

## DETI EQUALITY SCREENING FORM

### 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

**Tourist Accommodation Policy**

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Is the policy:

- new
- existing
- revised

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

Ensuring that further developments of tourist accommodation is of the right type and in the right place for the appropriate demand

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To increase the diversity and uniqueness of tourist accommodation provision

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To increase the quality of accommodation

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To manage sustainable supply

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To devise a scheme which gives access to finance for those wishing to provide new accommodation or improve existing accommodation

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Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.

All those wishing to provide accommodation should benefit including Section 75 categories

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Who initiated or wrote the policy?

DETI in conjunction with Tourism NI and Invest NI

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Who owns and who implements the policy?

DETI owns the policy and it will be implemented by Tourism NI and Invest NI

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### **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

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
- √ other public sector organisations
- voluntary/community/trade unions
- √ other, please specify - [All accommodation providers and potential accommodation providers](#)

**Other policies with a bearing on this policy**

[N/A](#)

- what are they?
  
  
  
  
  
  
  
  
  
  
- who owns them?
  
  
  
  
  
  
  
  
  
  
- Is the policy affected by timetables established by other relevant public authorities?

## 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. There is no relevant data in respect of the section 75 groups. The revised policy will cover all of Northern Ireland and thus there will be no differential impact on any of the section 75 groups

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

<b>Section 75 category</b>	<b>Details of evidence/information</b>
Religious belief	<b>N/A – see above comment</b>
Political opinion	<b>N/A – see above comment</b>
Racial group	<b>N/A – see above comment</b>
Age	<b>N/A – see above comment</b>
Marital status	<b>N/A – see above comment</b>
Sexual orientation	<b>N/A – see above comment</b>
Men and women generally	<b>N/A – see above comment</b>
Disability	<b>N/A – see above comment</b>
Dependants	<b>N/A – see above comment</b>

## **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 detailed below.

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 detailed below 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		The issues addressed in the policy relate to those providing or wishing to provide tourist accommodation in NI including section 75 groups. As such, it is felt the policy will not have any differential impact on any of the section 75 groups.
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

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief		The issues addressed in the policy relate to those providing or wishing to provide tourist accommodation in NI including section 75 groups. As such, it is felt the policy will not have any differential impact on any of the section 75 groups.
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



3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?		
Section 75 category	Details of policy impact	Level of impact minor/major/none
Religious belief		None. The issues addressed in the policy relate to those providing or wishing to provide tourist accommodation in NI including section 75 groups. As such, it is felt the policy will not have any differential impact on any of the section 75 groups.
Political opinion		As above
Racial group		As above

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief		The issues addressed in the policy relate to those providing or wishing to provide tourist accommodation in NI including section 75 groups. As such, it is felt the policy will not have any differential impact on any of the section 75 groups.
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. The policy will apply to all those wishing to provide tourist accommodation including Section 75 categories.

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

No impact on people with multiple identities. The policy will apply to all those wishing to provide tourist accommodation including Section 75 categories.

### Part 3. Screening decision

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

The introduction of this policy will have no adverse impact on any Section 75 group as it is designed to benefit all of those wishing to provide tourist accommodation including members of the Section 75 groups.

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.

All policies need to be proofed or have their impact assessed against a wide range of criteria, including equality, rural & environmental impact assessments. OFMdFM has developed a Policy Toolkit to provide practical guidance on the policy development process in NI. Part 4 of the toolkit provides a practical framework on impact assessments. The toolkit is available at <http://www.ofmdfmni.gov.uk/policy-toolkit>.

## 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.

The proposed policy is not expected to have any differential impact on any of the Section 75 groups and does not lend itself to being used to promote good relations.



## Part 4. Monitoring

Section 75 places a requirement on DETI to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy/decision on equality, good relations and disability duties.

<b>Equality</b>	<b>Good Relations</b>	<b>Disability Duties</b>
The Department will continue to monitor any relevant data on an ongoing basis, based upon the existing data capture mechanisms.	The Department will continue to monitor any relevant data on an ongoing basis, based upon the existing data capture mechanisms.	The Department will continue to monitor any relevant data on an ongoing basis, based upon the existing data capture mechanisms.

## Part 5. Disability Duties

Under the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (Northern Ireland) Order 2006), public authorities, when exercising their functions, are required to have due regard to the need:

- **to promote positive attitudes towards disabled people; and**
- **to encourage participation by disabled people in public life.**

Does this policy/legislation have any potential to contribute towards promoting positive attitudes towards disabled people or towards encouraging participation by disabled people in public life? If yes, please give brief details.

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**There is no scope for the policy to be used in this way.**

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## Part 6. Consideration of Human Rights

The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in Northern Ireland. Indicate below (place an X in the appropriate box) any potential **adverse impacts** that the policy/decision may have in relation to human rights issues.

*N/A. The policy does not have any adverse impact in terms of human rights.*

Right to Life	<b>Article 2</b>	<input type="checkbox"/>
Prohibition of torture, inhuman or degrading treatment	<b>Article 3</b>	<input type="checkbox"/>
Prohibition of slavery and forced labour	<b>Article 4</b>	<input type="checkbox"/>
Right to liberty and security	<b>Article 5</b>	<input type="checkbox"/>
Right to a fair trial	<b>Article 6</b>	<input type="checkbox"/>
Right to no punishment without law	<b>Article 7</b>	<input type="checkbox"/>
Right to respect for private and family life, home and correspondence	<b>Article 8</b>	<input type="checkbox"/>
Right to freedom of thought, conscience and religion	<b>Article 9</b>	<input type="checkbox"/>
Right to freedom of expression	<b>Article 10</b>	<input type="checkbox"/>
Right to freedom of peaceful assembly and association	<b>Article 11</b>	<input type="checkbox"/>
Right to marry and to found a family	<b>Article 12</b>	<input type="checkbox"/>
The prohibition of discrimination	<b>Article 14</b>	<input type="checkbox"/>
Protection of property and enjoyment of possessions	<b>Protocol 1 Article 1</b>	<input type="checkbox"/>
Right to education	<b>Protocol 1 Article 2</b>	<input type="checkbox"/>
Right to free and secret elections	<b>Protocol 1</b>	<input type="checkbox"/>

**Article 3**

Please explain any adverse impacts on human rights that you have identified.

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Please indicate any ways which you consider the policy positively promotes human rights.

N/A

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If you find that the policy/proposal interferes with or limits one or more of the Convention rights, please complete the full 'Human Rights Act Impact Assessment' pro forma, which is available at [www.ofmdfmi.gov.uk/human-rights](http://www.ofmdfmi.gov.uk/human-rights), along with further information on compliance with the European Convention on Human Rights.

**Signed:**   
**(Head of Division)**

**Division:** Tourism, Telecoms and GSNI Policy

**Date:** 29 May 2015