

## 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>

**Don't forget to Rural Proof.**

## 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

Portadown Flood Alleviation Scheme

Is this an existing, revised or a new policy?

New works proposed as a result of flood risk assessments carried out under the requirements of European Flood Directive 2007/60/EC (the Floods Directive).

What is it trying to achieve? (intended aims/outcomes)

The Portadown Flood Alleviation Scheme aims to reduce the impact of any potential fluvial flooding from the River Bann and some of its tributaries in the event of a 1% AEP flood (i.e. a flood which has a 1% chance of occurring in any given year) with allowance for Climate Change (CC) in line with current Departmental Guidance

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

Yes - The Portadown Flood Alleviation Scheme will have a positive impact on properties (residential and commercial) currently at risk from a 1% AEP+ CC flood event. The measures to be undertaken will reduce the flood risk to all people and property living or working in the flood risk area. The scheme does

not make any distinction between different Section 75 groups with all affected groups benefiting equally from the scheme.

Who initiated or wrote the policy?

Department for Infrastructure - Rivers

Who owns and who implements the policy?

Department for Infrastructure - Rivers

## **Background**

Portadown is one of 12 Areas of Potential Significant Flood Risk (APSFR), as identified by the Northern Ireland Flood Risk Assessment (NIFRA) 2018 2nd cycle, and is at risk of flooding from the River Bann and some of its tributaries. The NIFRA has been carried out under the European Flood Directive 2007/60/EC (the Floods Directive).

Portadown has flooded regularly over the last 30-40 years. Significant flood events have been recorded during 1986, 1987, 2009, 2011, 2014 and 2015/16. In October 2011 out-of-bank flooding occurred in the Portadown area resulting in the flooding of properties and infrastructure. It is estimated that this flood was approximately a 1% AEP flood on the River Bann. Further floods in 2014 and 2015 caused damage to residential properties and businesses across the wider Portadown area.

DfI Rivers is therefore developing proposals that will reduce the impact on properties (residential and commercial) potentially at risk from flooding up to a 1% AEP+CC flood event.

The proposed scheme involves the construction of flood alleviation measures at 20 sites across the Portadown area in order to reduce the impact of any potential flooding from the River Bann and some of its tributaries. The current proposals comprise of approx. 9km of defences consisting of steel sheet pile walls, secant pile walls, flood embankments, localised landscaping, culverting of watercourses, installation of precast U channels and installation of flap valves. The measures to be undertaken will reduce the flood risk to all people and property living or working in the flood risk area.

## Implementation factors

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

Yes

If yes, are they (please delete as appropriate)

financial

legislative

## Main stakeholders affected

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

other public sector organisations

voluntary/community/trade unions

other, please specify - People currently living and working within the flood risk area will be impacted and will benefit from the scheme. The construction of the scheme will impact on a number of landowners in both the Public and Private sectors as well as recreational users.

## Other policies with a bearing on this policy

- what are they?

N/A

- who owns them?

N/A

## 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. The Commission has produced this guide to [signpost to S75 data](#).

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

### **Religious belief** evidence / information:

Flooding is indiscriminate and the aim of the scheme is to reduce the impact of potential flooding on all residents within the flood risk zone and as such will have a positive impact on those all irrespective of their Section 75 categories.

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these 35.33% belong to or were brought up in the Catholic religion and 58.71% belong to or were brought up in a 'Protestant and Other Christian (including Christian related)' religion".

Note that the Census 2021 statistics are not yet available for specific towns.

### **Political Opinion** evidence / information:

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these “56.16% indicated that they had a British national identity, 18.93% had an Irish national identity and 26.22% had a Northern Irish national identity.

### **Racial Group** evidence / information:

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these “97.78% were from the white (including Irish Traveller) ethnic group”.

**Age evidence / information:**

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these 21.11% were aged under 16 years and 15.04% were aged 65 and over.

**Marital Status evidence / information:**

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

No further detail has been provided regarding Marital Status however it is anticipated that there will no differential impact on equality in this group.

**Sexual Orientation evidence / information:**

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

No further detail has been provided regarding Sexual Orientation however it is anticipated that there will no differential impact on equality in this group.

**Men & Women generally evidence / information:**

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these 49.25% of the usually resident population were male and 50.75% were female.

**Disability** evidence / information:

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

Of these 21.97% of people had a long-term health problem or disability that limited their day-to-day activities.

**Dependants** evidence / information:

Information from NI Statistics and Research Agency suggests that at Census 2011 the “usually resident population of Portadown District Electoral Area was 29,493 accounting for 1.63% of the NI total.

No further detail has been provided regarding Dependants however it is anticipated that there will no differential impact on equality in this group.

## 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 of the needs, experiences and priorities for each of the Section 75 categories below:

### **Religious belief**

Flooding is indiscriminate and severity of the impact of a flooding event varies in line with various weather and terrain factors. This area has already experienced flooding events the last 30-40 years. Significant flood events have been recorded during 1986, 1987, 2009, 2011, 2014 and 2015/16 causing damage to residential properties and businesses across the wider Portadown area.

These properties and their owners therefore need protection from future severe flooding events.

This scheme is intended to prevent flooding of homes/business in 20 locations throughout the area of Portadown regardless of the Section 75 categories they relate to.

### **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?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**: (insert text here)

The Portadown Flood Alleviation Scheme aims to reduce the impact of any potential fluvial flooding from the River Bann and some of its tributaries in the Portadown area where previous flooding events have occurred.

Development and subsequent construction of the scheme including construction of flood walls, embankments and flood gates will have a positive impact for those living in the geographical area by reducing the impact of further flooding.

There is no differential impact on equality of opportunity in this group.

What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Age**:

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Marital Status:**

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Sexual Orientation:**

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Men and Women:**

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Disability:**

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Dependants:**

See **Religious Belief** above

What is the level of impact? None

**2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? Yes/No**

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

**Religious Belief** - If Yes, provide details:

If No, provide reasons:

The Portadown Flood Alleviation Scheme aims to reduce the impact of any potential fluvial flooding from the River Bann and some of its tributaries in the Portadown area where previous flooding events have occurred.

Development and subsequent construction of the scheme will have a positive impact for those living in the geographical area due to the reduced impact of flooding. There will be no opportunity to better promote equality of opportunity for people within this group.

**Political Opinion** - If Yes, provide details:

If No, provide reasons

See **Religious Belief** above

**Racial Group** - If Yes, provide details:

If No, provide reasons

See **Religious Belief** above

**Age** - If Yes, provide details:

If No, provide reasons:

See **Religious Belief** above

**Marital Status** - If Yes, provide details:

If No, provide reasons

See **Religious Belief** above

**Sexual Orientation** - If Yes, provide details:

If No, provide reasons:

See **Religious Belief** above

**Men and Women generally** - If Yes, provide details:

If No, provide reasons:

See **Religious Belief** above

**Disability** - If Yes, provide details:

If No, provide reasons:

See **Religious Belief** above

**Dependants** - If Yes, provide details:

If No, provide reasons:

See **Religious Belief** above

3. **To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?**

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:

The Portadown Flood Alleviation Scheme aims to reduce the impact of any potential fluvial flooding from the River Bann and some of its tributaries in the Portadown area where previous flooding events have occurred.

Development and subsequent construction of the scheme will have a positive impact for those living in the geographical area. There will be no differential impact on good relations between people of different religious belief, political opinion or racial group.

Reduction in the impact of any potential flooding could provide residents opportunities to develop a more vibrant, and cohesive community.

What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:

See **Religious Belief** above

What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:

See **Religious Belief** above

What is the level of impact? None

**4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

**Religious Belief** - If Yes, provide details:

If No, provide reasons:

The Portadown Flood Alleviation Scheme aims to reduce the impact of any potential fluvial flooding from the River Bann and some of its tributaries in the Portadown area where previous flooding events have occurred.

Development and subsequent construction of the scheme will have a positive impact for those living in the geographical area. There will be no opportunities to better promote good relations between people of different religious belief, political opinion or racial group although reduction in the impact of any potential flooding could provide residents opportunities to develop a more vibrant, and cohesive community.

**Political Opinion** - If Yes, provide details:

If No, provide reasons

See **Religious Belief** above

**Racial Group** - If Yes, provide details:

If No, provide reasons

See **Religious Belief** 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.

N/A

### **Part 3. Screening decision**

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

The purpose of the scheme is to reduce the impact of any potential flooding in the event of a 1%AEP+CC flood in the Portadown area, which will benefit those living or working within the geographical area.

As the scheme is designed to reduce the impact of any potential flooding in the area it is unlikely to impact on equality of opportunity or good relations. If any issues are raised these will be considered and this form reviewed if necessary.

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 - please provide details.

N/A

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.

N/A

## 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** [Author pick 1 2 or 3 if a full EQIA is to take place]

Effect on equality of opportunity and good relations **Rating 1, 2 or 3**

Social need

**Rating 1, 2 or 3**

Effect on people's daily lives

**Rating 1, 2 or 3**

Relevance to a public authority's functions

**Rating 1, 2 or 3**

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: Mark Glendinning / Michael Fox  
Position/Job Title: SPTO / PPTO  
Date: 22/12/22

Approved by: Owen McGivern  
Position/Job Title: Grade 6  
Date: 23/12/22

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:	23/12/2023
Amendments Requested: Yes / No	Yes
Date Returned to Business Area:	10/01/23
Date Final Version Received / Confirmed:	06/06/23
Date Published on DfI's Section 75 webpage:	06/06/23