

DEPARTMENT FOR INFRASTRUCTURE

SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM

The purpose of this form is to help you to consider whether a new policy (either internal or external) or legislation will require a full equality impact assessment (EQIA). Those policies identified as having significant implications for equality of opportunity must be subject to full EQIA.

The form will provide a record of the factors taken into account if a policy is screened out, or excluded for EQIA. It will provide a basis for quarterly consultation on the outcome of the screening exercise, and will be referenced in the biannual review of progress made to the Minister and in the Annual Report to the Equality Commission.

Further advice on completion of this form and the screening process including relevant contact information can be accessed via the Department for Infrastructure (DfI) Intranet site.

HUMAN RIGHTS ACT

When considering the impact of this policy you should also consider if there would be any Human Rights implications. Guidance is at:

- <https://www.executiveoffice-ni.gov.uk/articles/human-rights-and-public-authorities>

Should this be appropriate you will need to complete a Human Rights Impact Assessment. A template is at:

- <https://www.executiveoffice-ni.gov.uk/publications/human-rights-impact-assessment-proforma>

Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy Amendment to a reference in the “In-Service Exhaust Emissions Standards for Road Vehicles”.
Is this an existing, revised or a new policy? Existing policy.
What is it trying to achieve? (intended aims/outcomes) The Department is proposing to make an amendment to Schedule 10 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 to refer to the Nineteenth Edition of the “In-Service Exhaust Emissions Standards for Roads Vehicles” to ensure the reference is relevant and up to date.
Are there any Section 75 categories which might be expected to benefit from the intended policy? No. If so, explain how.
Who initiated or wrote the policy? Safe and Sustainable Travel Division.
Who owns and who implements the policy? Safe and Sustainable Travel Division has responsibility for the development of

the policy and arranging the amendment of the relevant legislation.

Background

The “In-Service Exhaust Emission Standards for Roads Vehicles” booklet provides model-specific data on the emissions performance of most petrol vehicles within the scope of the MOT test. The emissions publication is periodically published by the Department for Transport. This booklet is used by DVA when testing exhaust emissions during roadworthiness testing. The data is provided to the Department for Transport by vehicle manufacturers and the Department is required by EC Directive 96/96/EC to use such data where it is available. This avoids vehicles failing the test unnecessarily through use of the default values provided by Directive 96/96.

NI Legislation requires amendment to ensure that the reference to the “In-Service Exhaust Emission Standards for Roads Vehicles” booklet is up-to-date and aligns with legislation throughout the UK. The current reference to the booklet requires updating from the previous version (Eighteenth) to Nineteenth edition. The Department therefore propose to make an amendment to Schedule 10 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 to refer to the Nineteenth Edition of the “In-Service Exhaust Emissions Standards for Roads Vehicles”.

This issue was brought to light when the Department for Transport in London carried out a similar amendment to GB legislation last year

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they

financial

legislative

The implementation of the policy would require an amendment to subordinate legislation.

other, please specify _____

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

staff

service users – the automotive industry.

other public sector organisations

voluntary/community/trade unions

other, please specify

Other policies with a bearing on this policy

• what are they?

None

• who owns them?

Not applicable

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/ information
Religious belief	There is no evidence to suggest that any update to the Emissions Standards Booklet for Roads Vehicles will impact disproportionately on this Section 75 group.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	This section 75 category would have no particular needs, experiences or priorities in relation to the update to a reference in the Emissions Standards Booklet for Roads Vehicles.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 which are given on pages 66-68 of this Guide.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are

concerns amongst affected individuals and representative groups, for example in respect of multiple identities;

- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	None.	None.
Political opinion	None.	None.
Racial group	None.	None.
Age	None.	None.
Marital status	None.	None.
Sexual orientation	None.	None.
Men and women generally	None.	None.
Disability	None.	None.
Dependants	None.	None.

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		No, as this proposed amendment is technical in nature it is therefore considered neutral in terms of equality, and as such there are no opportunities to better promote equality of opportunity for people within the section 75 categories
Political opinion		As above.
Racial group		As above.
Age		As above.
Marital status		As above.
Sexual orientation		As above.
Men and women generally		As above.
Disability		As above.

Dependants	As above.
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3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none		
Good relations category	Details of policy impact	Level of impact minor/major/none
Religious belief		None.
Political opinion		None.
Racial group		None.

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes , provide details	If No , provide reasons
Religious belief		No, as this proposed amendment is technical in nature it is therefore considered neutral in terms of equality, and as such there are no opportunities to better promote good relations between people

		of different religious belief.
Political opinion		As above
Racial group		As above.

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities? *(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

No.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

None.

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The “In-Service Exhaust Emission Standards for Roads Vehicles” booklet provides model-specific data on the emissions performance of most petrol vehicles within the scope of the MOT test. NI Legislation requires to be amended to ensure that the reference to the “In-Service Exhaust Emission Standards for Roads Vehicles” booklet is up-to-date and aligns with legislation throughout the UK. The reference to the booklet requires to be updated from the previous version (Eighteenth) to Nineteenth edition.

This proposed amendment is technical in nature and is therefore considered neutral in terms of equality.

No impacts on any Section 75 groups have been identified. The decision at this stage is that an EQIA is not required.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced.

There are no adverse impacts on any Section 75 groups and mitigation or the introduction of an alternative policy is therefore not necessary.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

N/A.

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

Not applicable

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	N/A
Social need	N/A
Effect on people’s daily lives	N/A
Relevance to a public authority’s functions	N/A

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority’s Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

No.

If yes, please provide details

Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Part 5 - Approval and authorisation

Screened by:	Position/Job Title:	Date:
Patricia Kelly	SO	2 February 2018
Approved by:		
Susan Logan	DP	02/02/2018

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

For Equality Team Completion:

Date received:	5 February 2018
Amendments requested?	Yes
Date returned to Business Area:	5 February 2018
Date final version received:	5 February 2018
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