

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

Department's update to Technical Flood Risk Guidance in relation to Allowances for Climate Change in Northern Ireland.

Is this an existing, revised or a new policy?

Update of and revision of existing guidance

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

Update DfI's current Northern Ireland (NI) guidance based on 2009 United Kingdom climate projections (UKCP09) to take account of updated 2018 UK climate projections (UKCP18).

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

If so, explain how.

No - The policy does not make any distinction between different Section 75 groups.

Who initiated or wrote the policy?

Water and Drainage Policy Division (WDPD)

Who owns and who implements the policy?

Department for Infrastructure (Dfi)

Background

The Department for Infrastructure (Dfi), as competent authority, has statutory responsibility to deliver Northern Ireland's obligations under The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009 (Floods Directive), which requires that climate change is taken into account in the assessment of flood risk.

Dfi's technical flood risk guidance was first produced in 2019 providing guidance on allowances for climate change and is designed to assist engineers and other professionals in their considerations of flood risk. Appropriate consideration of climate change in the locations and/or design of infrastructure improving its sustainability and future proofs public assets for the management of flood risk.

Met Office's UKCP18 is recognised as the most up to date research on climate change in the UK and is already in use in the rest of the UK.

As the current guidance is based on 2009 United Kingdom Climate Projections (UKCP09), Northern Ireland is behind the rest of the UK on climate change allowances as the Scottish Environmental Protection Agency (SEPA) and the Welsh Government each published climate change allowance guidance in 2022. Both reference UKCP18 data.

UKCP18 climate projections indicate a greater chance of hotter, drier summers and warmer, wetter winters with more extreme weather and rising sea levels. The high emission scenario for Northern Ireland shows that by:

- 2070 winters could be up to 3.9 °C warmer and summers could be up to 4.9°C hotter
- 2070 winters could be 25 per cent wetter and summers 38 per cent drier; and
- 2100 sea levels in Belfast could rise by up to 94cms.

This is more severe than those associated with UKCP09 and it is anticipated that the extents of the current climate change floodplain will be impacted.

Therefore, it is essential that the Department's guidance is updated to reflect this latest research to inform further updating of the Department's flood maps, its design of flood risk management schemes and advice to Developers and Local Planning Authorities in planning decisions.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? **No**

If yes, are they (please delete as appropriate)

Financial – N/A

Legislative – N/A

other, please specify N/A

Main stakeholders affected

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

staff

other public sector organisations

~~voluntary/community/trade unions~~

other, please specify – service (guidance) users and anyone affected by flooding, developers.

Other policies with a bearing on this policy

- what are they?
 - Long Term Water Strategy
 - Living With Water in Belfast
 - Flood Risk Management Plan 2021-2027
 - Climate strategy
 - Green Growth Strategy
 - Environment Act
 - Applications of planning policies including Strategic Planning Policy Statement (SPPS) and Planning Policy Statement15 – Planning and Flood Risk (PPS 15)
- who owns them?
 - DfI and DAERA

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

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Political Opinion

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Racial Group

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Age

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Marital Status

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Sexual Orientation

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Men & Women generally

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Disability

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for this group.

Dependants

This Technical Guidance Note and the associated outcomes are indiscriminate. No specific needs, experiences or priorities have been identified for 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:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Political Opinion:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Racial Group:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Age:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Marital status:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Sexual orientation:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/ providing advice on submissions by others.

Men and Women Generally:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/providing advice on submissions by others.

Disability:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/providing advice on submissions by others.

Dependants:

No specific needs, experiences or priorities have been identified for this group. This is guidance for Dfl staff involved in the design of new works and assessing/providing advice on submissions by others.

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)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Political Opinion**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Racial Group**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Age**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Marital Status**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Sexual Orientation**:(insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Men and Women**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Disability**: (insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

Details of the likely policy impacts on **Dependants**:(insert text here)
What is the level of impact? **None**

The implementation of this guidance will not impact on equality of opportunity for this group as it is technical guidance.

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:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Political Opinion - If Yes, provide details:
If No, provide reasons

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Racial Group - If Yes, provide details:
If No, provide reasons

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Age - If Yes, provide details:
If No, provide reasons:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Marital Status - If Yes, provide details:
If No, provide reasons

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Sexual Orientation - If Yes, provide details:
If No, provide reasons:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Men and Women generally - If Yes, provide details:
If No, provide reasons:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Disability - If Yes, provide details:
If No, provide reasons:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

Dependants - If Yes, provide details:
If No, provide reasons:

No. The implementation of this guidance will not promote equality of opportunity for this group as it is technical guidance.

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**: (insert text here)
What is the level of impact? **None**

As this is technical guidance its implementation will have no impact on good relations between people within this group.

Details of the likely policy impacts on **Political Opinion**: (insert text here)
What is the level of impact? **None**

As this is technical guidance its implementation will have no impact on good relations between people within this group.

Details of the likely policy impacts on **Racial Group**: (insert text here)
What is the level of impact? **None**

As this is technical guidance its implementation will have no impact on good relations between people within this group.

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:

No. As this is technical guidance, there will be no opportunity to better promote good relations between people of different religious belief, political opinion or racial group.

Political Opinion - If Yes, provide details:

If No, provide reasons:

No. As this is technical guidance, there will be no opportunity to better promote good relations between people of different religious belief, political opinion or racial group.

Racial Group - If Yes, provide details:

If No, provide reasons:

No. As this is technical guidance, there will be no opportunity to better promote good relations between people of different religious belief, political opinion or racial group.

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).

This has been considered and no potential impacts have been identified.

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.

An equality impact assessment is not required as the guidance/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.

On that basis this policy is considered neutral in terms of its impact on Section 75 groupings and therefore an EQIA is not required.

Should any issues be identified in the future, this form can be reviewed.

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?

N/A

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?

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: Lorraine McWilliams
Position/Job Title: PPTO Flood Risk Management Branch
Date: 25/3/24

Approved by: Alison Clydesdale
Position/Job Title: Director, Dfl Water and Drainage Policy Division
Date: 22/4/24

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:	04/05/2023
Amendments Requested: Yes / No	Yes
Date Returned to Business Area:	15/05/2023
Date Final Version Received / Confirmed:	07/05/2024
Date Published on Dfl's Section 75 webpage:	10/05/2024