of consideration of alternative policies which might better achieve the promotion of equality of opportunity. In addition, the Department will also place advertisements in the local press to alert the general public, groups and individuals to the consultation process.*

8.10 The Department's consultation list includes organisations representing specific Section 75 groups and broader umbrella organisations, all of whom will wish to consult their members when considering proposals. In all consultation exercises, the Department will provide a period for responses of **at least eight weeks**, *although in the vast majority of cases the consultation period is likely to extend beyond 8 weeks.*

8.11 There may, however, be circumstances when this timescale may not be possible. The Department has identified the following circumstances in relation to:

- *policies which must be implemented immediately to protect health and safety;*
- *policies which must be implemented urgently to comply with a court judgement or with international obligations; and*
- *policies that must be implemented to address a situation with immediate and severe economic or social consequences.*

These instances will be monitored closely, and kept under review, and will be reported on in the Department's annual review to the Equality Commission.

8.12 The outcomes of all consultation exercises will be taken into account when the Department considers how to progress the matter pertaining to the Equality Scheme. *The Department will also seek to draw together all of the above activity and develop a consultation strategy during 2003/2004.*

## 9. **Public Access to Information and Services**

9.1 The Department wishes to communicate effectively with the public and will prepare a best practice communications guide. The objective of the guide is to ensure that the information it disseminates and the services it provides are made accessible and equitable.

9.2 When drafting this guide, which will be carried out by the Equality & Diversity Unit, the Department will consider, inter alia;

- existing provision of information/services in accessible formats eg braille, audio, large print, minority ethnic languages;
- what information on Departmental services needs to be communicated to all groups and, in discussion with them, how best to do so;
- the statutory requirements of the Disability Discrimination Act 1995;
- the likely demand for information in such formats across all its policy areas listed in Section 3;
- the need to consider specific outreach measures;
- resource implications; and

- in particular, the recommendations of the cross-departmental Promoting Social Inclusion (PSI) working group on minority ethnic people and on access to information which will report in 2003-2004.

- 9.3 In disseminating information through the local press, the Department will ensure that press statements and public advertisements are carried by all three Belfast daily newspapers, including the North West version of the Belfast Telegraph. Where press statements of public advertisements are aimed at a particular geographical area within Northern Ireland, the Department will ensure that the information is available through at least two local newspapers circulating in that area. The Department will also ensure that specialist press receive copies of press releases to disseminate, as they consider appropriate, to their particular readership.
- 9.4 In locating its offices intended to be open to the public, the Department will seek to ensure that no section of the community is deterred from visiting, for whatever reason. All public offices will maintain a welcoming and harmonious environment. The Department will adhere to the relevant provisions of the Disability Discrimination Act 1995.
- 9.5 The Department's commitments in this Scheme on equality of opportunity in accessing information are without prejudice to any rights to information in the current Code of Practice on Open Government, or in the new Freedom of Information legislation.

## 10. Training and Awareness Raising

- 10.1 As part of the DETI's ongoing commitment to integrating equal opportunities knowledge, understanding and practice into the day-to-day working of the Department, a substantial amount of training has already been carried out on equality issues. In recent years significant progress has been made and all staff at all levels have been trained in their equal opportunities rights and responsibilities in the workplace. The Department has, therefore, already made progress on the inward looking aspects of equal opportunity, knowledge, understanding and practice in this area.
- 10.2 In respect of the Section 75 obligations, the Department ensures that **all staff** involved in the implementation of the Scheme receive an appropriate programme of training on these obligations and other current anti-discrimination legislation; the duties and their implications for all staff; and the provisions of this Equality Scheme; and will report annually to the Equality Commission on this issue. To ensure effectiveness, all training is tailored to make it appropriate to the different grades and responsibilities of staff. *All staff have been given a copy of the Equality Scheme, and an effective training and communications programme has been implemented (see paragraph 10.5 below).*
- 10.3 Equality training continues to be listed amongst the Department's highest priority training needs in the Department's corporate training plan. This means that all managers assure themselves that the equality training needs of themselves and their staff are planned for, and met. All staff and their managers agree Personal

Development Plans annually, identifying specific training needs including those in the area of equality and human rights.

10.4 The Department made a careful assessment of the need for more specific “focused” training for specialist staff (particularly those with an outward facing role) throughout the Department, such as those involved in research and data collection, policy development, legislation, service design, monitoring and evaluation to ensure that they have, as appropriate, the necessary skills and knowledge to carry out the following effectively:

- screen policies and legislation;
- undertake EQIAs;
- investigate and monitor complaints; and
- monitor and evaluate the implementation of the Scheme.

10.5 DETI developed a Training and Awareness Plan in June 2001 and a significant level of activity took place in 2001-02 towards meeting our objective of integrating Section 75/equality considerations into Departmental thinking at all stages through appropriate and tailored training. The plan addressed the following areas

### **Generic Training**

- a. Section 75, New TSN and Human rights training is now included in induction training for new staff.
- b. Management Courses for newly appointed and also middle/senior managers now contain an element of equality briefing.

- c. Branch briefing sessions.

### **Focused Training**

- d. 443 staff across DETI attended a series of half-day briefing sessions on Section 75 delivered by Focus Consultancy, the training arm of Disability Action;
- e. 98 staff have completed a one day training course regarding the completion of an EQIA;
- f. 26 key staff have attended a one day course on consultation which addressed the range of consultation methods and how to identify the most appropriate method for all Section 75 groups to ensure their views can be obtained. This knowledge will be supplemented by ongoing developmental work on consultation including that being progressed by the Equality Commission and OFM/DFM;
- g. these courses were also made available and delivered to DETI's four NDPBs; and

### **Expert advice**

- h. EQIA sub-groups involving Statistics Branch, Equality & Diversity Unit and relevant Divisional staff have been established to take the work of the Impact Assessments forward in a uniform manner across the Department.

### **Other Awareness Raising Activity**

- i. Ongoing articles in staff magazine on Section 75 in general and also on particular Section 75 representative groups. The continued use of articles, staff brief, etc, will ensure that

increased awareness of equality issues throughout the day to day work of the Department generated by the formal training programme are built upon.

- 10.6 Initial surveys have shown increasing levels of awareness and skills across the areas identified above and focus groups will assist in the more formal evaluation which will be reported on in the Annual Review. All the initially identified training/ briefing needs have been met, and the courses above are now available to DETI staff as and when required. DETI will identify, on an annual basis, a Training Plan for its statutory equality duties and will report on it in its Annual Report to the Equality Commission. *These will be built around the training and communication objectives included in the Department's original (April 2001) scheme.*
- 10.7 The Department is recognised as an Investors in People (IIP) organisation and, therefore, all training accords with IIP national standards, including the IIP requirements for systematic identification of needs, evaluation and equality of access.
- 10.8 A copy of this Scheme (once approved) (including the Minister's and Permanent Secretary's statement) and the relevant extracts of Northern Ireland Act 1998 will be placed on the Department's internal Intranet for the information of all staff. Top level involvement in the implementation of the Scheme will be ongoing through the work of the EDSG.

10.9 The intention of the Department is to create and sustain genuine organisational change, and the Department will therefore conduct periodic evaluations to assess the effectiveness of its strategy and the extent of integration of Section 75 obligations into the day-to-day management and policy development and operations of the Department. The outcome of these evaluations will be included in the Department's annual review of implementation progress which will be forwarded to the Commission.

## 11. Complaints

11.1 When a person believes that he/she have been adversely affected by a failure of the Department to comply with this Scheme, he/she should, in the first instance, bring or have their complaint brought to the attention of

**Paul Brunton**

**Equality & Diversity Unit**

**DETI**

**Netherleigh, Massey Avenue**

**Belfast, BT4 2JP**

**Tel No: 028 90 529636**

**Fax No: 028 90 529542**

**Textphone No: 028 90 529304**

**E-mail: [paul.brunton@detini.gov.uk](mailto:paul.brunton@detini.gov.uk)**

11.1 The Unit will carry out an internal initial investigation of the complaint and will respond to the complainant **within one month**. In setting out the Department's response to the complainant (in the format preferred by the complainant), the Unit will inform him/her of the procedure for pursuing the complaint further, if necessary, with the Equality Commission, as set out in para 10 of Schedule 9 to the Act.

11.2 If the Equality Commission decides to investigate any complaint, or any other matter falling within paragraph 11(1)(b) of Schedule 9 of the Act, the Department will co-operate fully, providing access to relevant information which the Commission may require.

## 12 Publication of the Scheme

12.1 Following approval of the Scheme by the Equality Commission, the Scheme will be available in print form free on request from:

**John Hawkins**

**Equality & Diversity Unit**

**DETI**

**Netherleigh, Massey Avenue**

**Belfast, BT4 2JP**

**Tel No: 028 90 529358**

**Fax No: 028 90 529542**

**Textphone No: 028 90 529304**

**E-mail: [equality@detini.gov.uk](mailto:equality@detini.gov.uk)**

It can also be accessed on the Department's Internet website at [www.detini.gov.uk](http://www.detini.gov.uk)

12.2 The Department will issue a press release, and place a prominent advertisement in the press when the Scheme is approved by the Equality Commission. A copy will be placed in all public libraries and sent to all those organisations at **Annex D**.

12.3 An Executive Summary has also been produced and is also available as outlined above. Should accessible formats be required i.e. Braille, large print, disc, audio cassette or in minority ethnic languages please contact John Hawkins as above.

## 13 Review of the Scheme

- 13.1 The Department will arrange for an external review of the operation of this Scheme by July 2005 so that it is once again realigned with the timetable covering the remaining Government Departments. This review, which will be published, will include an assessment of how the Department has complied with its Section 75 obligations in implementing all aspects of the Equality Scheme, and how equality of opportunity and good relations have been advanced in relation to the main policy areas.
- 13.2 Consultations will take place with those bodies listed at **Annex D** (as amended if additional groups are added between now and then) as part of the review prior to submission of the report to the Equality Commission. The review will comply with any guidelines issued in due course by the Equality Commission.

**FUNCTIONS OF DETI'S FOUR NDPBs**

- Invest Northern Ireland (Invest NI) supports business growth and inward investment, promotes innovation, research and development and in-company training, encourages exports and supports local economic development and company start up;
- the Northern Ireland Tourist Board (NITB) is responsible for the development, promotion and marketing of Northern Ireland as a tourist destination;
- the Health and Safety Executive (HSENI) is responsible for health, safety and welfare at work; and
- the General Consumer Council (GCCNI) is responsible for promoting and safeguarding the interests of consumers and campaigning for the best possible standards of service and protection.

All the above organisations have produced their own Equality Schemes and they can be obtained as follows:

<b>Invest NI</b>	-	Contact Name:	Joanne Stewart
		Tel No:	(028) 90544880
		Fax:	(028) 90545111
		Textphone:	(028) 90552100
		Email address:	<a href="mailto:joanne.stewart@investni.com">joanne.stewart@investni.com</a>
<b>NITB</b>	-	Contact Name:	Bob McMillen
		Tel No:	(028) 90895513
		Fax:	(028) 90315951
		Textphone:	(028) 90895512
		Email address:	<a href="mailto:pcu@nitb.com">pcu@nitb.com</a>

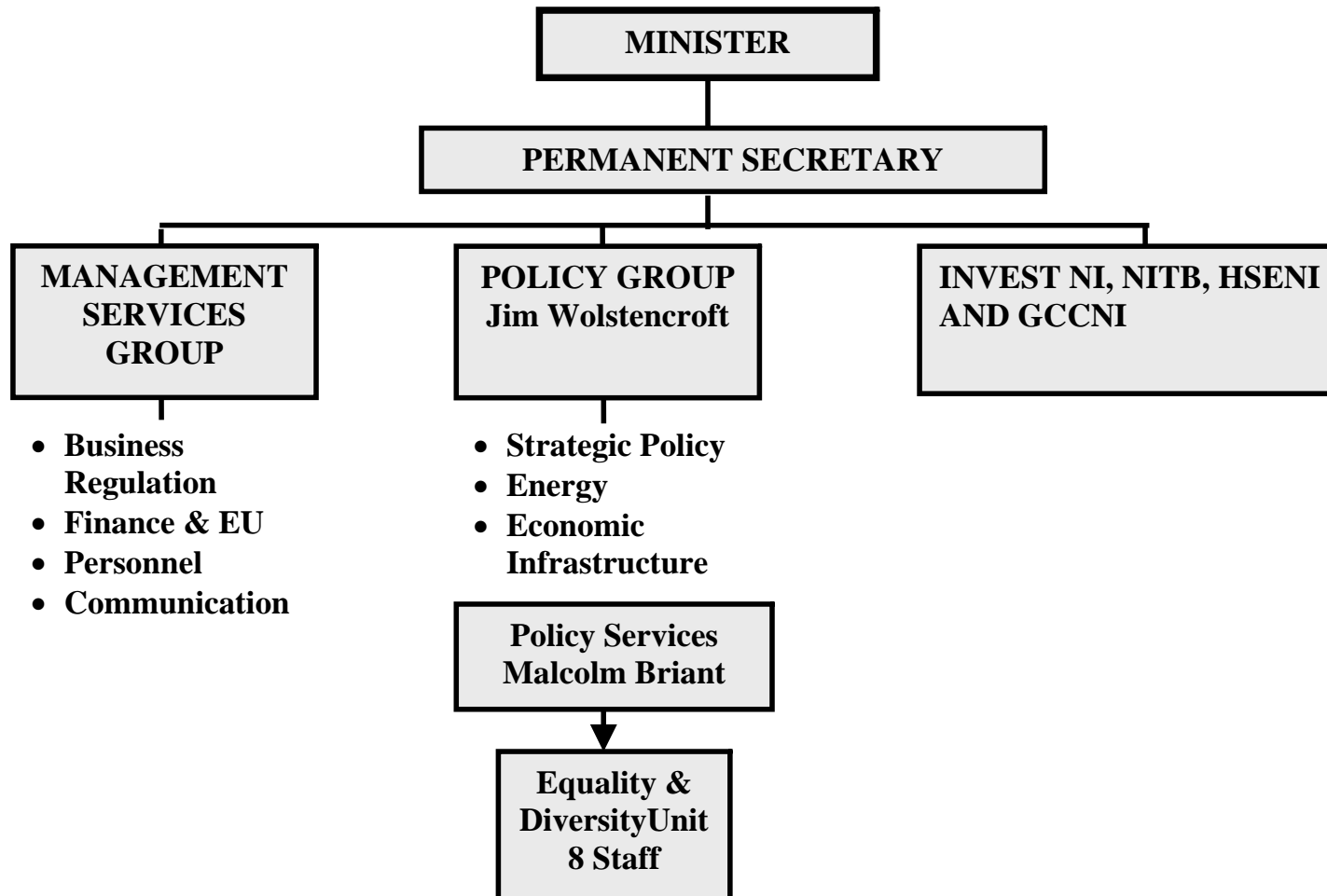
**HSENI** - Contact Name: Tom Blacker  
Tel No: (028) 9054 6854  
Fax: (028) 9023 5383  
Textphone: (028) 9054 6896  
Email address: [tom.blacker@detini.gov.uk](mailto:tom.blacker@detini.gov.uk)

**GCCNI** Contact Name: Maeve Bell  
Tel No: (028) 9067 2488  
Fax: (028) 9065 7701  
Textphone: (028) 9067 2488  
Email address: [info@gccni.org.uk](mailto:info@gccni.org.uk)

## ANNEX B

### MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES FOR NORTHERN IRELAND PURPOSES

Category	Main Groups
Religious belief	Protestants; Catholics; people of other religious belief ; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people of mixed ethnic group
‘Men and women generally’	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18; people aged between 18 and 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age
‘Persons with a disability’	Persons with a physical, sensory or learning disability as defined in sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995 <i>and persons with a mental health disability</i>
‘Persons with dependants’	Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bisexuals; gays; lesbians.



Note:

1. Chair of the Equality & Diversity Steering Group (EDSG) on which all Divisions and NDPBs represented.

**CONSULTATION LIST**

Age Concern  
Amalgamated Engineering & Electrical Unions  
Amalgamated Transport & General Workers Union  
Association of Independent Advice Centres  
Association of Chief Officers of Voluntary Organisations  
Bahai Office for Northern Ireland  
Bar Council  
Belfast Centre for the Unemployed  
Belfast City Centre Management  
Belfast Hebrew Congregation  
Belfast Traveller Education and Development Group  
Blind Centre (NI)  
British Deaf Association (NI)  
Bryson House  
Business in the Community  
Cara Friend  
Christian Action Research & Education  
Carers National Association Northern Ireland  
Cedar Foundation  
Child Poverty Action Group  
Children's Law Centre  
Chinese Chamber of Commerce  
Chinese Welfare Association  
Church of Ireland  
City Partnership Board  
Civic Forum  
Coalition on Sexual Orientation (CoSo)  
Committee on the Administration of Justice  
Communication Workers Union  
Community Relations Council  
Community Relations Training/Learning Consortium  
Confederation of British Industry (NI)  
Co-operation Ireland  
Counteract  
Creggan Enterprises Ltd  
Disability Action  
East Belfast Community Development Agency  
Employers' Forum on Disability  
Engineers and Managers Association  
Enterprise Ulster  
Equality Commission

Equality Forum Northern Ireland  
Falls Community Council  
Federation of Small Businesses  
Fermanagh Women's Network  
Forum for Community Work NI  
Foyle Women's Information Network  
General Consumer Council for NI  
Gingerbread Northern Ireland  
GMB  
Greater Belfast Community Network  
Greater East Belfast Partnership Board  
Greater Shankill Partnership  
Help the Aged  
Incore  
Indian Community Centre  
Institute of Directors  
Institution of Professionals, Managers & Specialist  
Larne Development Forum  
Larne District Partnership Board  
Law Centre Northern Ireland  
Local Authorities  
Local Enterprise Agencies  
Lurgan Council for Voluntary Action  
Manufacturing Science Finance  
MENCAP  
Methodist Church  
MPs and MEPs  
Multi-cultural Resource Centre  
National Energy Action Charity  
New Social Economy Agency  
NIACRO  
NICCI  
NICVA  
NIC/ICTU (plus all affiliated organisations)  
NIEC  
NIERC  
NIGRA  
NIPSA  
NIVDA  
NIVT  
North Belfast Partnership Board  
North West Community Network  
Northern Ireland Anti-Poverty Network  
Northern Ireland Association of Citizens Advice Bureau  
Northern Ireland Association for Mental Health

Northern Ireland Centre for Competitiveness  
Northern Ireland Consumer Committee for Electricity  
Northern Ireland Council for Ethnic Minorities  
Northern Ireland Human Rights Commission  
Northern Ireland Islamic Centre  
Northern Ireland Women's Aid Federation  
Northern Ireland Women's European Platform  
NSPCC  
NUS/USI  
Northern Ireland Assembly Members  
Northern Ireland Partnership Board  
Northern Ireland Political Parties  
Organisation for the Unemployed for Northern Ireland  
Presbyterian Church in Ireland  
Press for Change  
Prince's Youth Business Trust  
POBAL  
Public Commerce Services Union  
Queen's University  
Relate  
RNIB  
RNID  
Roman Catholic Church  
Rural Community Network  
Rural Development Council  
Services Industrial Professional Technical Union  
Sikh Cultural Centre  
Social Economic Agency  
Traveller Movement (Northern Ireland)  
Training for Womens Network  
UCATT  
Union of Shop, Distributive & Allied Workers  
University of Ulster at Coleraine  
Ulster Scots Heritage Council  
West Belfast Economic Forum  
West Belfast Partnership Board  
Women's Forum  
Women's Information Group  
Women's Resource and Development Agency  
Women's Support Network  
Women's TEC  
Youth Council for Northern Ireland

## ANNEX E

### TIMETABLE FOR REVIEWS AND OTHER ASSOCIATED ACTIVITY

The following timetable summarizes the actions which the Department proposes to take during the years following submission of this Scheme to the Equality Commission –

- : Year 1 – 1 April 2003-31 March 2004; and
- : Year 2 – 1 April 2004-31 March 2005.

In each case the lead within the Department is identified; where the lead is the Equality & Diversity Unit all other parts of the Department and, where appropriate, DETI NDPBs will be involved through the Equality & Diversity Working and Steering Groups.

Year	Lead	Actions
Year 1 (April 2003 – March 2004)	European Programmes	<ul style="list-style-type: none"> <li>• Undertake equality impact assessment of Policy B (para 3.3).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Assess and review monitoring arrangements and implement outcomes through monitoring research plan (para 6.2).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Prepare an equality Communications Guide (para 9.1).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Prepare a Consultation strategy (para 8.12)</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Service regular meetings of the Equality &amp; Diversity Steering Group (para 2.6).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Service regular meetings of the Equality &amp; Diversity Working Group (para 2.4).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Prepare annual review (para 2.7).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>• Continue ongoing implementation of Training Plan (para 10).</li> </ul>
Year 2 (April 2004 – March 2005)	Energy Branch	<ul style="list-style-type: none"> <li>• Undertake equality impact assessment of Policy E (para 3.3).</li> </ul>

Year	Lead	Actions
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Assess and review monitoring arrangements and implement outcomes through monitoring research plan (para 6.2).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Revise Equality Communications Guide as necessary (para 9.1).</li> </ul>
	Equality and Diversity Unit	Revise Consultation strategy as necessary (para 8.12)
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Service regular meetings of the Equality &amp; Diversity Steering Group (para 2.6).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Service regular meetings of the Equality &amp; Diversity Working Group (para 2.4).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Prepare annual review (para 2.7).</li> </ul>
	Equality and Diversity Unit	<ul style="list-style-type: none"> <li>Continue ongoing implementation of Training Plan (para 10).</li> </ul>
April 2005 – March 2009	DETI HQ	<ul style="list-style-type: none"> <li>Undertake equality impact assessments of policies C, I &amp; J which are still being formulated.</li> </ul>

## DETI POLICIES

First DETI Equality Scheme	Current Position
<i>(A) In consultation with the private sector and social partners to pursue policies which effectively target individuals in greatest need, particularly the long-term unemployed, and also areas in greatest need, with the effect of reducing community differentials (DETI)</i>	OFM/DFM are now taking the lead on this policy and will conduct an EQIA on foot of the evaluation of New TSN.
<i>(B) To encourage greater, sustainable growth by locally and externally-owned international competitive companies in the manufacturing and internationally tradeable service sectors (IDB).</i>	This policy has been subjected to an EQIA which was published in October 2002.
<i>(C) To attract new inward investment which will offer opportunities for enhanced job quality, paying particular attention to areas designated as being disadvantaged (IDB).</i>	This policy has been subjected to an EQIA which was published in October 2002.
<i>(D) To maintain a flexible property policy to support existing and new companies through the development of partnerships with private developers, district councils and other relevant economic development groups (IDB).</i>	This Policy will be included in Invest NI's Equality Scheme.
<i>(E) To raise the level of research and development activity in companies to increase overall competitiveness (IRTU).</i>	This policy has been subjected to an EQIA which was published in October 2002.

<b>First DETI Equality Scheme</b>	<b>Current Position</b>
<i>(F) To increase the use of new technologies in companies to increase overall competitiveness (IRTU).</i>	This policy has been subjected to an EQIA which was published in October 2002.
<i>(G) To assist companies to increase international competitiveness by promoting management development and encouraging employers to develop the skills and versatility of those in employment (DETI HQ).</i>	This policy has been subjected to an EQIA which was published in October 2002.
<i>(H) Through DETI managed European Union Structural Funds programmes to contribute to the creation of a more peaceful, prosperous and stable society via processes of economic renewal and transition (DETI HQ).</i>	To be taken forward in revised DETI Scheme as Policy B.
<i>(I) To ensure effective regulation of the gas and electricity industry in Northern Ireland and ensure diversification and security of supply (DETI-Energy).</i>	This policy was screened in the context of the draft Energy Bill which was published for consultation in June 2002. No equality issues were identified in relation to this policy and it was not, therefore subjected to a full EQIA.
<i>(J) To promote, develop and market energy efficiency/alternative energy sources through demonstration schemes and Non-Fossil Fuel Obligation (NFFO) arrangements (DETI-Energy).</i>	Targets for renewable energy will be set in the context of a new energy strategy which is being prepared. The equality impact of any shift from the present NFFO to new support mechanisms for renewable energy will be assessed in year 2 – April 2004-March 2005.
<i>(K) To maintain and develop electricity and gas legislation (DETI-Energy).</i>	This policy was subject to an EQIA as part of the draft Energy Bill which was published for consultation in June 2002.

First DETI Equality Scheme	Current Position
<i>(L) To take forward EU energy directives (DETI-Energy).</i>	This policy has been screened in the context of the Draft Energy Bill which was published for consultation in June 2002 and found to have no equality issues identified. It will not, therefore be subject to an EQIA.
<i>(M) To promote mineral and petroleum exploration and development (DETI-Energy).</i>	This policy has been screened and found to have no equality issues identified. Therefore, it will not be subject to an EQIA.
<i>(N) To encourage and maintain most favourable regulatory climate for the growth of business industry and commerce (DETI-Corporate Regulation).</i>	This becomes Policy F in the revised scheme and will be impact assessed by 31 March 2003.
<i>(O) To promote and maintain the integrity and working of the market place by administering and investigating the affairs of bankrupts and companies in compulsory liquidation and handling the disqualification of directors in all corporate insolvencies (DETI-Insolvency Service).</i>	This becomes Policy G in the revised scheme and will be impact assessed by 31 March 2003.
<i>(P) To promote and maintain a fair trading environment in which consumers are protected against malpractice and responsible business activity is encouraged (DETI - Consumer Affairs Branch).</i>	This becomes Policy H in the revised scheme and will be impact assessed by 31 March 2003.

## DETI POLICY & LEGISLATION SCREENING FORM

### Section 1

#### **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

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

- 1.1 This form is intended to assist you in your consideration of the new policy or legislation in question to record the outcome in respect of these statutory equality considerations. We have a legal obligation to maintain an accurate audit trail of equality considerations.
- 1.2 The screening procedure should result in:
- (a) the policy/legislation being screened does not have any or a significant impact on equality of opportunity; or
  - (b) the policy/legislation being screened has (or is likely to have) a significant impact on equality of opportunity. Policies falling into this category will need to be considered further and may need an Equality Impact Assessment.
- 1.3 EQUALITY UNIT IS HAPPY TO ADVISE ON ANY ASPECT OF SECTION 75 AND OR THE SPECIFIC ISSUES RAISED IN THIS FORM AND ITS COMPLETION. THE FORM SHOULD BE SIGNED OFF BY YOUR GRADE 5 AS EQUALITY & DIVERSITY STEERING GROUP MEMBER.**

**Section 2 – Policy/Legislation to be Screened**

**What do we mean by “policy”?**

There is no specific guidance as to how the term “policy” should be defined beyond reference to the New Oxford English Dictionary definition: *a course or principle of action adopted or proposed by a government*. A balance needs to be struck on the one hand avoiding too great a level of abstraction and, on the other, consideration of micro-level policies. Both extremes will be likely to cause difficulties.

We would certainly expect individual schemes, programmes or initiatives to be considered as elements of a policy.

Legislation can be either primary or sub-ordinate and the OFMDFM guidance procedures indicates the need to have completed equality considerations at certain stages in the procedures.

**2.1 Title of policy/legislation to be screened:**  
**The promotion of mineral and petroleum exploration and Development.**

**2.2 Brief description of policy/legislation to be screened:**  
**By targeted marketing of NI’s mineral and petroleum prospectivity, exploration companies can be encouraged to take out licences with a view to identifying and exploiting these resources and hence contribute to NI’s economic development.**

**2.3 Aims/objectives of policy/legislation to be screened:**  
**The sustainable development of Northern Ireland’s mineral and petroleum resources.**

It is essential that **all** the aims/objectives of the policy be clearly and fully defined.

**2.4 On whom will the policy/legislation impact?**  
**Mineral and petroleum exploration companies worldwide.**

**2.5 Who is responsible for (a) devising and (b) delivering the policy e.g. is it DETI, DTI or another Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?**

---

**Responsibility for devising and delivering the policy falls wholly to DETI.**

---

---

---

**2.6 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?**

---

**In terms of prospecting there are linkages with DOE (e.g. possible impact on AONBs and ASSIs). So far as mining is concerned there are linkages with the Planning Service.**

---

---

---

**2.7 What data are available to facilitate the screening of this policy/legislation?**

---

**Data on all previous licence holders (company name, licence area, period of licence, work programme undertaken, expenditure in area etc).**

---

**GSNI data on mineral and petroleum prospectivity.**

---

**See Appendix IV of Equality Commission Practical Guidance on EQIA or speak to DETI Statistics Research Branch, (Dr Clare Alexander ext 29525) or Equality Unit (Paul Brunton, ext 29636, Stephen Shooter ext 29644).**

**Section 3 – Screening Analysis**

You should not think of the “not known” column as the easy option to respond to any of the questions. In cases where there is no available evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Research Branch and organisations representing the Section 75 Groups will be important and helpful at this stage.

**3.1 Is there any evidence of higher or lower participation or uptake by the following characteristics?**

	Yes	No	Not Known
Religious belief		/	
Political opinion		/	
Racial group		/	
Age		/	
Marital status		/	
Sexual orientation		/	
Sex		/	
Disability		/	
Dependency		/	

**Please elaborate**

**This policy is aimed at, and only impacts on, exploration companies, the vast majority of which are based overseas.**

---



---



---

**3.2 Is there evidence that any of the following groups have different needs, experiences, issues and priorities in relation to this policy issue?**

	Yes	No	Not Known
Religious belief		/	
Political opinion		/	
Racial group		/	
Age		/	
Marital status		/	
Sexual orientation		/	
Sex		/	
Disability		/	
Dependency		/	

**Please elaborate**

**See 3.1 above.**

**3.3 Have consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?**

	<b>Yes</b>	<b>No</b>
Religious belief		/
Political opinion		/
Racial group		/
Age		/
Marital status		/
Sexual orientation		/
Sex		/
Disability		/
Dependants		/

**Please elaborate**

**No formal consultations have been carried out.**

**3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?**

Yes      No

**Please elaborate:**

**The policy is directed primarily at overseas companies.**

**3.5 If the answer to any of questions in 1 to 4 is yes please indicate whether you consider the policy may present a significant risk to DETI’s obligation to have due regard to the need to promote equality of opportunity. You will need to consider whether the policy/legislation could be changed, better to promote equality of opportunity and/or be subject to a full EQIA.**

Yes No

**Please elaborate:**

---

N/A

---

---

---

**3.6 It may be that a policy/legislation has a differential/impact on a certain group as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:**

---

N/A

---

---

---

**Section 4**

**EQIA Recommendation**

4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. In light of the above 3 sections please fill in the following grid in relation to the policy/legislation.

	<b>Significant Impact</b>	<b>Moderate Impact</b>	<b>Low Impact</b>
Social Need.			/
Effect on people's daily lives.			/
Effect on economic, social and human rights.			/

**Please elaborate:**

---

**The policy is more likely to have “No impact” than “Low impact”.**

---

4.2 **What is the scale of expenditure incurred by the policy?**

---

**The Department has a budget of £103k for mineral exploration in 2002/03. Only part of this will be used for direct promotional purposes.**

---

4.3 **Do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations.**

---

**No. The location of any mineral or petroleum exploration is determined by the geology of Northern Ireland, not the distribution of the population (or any particular section of it).**

---

4.4 **What data are required in the future to ensure effective monitoring?**

---

**N/A**

---

---

---

**Signed:** J E Wolstencroft

**EDSG Member**

**Division:** Economic Infrastructure

**Date:** 9 May 2002

**PLEASE FORWARD A COPY OF THIS COMPLETED FORM TO:**

**DETI EQUALITY & DIVERSITY UNIT  
NETHERLEIGH  
MASSEY AVENUE  
BELFAST BT4 2JP**

**ANY QUERIES: PAUL BRUNTON (028) 9052 9636  
[paul.brunton@detini.gov.uk](mailto:paul.brunton@detini.gov.uk)  
STEPHEN SHOOTER (028) 9052 9644  
[stephen.shooter@detini.gov.uk](mailto:stephen.shooter@detini.gov.uk)**

## DETI POLICY & LEGISLATION SCREENING FORM

### Section 1

#### **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

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

- 1.1 This form is intended to assist you in your consideration of the new policy or legislation in question to record the outcome in respect of these statutory equality considerations. We have a legal obligation to maintain an accurate audit trail of equality considerations.
- 1.2 The screening procedure should result in:
  - a. the policy/legislation being screened does not have any or a significant impact on equality of opportunity; or
  - b. the policy/legislation being screened has (or is likely to have) a significant impact on equality of opportunity. Policies falling into this category will need to be considered further and may need an Equality Impact Assessment.
- 1.3 **EQUALITY UNIT IS HAPPY TO ADVISE ON ANY ASPECT OF SECTION 75 AND OR THE SPECIFIC ISSUES RAISED IN THIS FORM AND ITS COMPLETION. THE FORM SHOULD BE SIGNED OFF BY YOUR GRADE 5 AS EQUALITY & DIVERSITY STEERING GROUP MEMBER.**

## **Section 2 – Policy/Legislation to be Screened**

### **What do we mean by “policy”?**

There is no specific guidance as to how the term “policy” should be defined beyond reference to the New Oxford English Dictionary definition: *a course or principle of action adopted or proposed by a government*. A balance needs to be struck on the one hand avoiding too great a level of abstraction and, on the other, consideration of micro-level policies. Both extremes will be likely to cause difficulties.

We would certainly expect individual schemes, programmes or initiatives to be considered as elements of a policy.

Legislation can be either primary or sub-ordinate and the OFMDFM guidance procedures indicates the need to have completed equality considerations at certain stages in the procedures.

### **2.1 Title of policy/legislation to be screened:**

Energy Bill – changes to regulatory structures, powers and duties

### **2.2 Brief description of policy/legislation to be screened:**

Provision will be made in the proposed legislation for the creation of a new regulatory authority to replace the current roles of Director General of Electricity Supply for Northern Ireland (DGESNI) and Director General of Gas for Northern Ireland (DGGNI).

Details of the powers and functions which the new authority will have are summarised below.

### **2.3 Aims/objectives of policy/legislation to be screened:**

The aims of the changes to the regulatory structure, powers and duties are:

Provision will be made in the proposed legislation for the creation of a new regulatory authority to replace the current roles of Director General of Electricity Supply for Northern Ireland (DGESNI) and Director General of Gas for Northern Ireland (DGGNI). This change will reflect the close relationship between the two industries and to allow “cross consideration” of issues affecting gas and electricity consumers. The new Authority will assume the same obligations in relation to s. 75 as Ofreg has at present, only the structure will be different. In this respect it is relevant to note that Ofreg received only 2 responses from 240 organisations invited to comment on its Equality Scheme. Ofreg concluded that the consultation process constituted strong evidence that the representatives of the statutory groups and others consulted do not see Ofreg’s policies creating inequalities for the s.75 groups.

It is envisaged that the new regulatory body, the Northern Ireland Authority for Energy Regulation, will be a small and highly expert Authority. The members of the Authority will be chosen on the basis of their knowledge and expertise on energy issues so as to increase the effectiveness in regulating the industry on behalf of all consumers. Being small in number it would not be practicable or effective for the Authority to contain a representative from each of the s. 75 groups. The Department will appoint the Chairman of the Authority and, following consultation with the chairman, other members.

The new legislation will grant increased powers to the new Authority, which in turn will increase the benefits to all consumers through more effective regulation of the energy industry. A new requirement of the Authority will be the formal co-operation with the GCCNI. The Authority will also be given the power to exchange information with the GCCNI and publish advice and information which would promote the interests of consumers in relation to gas or electricity. At the beginning of each financial year the Authority will publish a forward work programme containing a general description of the projects which it plans to undertake during the forthcoming year. The new Authority will also be required to publish an annual report to submit to the Department at the end of each financial year. Other new powers and obligations include an increased power to enforce monetary penalties on companies and a requirement for the Authority to publish reasons for any decisions it makes. These new arrangements will increase the transparency and accountability in the decision making process and will put in place greater benefits for all consumers, especially those who are considered vulnerable. The new Authority will be obliged to carry out its duties in accordance with its own equality scheme and s. 75 legislation. It is assumed therefore, that this aspect of the policy should, if anything, have a positive impact on all consumers and on the s. 75 groups in particular.

The proposed legislation will make guarding the interests of consumers, particularly vulnerable consumers, a primary duty of the Department and the Authority. Vulnerable consumers are those on low incomes, those of pensionable age, the disabled or chronically sick and, in relation to electricity, those living in rural areas. The Authority's principal objective with respect to electricity is to protect consumer interests, wherever appropriate through effective competition. The Authority's principal objective with respect to gas is to promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland. The main policy in our energy strategy regarding the gas industry is the postalisation of the gas conveyance system. This policy will be the subject of a draft equality impact assessment that will be published for consultation. The objectives for gas and electricity differ so as to take account of the fact that the gas industry is still in the early stages of development in Northern Ireland.

However, in relation to both electricity and gas, consumer interests have been given much higher prominence. In a wider sense the new arrangements, once established and in operation, will have a positive impact on all electricity and gas consumers. Vulnerable consumers, who may have particular energy related needs, have been given special recognition and it is assumed that there will be at least some correlation between the vulnerable groups listed above and those in or at risk of fuel poverty.

---

It is essential that **all** the aims/objectives of the policy be clearly and fully defined.

**2.4 On whom will the policy/legislation impact?**

---

On the Office of the Regulation of Electricity and Gas, on licence holders and potential licence holders.

In a wider sense the new arrangements, once established and in operation, will have a positive impact on all electricity and gas consumers, particularly vulnerable consumers, whose interests will be the primary duty of the Department and the new Authority. This may result in a positive impact on some people within the s. 75 groups, e.g. people with disabilities, without having a detrimental effect on other consumers.

**2.5 Who is responsible for (a) devising and (b) delivering the policy e.g. is it DETI, DTI or another Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?**

---

DETI is responsible for devising this policy and introducing the legislation necessary to implement it. It is not thought that changing the framework of the regulatory body will have an impact on any of the s. 75 groups. Rather it is the implementation of the new powers granted to the Authority which may require equality impact monitoring. The new Authority will take over the current functions of Ofreg and will be responsible for conducting the functions set out in the legislation. The Authority will be responsible for ensuring that its functions are exercised in line with the obligations imposed by s. 75 and in line with its equality scheme. It will also be up to the Authority to carry out any impact assessments required, so as to minimise any detrimental effect on the s. 75 groups.

**2.6 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?**

---

DETI and Ofreg have the primary interest in this energy legislation. The Department of Social Development, which has lead responsibility for fuel poverty, and the Department of the Environment, which is responsible for sustainable development, are also likely to have an interest in the changes being brought about by the Energy Bill. The Department of Finance and Personnel will have an interest due to the change in the financial position of the regulatory body and the GCCNI will have an interest as they will be required to develop a closer working relationship with the Authority.

---

## 2.7 What data are available to facilitate the screening of this policy/legislation?

---

The issue of fuel poverty has been given much greater prominence in recent years. Households which suffer from fuel poverty are defined as those which spend more than 10% of household income on fuel in order to maintain a satisfactory level of heating in the home. It is estimated that approximately 170 000 households in Northern Ireland suffer from fuel poverty, of which 120 000 are considered vulnerable (Competition for the Poor, April 2002). It is documented, in the GCCNI's paper 'Frozen Out', that households with the lowest incomes, households in rural areas (particularly in the West of the province), pensioner households, households with children, households containing people with disabilities or long-term illnesses, and households relying on old, inefficient or costly heating systems are most at risk of fuel poverty. Using this information, a degree of correlation exists between those vulnerable consumers listed in the legislation and those who are considered particularly at risk of fuel poverty. It is therefore anticipated that the new duty on the Authority, to have regard to vulnerable consumers, will have a beneficial effect on those in or at risk of fuel poverty. Individuals in fuel poverty will regularly have to choose between the basic necessities of life, for instance purchasing fuel and forgoing food or clothing for members of the household. Other consequences include the deterioration of house condition, financial exclusion (where individuals do not have the money to escape from their situation), inability to buy fuel in bulk to reduce per unit costs, using expensive and inefficient appliances and, greatest of all, the risk to the individual's health. In this respect, fuel poverty can lead to health problems or the worsening of the individual's existing medical conditions which may include hypothermia, influenza, asthma and pneumonia. Official figures indicate that approximately 600 per year die as a result of these cold related illnesses (Frozen Out – Tackling fuel poverty in Northern Ireland, April 2002). More detailed information on the causes, effects and potential cures of fuel poverty is contained in the General Consumer Council's publication 'Frozen Out – Tackling fuel poverty in Northern Ireland' (April 2002), NEA's publication 'Fuel Poverty in Northern Ireland' (November 1997), the UK Fuel Poverty Strategy and Ofreg's publication 'Competition for the Poor' (April 2002).

---

Data is available from the 1991 Census of Population in Northern Ireland. The 1999 mid-year estimates produced by Northern Ireland Statistics and Research Agency along with 1999 ward-level 'Noble'

estimates can be used for the age category and data on those in receipt of Disability Living Allowance or Attendance Allowance in 2000 can be applied to the people with disabilities category. Responses from s. 75 groups to our initial consultation document will also form an important source of data to help inform whether a full equality impact assessment on this matter is required. Information on the makeup of those suffering from fuel poverty and their distribution in Northern Ireland is contained in the UK Fuel Poverty Strategy, Ofreg’s paper ‘Competition for the poor’ (April 2002), the GCCNI’s paper ‘Frozen Out’ (April 2002) and NEA’s paper ‘Fuel poverty in Northern Ireland’ (1997).

---

**See Appendix IV of Equality Commission Practical Guidance on EQIA or speak to DETI Statistics Research Branch, (Dr Clare Alexander ext 29525) or Equality Unit (Barbara Swann, ext 29255, Stephen Shooter ext 29644).**

**Section 3 – Screening Analysis**

You should not think of the “not known” column as the easy option to respond to any of the questions. In cases where there is no available evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Research Branch and organisations representing the Section 75 Groups will be important and helpful at this stage.

**3.1 Is there any evidence of higher or lower participation or uptake by the following characteristics?**

	<b>Yes</b>	<b><u>No</u></b>	<b>Not Known</b>
Religious belief		√	
Political opinion		√	
Racial group		√	
Age		√	
Marital status		√	
Sexual orientation		√	
Sex		√	
Disability		√	
Dependancy		√	

---

Establishment of the new regulatory arrangements and duties will not, of themselves, have any impact on any of these groups. Rather it is the implementation of the new powers granted to the Authority which may require equality impact monitoring.

---

**3.3 Is there evidence that any of the following groups have different needs, experiences, issues and priorities in relation to this policy issue?**

	Yes	No	Not Known
Religious belief		√	
Political opinion		√	
Racial group		√	
Age		√	
Marital status		√	
Sexual orientation		√	
Sex		√	
Disability		√	
Dependancy		√	

**Please elaborate**

Provision will be made in the proposed legislation for the creation of a new regulatory authority to replace the current roles of Director General of Electricity Supply for Northern Ireland (DGESNI) and Director General of Gas for Northern Ireland (DGGNI). The new Authority will assume the same obligations in relation to s. 75 as Ofreg has at present, only the structure will be different. In this respect it is relevant to note that Ofreg received only 2 responses from 240 organisations invited to comment on its Equality Scheme. Ofreg concluded that the consultation process constituted strong evidence that the representatives of the statutory groups and others consulted do not see Ofreg's policies creating inequalities for the s.75 groups. The Department will appoint the Chairman of the Authority and, following consultation with the chairman, other members. The new Authority will be subject to the equality obligations in the Northern Ireland Act and will have to exercise its functions having regard to all the s.75 groups as well as the other vulnerable consumers set out in its duties. Therefore the new arrangements will bring benefits for all consumers, and regard will be paid to vulnerable consumers and s.75 groups.

**3.3 Have consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?**

	Yes	No
Religious belief		√
Political opinion		√
Racial group		√
Age		√
Marital status		√
Sexual orientation		√
Sex		√
Disability		√
Dependants		√

**Please elaborate**

---

The Department consulted widely, in the context of consultation on a new energy market strategy for NI, on the priorities for inclusion in this legislation and on any equality issues that might be of concern to particular organisations. No issues of principle were raised in relation to the establishment of a new regulatory authority.

The new Authority will assume the same obligations in relation to s. 75 as Ofreg has at present, only the structure will be different. In this respect it is relevant to note that Ofreg received only 2 responses from 240 organisations invited to comment on its Equality Scheme. Ofreg concluded that the consultation process constituted strong evidence that the representatives of the statutory groups and others consulted do not see Ofreg's policies creating inequalities for the s.75 groups.

---

**3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?**

**Yes**                      No

Please elaborate:

---

**3.6 If the answer to any of questions in 1 to 4 is yes please indicate whether you consider the policy may present a significant risk to DETI's obligation to have due regard to the need to promote equality of opportunity. You will need to consider whether the policy/legislation could be changed, better to promote equality of opportunity and/or be subject to a full EQIA.**

**Yes**                      **No**

**Please elaborate:**

---

---

**3.6 It may be that a policy/legislation has a differential/impact on a certain group as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:**

---

N/A

---

**Section 4**

EQIA Recommendation

4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. In light of the above 3 sections please fill in the following grid in relation to the policy/legislation.

	<b>Significant Impact</b>	<b>Moderate Impact</b>	<b>Low Impact</b>
Social Need.			√
Effect on people's daily lives.			√
Effect on economic, social and human rights.			√

**Please elaborate:**

---



---

**4.2 What is the scale of expenditure incurred by the policy?  
? to be determined.**

---



---

**4.3 Do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations.**

---

No – the establishment of the new arrangements and duties/functions of the Authority do not have a differential impact on any of the s. 75

groups. The Department consulted widely, in the context of consultation on a new energy market strategy for NI, on the priorities for inclusion in this legislation and on any equality issues that might be of concern to particular organisations. No issues of principle were raised in relation to the establishment of a new regulatory Authority. All electricity and gas consumers, particularly vulnerable consumers, will benefit from the new arrangements, which will offer increased transparency and accountability in decision making. The Authority, in exercising functions under the legislation will be subject to the duties in s. 75 and will be required to complete its own equality scheme and assess the impact of its policies on s. 75 groups.

---

**4.4 What data are required in the future to ensure effective monitoring?**

---

**Signed:** Jim McKeown  
EDSG Member

**Division:** Energy

**Date:** 17 May 2002

**PLEASE FORWARD A COPY OF THIS COMPLETED FORM TO:**

**DETI EQUALITY & DIVERSITY UNIT  
NETHERLEIGH  
MASSEY AVENUE  
BELFAST BT4 2JP**

**ANY QUERIES: PAUL BRUNTON EXT 29636  
[paul.brunton@detini.gov.uk](mailto:paul.brunton@detini.gov.uk)  
STEPHEN SHOOTER EXT 29644  
[stephen.shooter@detini.gov.uk](mailto:stephen.shooter@detini.gov.uk)**

# DETI POLICY & LEGISLATION SCREENING FORM

## Section 1

### **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

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

- 1.1 This form is intended to assist you in your consideration of the new policy or legislation in question to record the outcome in respect of these statutory equality considerations. We have a legal obligation to maintain an accurate audit trail of equality considerations.
- 1.2 The screening procedure should result in:
  - (a) the policy/legislation being screened does not have any or a significant impact on equality of opportunity; or
  - (b) the policy/legislation being screened has (or is likely to have) a significant impact on equality of opportunity. Policies falling into this category will need to be considered further and may need an Equality Impact Assessment.
- 1.3 **EQUALITY AND DIVERSITY UNIT IS HAPPY TO ADVISE ON ANY ASPECT OF SECTION 75 AND OR THE SPECIFIC ISSUES RAISED IN THIS FORM AND ITS COMPLETION. THE FORM SHOULD BE SIGNED OFF BY YOUR GRADE 5 AS EQUALITY AND DIVERSITY STEERING GROUP MEMBER.**

## **Section 2 – Policy/Legislation to be Screened**

### **What do we mean by “policy”?**

There is no specific guidance as to how the term “policy” should be defined beyond reference to the New Oxford English Dictionary definition: *a course or principle of action adopted or proposed by a government*. A balance needs to be struck on the one hand avoiding too great a level of abstraction and, on the other, consideration of micro-level policies. Both extremes will be likely to cause difficulties.

We would certainly expect individual schemes, programmes or initiatives to be considered as elements of a policy.

Legislation can be either primary or sub-ordinate and the OFMDFM guidance procedures indicates the need to have completed equality considerations at certain stages in the procedures.

### **2.1 Title of policy/legislation to be screened:**

Policy – (L) – to take forward EU energy directives.

There are two EU energy Directives, one relating to electricity and gas, currently in draft form and a second, which has been adopted and must be implemented by September 2003, dealing with renewable energy. The Energy Bill contains enabling provisions which will allow changes to be made to the structure of energy business activities in the context of the requirements of the draft Electricity and Gas Directive or enable full market opening, and which will allow the Renewables Directive to be implemented.

### **2.2 Brief description of policy/legislation to be screened:**

The Bill contains provisions which enable the creation of new licensable activities of participating in transmission or conveyance, allowing the creation of a role of System Operator in relation to electricity and, if required, gas.

In addition, the Department is enabled to add to the categories of licensable activities or to remove an activity currently licensable from the scope of regulatory control. This flexibility will enable the Department to make any changes to the licensing regime which are necessary to comply with the requirements of the draft Electricity and Gas Directive or otherwise to ensure the most appropriate energy market structure for Northern Ireland.

In regard to the Renewables Directive, the Bill contains a power which enables Part VI of the Bill (electricity from renewable sources) to be amended by subordinate legislation in order to give effect to any Community obligation.

### **2.3 Aims/objectives of policy/legislation to be screened:**

The legislation, by enabling the restructuring of energy business activities, will position Northern Ireland to meet obligations under the forthcoming EU Electricity and Gas Directive and will help to improve the efficiency and effectiveness of the Northern Ireland energy market in the face of the move to full market opening in relation to electricity and gas and other market developments.  
It will also enable the provisions of the Renewables Directive to be implemented in Northern Ireland.

It is essential that **all** the aims/objectives of the policy be clearly and fully defined.

### **2.4 On whom will the policy/legislation impact?**

The legislation will impact directly on current and potential electricity and gas licence holders. It will also impact on the new Regulatory Authority to be created under the Bill in that the provisions will allow the activities subject to regulatory control to be altered. Adding to licensable activities can only be done following an application to the Department from the Authority, removing an activity from the scope of licensable control can be done either on the application of the Authority or following consultation by the Department.  
In relation to renewables, the provisions in the Bill will initially impact mainly on electricity suppliers. However, there may also be an impact on electricity consumers and the Department has indicated that it will prepare an EQIA when the provisions are being brought into operation.

### **2.5 Who is responsible for (a) devising and (b) delivering the policy e.g. is it DETI, DTI or another Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?**

DETI will be responsible for devising and delivering the policy, in the light of EU and UK market developments. As noted above, the Regulatory Authority has a role in applying for activities to become or to cease to be licensable.  
New provisions in relation to renewable energy are likely to cater for the mutual recognition of certificates of origin between member states. These certificates are evidence that the electricity represented by them is generated from a renewable source and will be tradeable within the single European energy market. DTI will be responsible for the policy relating to these certificates while DETI will be responsible for implementing it on a consistent basis for Northern Ireland.

### **2.6 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?**

As noted above, there is a linkage between the Department and the Authority in relation to the provisions.

**2.7 What data are available to facilitate the screening of this policy/ legislation?**

Number of electricity licence holders (number of applications for electricity licences?)  
Number of gas licence holders (number of applications for gas licences)

**See Appendix IV of Equality Commission Practical Guidance on EQIA or speak to DETI Statistics Research Branch, (Dr Clare Alexander ext 29525) or Equality Unit (Paul Brunton, ext 29636, Stephen Shooter ext 29644).**

### **Section 3 – Screening Analysis**

You should not think of the “not known” column as the easy option to respond to any of the questions. In cases where there is no available evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Research Branch and organisations representing the Section 75 Groups will be important and helpful at this stage.

#### **3.1 Is there any evidence of higher or lower participation or uptake by the following characteristics?**

	<b>Yes</b>	<b>No</b>	<b>Not Known</b>
Religious belief		√	
Political opinion		√	
Racial group		√	
Age		√	
Marital status		√	
Sexual orientation		√	
Sex		√	
Disability		√	
Dependency		√	

#### **Please elaborate**

The legislation will not have any differential impact on individuals, except from the wider benefits consumers can expect from a more efficient energy market. The provisions are aimed at and will only impact on current and potential electricity and gas licence holders.

#### **3.2 Is there evidence that any of the following groups have different needs, experiences, issues and priorities in relation to this policy issue?**

	<b>Yes</b>	<b>No</b>	<b>Not Known</b>
Religious belief		√	
Political opinion		√	
Racial group		√	
Age		√	
Marital status		√	
Sexual orientation		√	
Sex		√	
Disability		√	
Dependency		√	

**Please elaborate**

See section 3.1 above.

**3.3 Have consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?**

	<b>Yes</b>	<b>No</b>
Religious belief		√
Political opinion		√
Racial group		√
Age		√
Marital status		√
Sexual orientation		√
Sex		√
Disability		√
Dependants		√

**Please elaborate**

There was widespread consultation on the draft Energy Bill. At the time of the consultation the Department indicated its intention to include provisions which would allow for the restructuring of energy business activities in the light of EU Directives and full market opening. None of the 70 respondents raised any equality issues with regard to this issue. There was widespread support for the renewable energy provisions in the Bill.

**3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?**

**Yes**                      **No**

**Please elaborate:**

**3.5 If the answer to any of questions in 1 to 4 is yes please indicate whether you consider the policy may present a significant risk to DETI’s obligation to have due regard to the need to promote equality of opportunity. You will need to consider whether the policy/legislation could be changed, better to promote equality of opportunity and/or be subject to a full EQIA.**

Yes No

**Please elaborate:**

N/A
-----

**3.6 It may be that a policy/legislation has a differential/impact on a certain group as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:**

N/A
-----

## Section 4

### EQIA Recommendation

- 4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. In light of the above 3 sections please fill in the following grid in relation to the policy/legislation.

	<b>Significant Impact</b>	<b>Moderate Impact</b>	<b>Low Impact</b>
Social Need.			√
Effect on people's daily lives.			√
Effect on economic, social and human rights.			√

#### **Please elaborate:**

The policy of creating or removing licensable activities will not have any direct impact on individuals, apart from the wider benefits for all energy consumers associated with developing a more efficient energy market. Bringing into operation the renewable energy provisions in the Bill could have impacts on electricity prices and, therefore, on customers. The Department has indicated that it will prepare an EQIA when these provisions are being implemented.

#### **4.2 What is the scale of expenditure incurred by the policy?**

It is too early to determine what expenditure will be necessary by current licence holders to implement any changes made under the enabling provisions of the Bill. The detailed requirements are not yet finalised, but are likely to be implemented with the consent of relevant companies.

#### **4.3 Do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations.**

No. The provisions of the Bill will not impact on individuals at all, except from the wider benefits for consumers associated with developing a more efficient energy market. There will be no differential impact on individuals. Decisions regarding future changes to licensable activities will be made on the basis of the requirements of forthcoming EU Directives or as necessary to ensure the most appropriate energy market structure for Northern Ireland. The Department's consultation exercise on the draft Bill did not indicate any equality issues with these proposals. In regard to renewables, the Bill includes enabling provisions only. A full EQIA will be prepared when these provisions are being implemented.

**4.4 What data are required in the future to ensure effective monitoring?**

N/A

**Signed:** Jim McKeown  
EDSG Member  
**Division:** Energy  
**Date:** 28 October 2002

**PLEASE FORWARD A COPY OF THIS COMPLETED FORM TO:**

**DETI EQUALITY & DIVERSITY UNIT  
NETHERLEIGH  
MASSEY AVENUE  
BELFAST BT4 2JP**

**ANY QUERIES: PAUL BRUNTON EXT 29636  
[paul.brunton@detini.gov.uk](mailto:paul.brunton@detini.gov.uk)  
STEPHEN SHOOTER EXT 29644  
[stephen.shooter@detini.gov.uk](mailto:stephen.shooter@detini.gov.uk)**

## CONSULTATION ON DRAFT REVISED EQUALITY SCHEME

1. This Annex outlines the background to the consultation exercise on the draft revised Equality Scheme and addresses the comments received on the scheme generally and on Departmental policy areas.
2. The draft Equality Scheme issued on 14 November 2002 for consultation with a closing date of 10 January 2003, although this date was later extended to 31 January to allow additional time for consultation meetings to be held with a number of Section 75 representative groups which availed of this facility. Over 300 copies were circulated to organisations and groups listed at Annex D.
3. Three organisations provided written comments and the arranged meetings were held with the following groups/organisations as part of the consultation process.

Belfast Travellers Education and Development Organisation

Carers Association for NI

Coalition on Sexual Orientation

Equality Commission for NI

MENCAP

Multi-cultural Resource Centre

Royal National Institute for the Deaf

Travellers Movement

Women's Research and Development Agency

Equality Coalition (attended by representatives from Committee on Administration of Justice (CAJ), NI Council for Ethnic Minorities (NICEM), NI Council for Voluntary Action (NICVA) and West Belfast Economic Forum (WBEF)).

4. The comments received were both helpful and constructive in the revision of the Scheme. The substance of comments received to the consultation exercise and DETI's response is set out below.

SUBSTANCE OF COMMENTS RECEIVED TO CONSULTATION EXERCISE AND  
DETI RESPONSE

<b>SECTION OF SCHEME</b>	<b>COMMENTS RECEIVED FROM</b>	<b>SUBSTANCE OF COMMENTS</b>	<b>DETI RESPONSE</b>
Introductory Statement	Disability Action	- helpful if the commitment to the allocation of necessary resources, to the provision of effective internal arrangements and to the development and delivery of a planned programme of communication and training were included at this point.	Agreed. Introductory Statement amended accordingly.
1. Introduction	Multi Cultural Resource Centre	- the reasoning behind the introduction of Equality Schemes, apart from the legal requirement, should be detailed.	Accepted. New para 1.8 inserted in introduction.
	West Belfast Economic Forum	All draft and future equality schemes must be made available in Irish as well as English.	An Irish language translation of the Executive Summary will be made available to interested parties, on request.
2. Arrangements for assessing compliance with Section 75 duties	Disability Action	- any DETI specific policy relating to PSI or mainstreaming community relations must be EQIA'd by the Department itself.	Agreed. Para 2.8, pp 6/7, has been amended accordingly.
		- all staff should have equality issues included in their annual personal performance development plans.	As indicated in para 2.9 of the Scheme officials include implementation of the statutory duties in their annual personal

			performance and development plans, as appropriate to their roles to ensure the effective integration of equality issues throughout the whole Department.
	NIC/ICTU	- there appears to be some confusion between the good relations duty and community relations. DETI should state how it intends to address good relations as opposed to community relations.	Accepted. Para 2.8, pp 6/7, has been amended.
	West Belfast Economic Forum	- the Scheme must be written in clear and accessible language, with all abbreviations explained.	Accepted
		- procedures for assessing compliance must be open to monitoring and review in order to track the effectiveness adopted.	Accepted. The Department's compliance with its statutory duties is subject to Annual Review (published) by the Equality Commission.
3. Functions & Policies	Equality Coalition	- when will the Social Economy Policy (C) be timetabled for an EQIA?	This policy is still being developed, and will not be timetabled for an EQIA until after 2005.
		- who are the specified vulnerable consumer groups mentioned in Policy D.	Examples of these groups include individuals who have a disability,

			are chronically ill or are on a low income.
		- an explanation of the aim of the various pieces of legislation listed against Policy F should be noted.	Accepted. Relevant paras on Policy F (pp 13 & 14) have been amended.
		- has DETI's NDPBs devised their own individual Complaints Procedure? If yes this should be noted.	Accepted. Relevant para 3.5, p 18, has been amended.
		- details of the working relationship with DTI should be expanded.	Accepted. Relevant para 3.14, p 21, has been amended.
	Disability Action	- in relation to personnel and procurement Disability Action would advise that where any part of these policies differs from those of DFP, the Department has an obligation to EQIA them.	Agreed, although it is highly unlikely that any deviation from central policies in these areas would materialise.
	West Belfast Economic Forum	- Effective implementation of the equality scheme must be taken into account at staff appraisals and when staff performance is being reviewed.	All staff have been advised of their responsibilities in relation to the scheme, and performance will be monitored and assessed in the context of annual performance review.
		- DETI must make the equality duty applicable to employers in the private sector who are awarded public contracts and who are	Recently published EQIAs on policies formerly delivered by IDB, IRTU, BSD and LEDU (now part of Invest

		given public assistance.	NI) have examined the scope for encouraging client companies to promote equality of opportunity. Such activities will now be taken forward in the context of Invest NI's new Equality Scheme.
		- Objectives and targets relating to the equality duty must be realistically timetabled and built into annual operating plans.	Agreed. DETI's 2003/2004 Operating Plan will have equality duty targets built into it.
		- Annual report must include an appropriate record of all work undertaken for the implementation of your equality scheme.	Agreed. Annual report submitted to Equality Commission contains details of all aspects of implementation of the Equality Scheme.
	NIC/ICTU	- will Policy B, European Programmes, undergo the EQIA process at the same time as the European Structural Funds programmes?	Yes.
		- will DETI liaise with OFREG re the timetable of Policy D, Energy and will the Department give a commitment that all elements of the new strategy are screened and consulted on?	DETI already works closely with OFREG in relation to energy matters and the Regulator, Douglas McIlDoon is a member of the Energy Strategy Steering Group

			<p>which is advising the Department in relation to the current work on developing a new energy strategy. As the equality scheme notes, equality impact assessments may be required as elements of the strategy are implemented or if further legislation is required. Some of these impact assessments may fall to the Department and some may fall to OFREG which, as a non-ministerial government department, has its own equality scheme and is subject to the obligations imposed by s. 75. This does not preclude co-operation between the two departments in developing the necessary EQIAs, for example through sharing information etc, where there are benefits to be gained from this approach.</p>
--	--	--	---

		- what arrangements have been made to ensure that all those in receipt of financial support from DETI will meet the criteria in respect of Section 75 and that the provision of grants will be equality proofed?	DETI will ensure that organisations in receipt of financial support are aware of, and adhere to, the various pieces of anti-discrimination legislation applicable in NI. The duty contained within Section 75 will also be applied.
		- DETI must give an assurance to at least screen all new policies, and if screening shows up significant equality of opportunity issues for any of the S75 groups then the Department must carry out an EQIA.	Accepted. Relevant para 3.5, p 18, has been amended.
		- if DETI has a policy lead then it also has a responsibility for the initial screening, and if significant impact is shown for any of the S75 groups for impact assessment of such policies (para 3.5).	Accepted. Where DETI has responsibility for a policy which is delivered by one of its NDPBs it will take the lead in screening and any subsequent impact assessment. Para 3.5 has been amended.
		- will the screening exercise involve consultation?	Yes, with the appropriate Section 75 groups.
		- policies should include unwritten as well as written.	This will be considered as individual equality impact

			assessments are taken forward.
4. Equality Impact Assessments (EQIAs)	Equality Commission	- the wording of paragraph 4.4 should be revised to state that the policies have been screened out of the EQIA process, not the scheme.	Accepted. Relevant para 4.4, p 23, has been amended.
		- the wording of paragraphs 4.6 & 7.2 should be revised to include a reference to Annex 1 of the Guide to the statutory duties.	Accepted. Relevant paras 4.6, p 23, and 7.2, p 30, have been amended.
	NIC/ICTU	- while the scheme states that a full impact assessment on new policies will involve public consultation, it is not clear if the screening exercise will also do this.	Accepted. Relevant para 4.7 p 24 has been amended.
	NIC/ICTU	- when an EQIA is conducted on new legislation what will the summary assessment of implications for the statutory equality obligations contain?	Accepted. Relevant para 4.8, p 24, has been amended.
	Disability Action	Advise caution when using “grouping” techniques for EQIAs.	Accepted. Relevant para 4.5 page 23, has been amended.
	West Belfast Economic Forum	- Screening of policies should not be restricted by budgetary constraints.	Agreed. Necessary resources have been made available to screen all policies.
		- Method of impact assessment needs to be clear, the data used for impact assessment needs to be stated, groups to be	Agreed. Scheme states specifically (para 4.6, p 23) that the Department will

		consulted on impact assessments need to be stated and the scheme needs to specify that these groups will be consulted according to the guidelines laid down by the Equality Commission.	carry out EQIAs in accordance with Annex 1 of the Equality Commission's Guide to the statutory duties published in 2001.
		- Data must be up to date and accurate. Data used must be both qualitative and quantitative.	Agreed. DETI uses the most up to date and accurate qualitative and quantitative data available in its EQIAs.
		- There must be a sufficiently adequate timeframe under which impact assessment is conducted.	Agreed.
		- The results of the impact assessment need to be publicised in such a way that it is accessible to the public.	Agreed.
5. Timetable	Equality Commission	- at paragraph 5.3 one of the criteria, which DETI should use when prioritising policies for an EQIA, should be the number of complaints received in relation to the policy.	Accepted. Relevant para 5.3, p 26, has been amended.
	Disability Action	- only in exceptional circumstances should EQIA's be commissioned from external sources.	Accepted. Relevant para 5.1, page 25 has been amended.
	COSO	- why is the scheme only to run for two years?	The current scheme will run from the date of approval by the Equality

			Commission to March 2005, at which time it will be externally reviewed. This is to ensure that the external review of DETI's scheme is aligned with those of other Departments.
	NIC/ICTU	- will the review of policy areas and EQIAs be synchronised with the bodies that implement them?	Yes.
	NIC/ICTU	- as the lead body the Department should be conducting EQIAs.	Accepted. Relevant para 5.2, p 25, has been amended.
	West Belfast Economic Forum	- Scheme needs to include a detailed timetable with objectives and targets.	Scheme includes detailed timetable for completion of EQIAs and other commitments.
6. Monitoring	MENCAP	- DETI's monitoring arrangements should include people with learning disabilities.	DETI has recently revised its monitoring form to include information on additional Section 75 groups. However, the data collected is company-based, and there is currently no mechanism for monitoring learning disabilities. This will be investigated

			further.
	Disability Action	- qualitative, national and international data to be considered when undertaking an EQIA.	Accepted. Relevant para 6.4, p 28, has been amended.
		- affected groups should be represented at all levels in any monitoring system.	Accepted. Relevant para 6.7, p 29, has been amended.
	West Belfast Economic Forum	- resources need to be made available to enable independent monitoring of public sector policies by constituent groups/community/voluntary sector.	This is not a matter for DETI, and should be raised with the Equality Commission.
		- the results of monitoring need to be published in such a way that is accessible to the public.	DETI will ensure that all its published documentation is made available in a manner that is accessible to all members of the public.
		- DETI needs to establish baseline data against which improvement can be measured.	Agreed. The Department is assessing the extent of its baseline data and of existing monitoring within each of its policy areas, and over the Section 75 groups, and considering how this might be extended.
8. Consultation	Disability Action	- Consultees using alternative formats should be	Accepted. Relevant para 8.7,

		entitled to the same length of consultation period as those using conventional methods.	p 34, has been amended.
	Equality Commission NIC/ICTU	- the wording of paragraph 8.9 should be revised to include all organisations in Annex D.	DETI wishes to consult as widely as possible. However, it is appreciated that the current consultation process is not working as intended. Therefore, in future, all consultees will be issued with a letter setting out the main aspects of the policy/EQIA, and advising them that a full copy will be made available, on request. Press advertisements will continue to be placed and copies of the document put on the DETI website.
	NIC/ICTU	- DETI needs to ensure that with respect to its selection of consultees it is complying with the ECNI's Guide to the Statutory Duties (paras 3(b) p 37 and 4.1 p 44).	Accepted. Relevant para 8.9, p 34, has been amended.
		The circumstances in which it may not be possible to keep to the consultation timetable should be made more specific.	Accepted. Relevant para 8.11, p 35, has been amended.

	West Belfast Economic Forum	- All relevant documentation and information needs to be made available in format and language that is accessible to the consultees ie multi-lingual, Braille, etc.	An Executive Summary of the Scheme will be available on request in accessible formats eg Braille, large print, audio and regional and minority ethnic languages, including Irish.
		- A copy of the finalized equality scheme, together with the overview of the number of responses received, the nature of those responses and in what way and to what extent the responses have been incorporated into the final equality scheme must be sent out to the organizations on the list of consultees at the same time as it is sent to the Equality Commission.	Copies of the final Scheme, together with responses to points raised by consultees, will be sent to those who responded to the scheme, or with whom face to face meetings took place during the consultation period, at the same time as it is sent to the Equality Commission. In addition, following approval of the Scheme by the Equality Commission, a copy of the approved scheme will be sent to all organizations on the Department's consultee list.
		- A list of those organizations that you have consulted on this equality scheme must include	Agreed. The Department's consultation list includes

		community organizations working on behalf of the named categories as well as those who have a legitimate interest in the work of DETI or the impact of your organizations policies on equality of opportunity and good relations.	organizations representing specific Section 75 groups and wider interest groups.
	COSO	- preferable if a summary of consultation documents was initially issued to consultees so that they could determine the relevance to their organisation.	DETI has already introduced this system which it hopes will make the consultation process more meaningful.
	NICVA	- the minimum 8 week consultation period is too short and a 12 week minimum should be introduced.	Accepted. Relevant para 8.10, p 35, has been amended to reflect the position that in the vast majority of cases the consultation period is likely to extend beyond 8 weeks.
9. Public Access to Information	West Belfast Economic Forum	- All databases compiled by public authorities must be made publicly accessible.	This is not considered feasible. All statutory information collected by Statistics Branch. DETI, is subject to the provisions of the Statistics of Trade & Employment (NI) Order 1988 which restricts the public disclosure of

			certain statistical information provided to the Department by individual companies.
		- There must be public access to the methods and procedures used in impact assessments.	All EIAs will be issued for public consultation, including details of the methods and procedures used.
10. Training and awareness raising	COSO	- DETI staff should receive training on sexual orientation.	DETI's training on equal opportunities covers all aspect of harassment.
	NIC/ICTU	- the Scheme should make clear that all staff should be given a copy of the Equality Scheme, and that an effective communication and training programme on the content of the scheme has been provided.	Accepted. Para 10.2 p 37, has been amended.
	West Belfast Economic Forum	- Equality training for staff has to involve trainers from the named categories in Section 75.	DETI has already involved trainers from some of the named categories in Section 75, and will consider how this could be extended to other groups.
		- Quantity and quality of training must be commensurate with the grade of the employee.	Agreed. All staff have received equality induction and awareness training, while some have in addition received more intensive

			equality training (see Section 10 of the Scheme).
		- All training procedures must be reviewed in relation to their effectiveness in meeting equality duty outcomes.	Agreed. All of DETI's training and development programmes are formally reviewed to determine their effectiveness.
		- DETI must outline a statement of its commitment to training.	Agreed. See introductory statement.
11. Complaints	CAJ	- the legislation should be changed with regard to raising complaints to allow representative organisations to bring a complaint on the behalf of an individual.	DETI is required to work within the bounds of the current legislation. This issue should be raised with the Equality Commission.
	NICEM	- the complaints procedure should be included in section 9 – Public Access to Information and Services.	The Equality Commission's Guide to the statutory duties states that Equality Schemes include a section setting out the authority's complaints procedure. DETI is therefore required to comply with this instruction.
	West Belfast Economic Forum	- Complaints procedure has to be clear and simple.	Agreed. Details are provided in Section 11 of the Scheme.

		- Complaints procedure needs to have a clear timetable for responsibility that should not exceed 10 working days.	This timescale is not considered feasible. Scheme gives commitment to respond to complainant within one month.
		- A register of complaints should accompany the annual review and be updated annually.	Agreed.
		- A timetable for processing and investigating complaints must be outlined in your equality scheme.	Agreed. Details provided in Section 11.
12. Publication of the Scheme	Disability Action	- DETI's website should be fully accessible to people with disabilities.	Accepted. DETI is continually working to improve the accessibility of its website.
	West Belfast Economic Forum	- Impact assessments and monitoring results must be sent to all consultees as soon as it is available.	Agreed.
		- Results have to be published in newspapers and magazines targeting the named categories.	Agreed.
13. Review	West Belfast Economic Forum	- Formal review needs to be conducted together with the consultees working within the areas of your authorities' remit.	Formal review will be subject to consultation with the affected Section 75 Groups.
Annex B	NIC/ICTU	- 'mental health disability' should be included in the list of 'persons with a disability'.	Accepted. Annex B has been revised.





**Department of Enterprise, Trade & Investment (DETI)  
Netherleigh  
Massey Avenue  
Belfast  
BT4 2JP**

**Tel: 028 9052 9358  
Fax: 028 9052 9542  
Textphone: 028 9052 9304**

**Email: [equality@detini.gov.uk](mailto:equality@detini.gov.uk)  
Website: [www.detini.gov.uk](http://www.detini.gov.uk)**

**An Executive Summary of this document has been prepared  
in accessible formats and is available on request**



