



Department for

Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

**Draft Section 75
Equality Action Plan 2023 – 2026
Public Consultation**

April 2023

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1. What are we consulting on?

- 1.1. The Department for Infrastructure's (DfI) first Equality Scheme was published in February 2021. One of the key commitments in our Equality Scheme is to carry out an Audit of Inequalities and develop a Section 75 Action Plan. This consultation seeks your views on the Department for Infrastructure's the draft Section 75 Action Plan.
- 1.2. The Department carried out an Audit of Inequalities in 2022 in liaison with DfI colleagues and stakeholder groups from which we have developed this draft Action Plan. The [Audit of Inequalities](#) can be found on the Department's website. The draft Equality Action Plan is also on the Department's website at the [consultations](#) page.
- 1.3. The Plan covers the period 1 April 2023 – 31 March 2026 and will be updated and amended during its lifetime, when required. The Plan relates to the Department's specific functions and aims to promote equality of opportunity and good relations by taking actions to address identified inequalities.
- 1.4. Pending appointment of a Minister, the Department will work towards the delivery of the targets specified in the Plan, subject to powers in exercising functions as set out in the [Northern Ireland \(Executive Formation etc\) Act 2022](#), and within the limits of the financial and other resources allocated to the Department. In addition, the Plan will also be updated as new priorities and targets re approved by a new Minister and Executive.

2. How to respond

2.1 The public consultation is open for 12 weeks, **until 23 June 2023**, (including public and bank holidays). Your comments on the Plan are most welcome. The document can be viewed, downloaded and responded to from the [consultation](#) section of the Department's website.

2.2 Completed response templates should be emailed to equality@infrastructure-ni.gov.uk or posted to:

Equality Unit
Department for Infrastructure
Room 413c
Clarence Court
10 - 18 Adelaide Street
Belfast
BT2 8GB.

Telephone: 028 9054 0000

For audio impaired users,
telephone: (028) 9054 0824 (text relay prefix 18001).

We will acknowledge receipt of your correspondence.

2.3 The consultation papers consist of the following:

- Draft Action Plan;
- Consultation Document (this document);
- Consultation Response Questionnaire; and
- Easy Read Version.

2.4 Additional, and/or paper copies of this document can be obtained, free of charge. The consultation document can also be made available in alternative formats or languages on request. Please use the contact details above.

2.5 The consultation will close on 23 June 2023. Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.

3. Privacy, Confidentiality, and access to Consultation Responses

3.1 For this consultation, we will publish responses, except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice (Annex A).

3.2 Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679.

3.3 If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

4. Background

4.1 Section 75 of the Northern Ireland Act 1998 requires public authorities, in carrying out their functions as they relate to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories as outlined below.

- Section 75 (1): there is a requirement 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;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.
- Section 75 (2): In addition, without prejudice to the obligations above, in carrying out the functions, there is a requirement to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

4.2 The Equality Commission published guidance 'Section 75 of the Northern Ireland Act 1998: A Guide for Public Authorities' recommends that public authorities should undertake an Audit of Inequalities by examining their functions and how these relate to the promotion of equality and good relations.

4.3 Specific actions to address the inequalities identified should then be set out in an action plan, and these actions should be linked to the Public Authority's corporate planning cycle.

4.4 The Department carried out an [Audit of Inequalities](#) in preparation for the development of the Section 75 Action Plan. The Audit involved business areas and stakeholders producing a picture of societal inequalities that the work of the Department may impact.

5. Audit of Inequalities

5.1 In line with the Equality

Commission's recommendation at 4.2. above the Department carried out an [Audit of Inequalities](#) in preparation for the development of a Section 75 Action Plan. The Audit was conducted, involving business areas across the Department, who had collated and analysed both qualitative and quantitative information from several internal and external sources.

5.2 The analysis identified that, in a number of areas, inequalities had been addressed or reduced. However, we still have work to do and the draft Section 75 Action Plan for 2023-2026 sets out the actions that we will bring forward as far as possible within the Department's functions, budget and approved programmes of work. We will regularly review the Plan, updating it with new measures as required throughout its lifetime.

5.3 The action plan is also intended as a basis for monitoring performance on equality measures, and for annual reporting to the Equality

Commission.

5.4 Some key findings of the audit highlighted:

a. Public transport - specifically public and rural transport in relation to accessibility to services, affordability and accessibility to vehicles for S75 groups. These issues are pertinent particularly to disabled people, older and younger people respectively and women. The Department continues to work closely with Translink and disability organisations, including IMTAC, to explore measures to address the issues for people with disabilities and older people.

b. Road Safety – the Department, working with other stakeholders, seeks to improve road safety for all S75 groups, in particular younger people (aged 16-24). This age group experiences a disproportionately high rate of death and serious injury as a result of vehicle collisions. The draft Road Safety Strategy 2030 identifies strategic priority areas which all stakeholders need to focus efforts on in order to overcome the recognised

challenges and deliver on the strategic outcomes. This Strategy also includes a detailed Action Plan which sets out the short-term actions that should be taken forward to address the strategic priorities, and this action plan will be updated on a regular basis.

c. Section 75/Equality governance -

the Audit highlighted the work the Department must maintain to continue embedding S75 into its decision making and planning processes to tackle the inequalities identified in the Audit. More work is required around S75 training for all DfI staff and, most pertinently, improving our S75 data base. Both will better inform the decision making process and future S75 screening.

6. Conclusion

6.1 The draft Equality Action Plan has been developed to address the inequalities, identified in the Audit, as far as possible within the Department's functions, budget and approved programmes of work. We will regularly review the Plan, updating it as required.

Privacy Notice – Consultations (DfI)

Data Controller Name: Department for Infrastructure (DfI)

Address: Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB

Email: equality@infrastructure-ni.gov.uk **Telephone:** 028 9054 0000

Data Protection Officer Name: Paul Clydesdale

Telephone: 028 9082 9200

Email: dfiqdpr@infrastructure-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the Data Protection Act (DPA) and the General Data Protection Regulation (GDPR). The Department is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Why are you processing my personal information?

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact

details of respondents, but will include the names of organisations responding. If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1) (e) of the GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department. We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/ orientation when it is necessary for reasons of substantial public interest under Article

9(2)(g) of the GDPR, in the exercise of the function of the department, and to monitor equality.

How will your information be used and shared

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

How long do you keep my personal data?

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule at <https://www.infrastructure-ni.gov.uk/dfi-privacy>.

What are your rights?

- You have the right to obtain confirmation that your data is being processed, and access to your personal data.
- You are entitled to have personal data rectified if it is inaccurate or incomplete.

- You have a right to have personal data erased and to prevent processing, in specific circumstances.
- You have the right to 'block' or suppress processing of personal data, in specific circumstances.
- You have the right to data portability, in specific circumstances.
- You have the right to object to the processing, in specific circumstances.
- You have rights in relation to automated decision making and profiling.

How to complain if you are not happy with how we process your personal information

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF
caswork@ico.org.uk

