

Equality Screening Template



The Council has a statutory duty to screen. This includes our strategies, plans, policies, legislative developments; and new ways of working such as the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help departments consider the likely equality impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed or any other queries on screening, contact the Equality and Diversity Officers (job-share) Stella Gilmartin or Lorraine Dennis on extension 6026/6027 or by email equality@belfastcity.gov.uk

The accompanying **Screening Guidance** note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties and what they mean in practice is available on the Equality Commission's website¹.

The screening template has 4 sections to complete. These are:

Section A - provides details about the policy / decision that is being screened

Section B – gives information on the consultation process, supporting evidence gathered and has 4 key questions outlining the likely impacts on all equality groups.

Section C - has 4 key questions in relation to obligations under the Disability Discrimination Order

Section D - is the formal record of the screening decision.

¹ <http://www.equalityni.org/archive/pdf/S75GuideforPublicAuthoritiesApril2010.pdf>

Section A

Details about the policy / decision to be screened

Title of policy / decision to be screened: -

The decision of the People and Communities Committee on 6th November 2018 to approve an application by Radius Housing Association for a dual language street nameplate to be erected at Rose Street, prior to the Rose Street development being fully occupied.

Brief description of policy / decision to be screened: -

Belfast City Council has operated under a Dual Language Street Signs Policy since it was adopted by Council on 1st September 1998.

This Policy governs the Council's discretionary powers for erecting dual language street signs or secondary nameplates in a language other than English, which is provided for in Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 (LGMPO).

The policy states that the legislation requires the Council, in deciding whether and how to exercise its discretion, to take account of the views of the occupiers of premises in the street. (For the purpose of this policy occupiers shall be taken to be any person whose name appears in the current Electoral Register plus the owner or tenants in actual possession of commercial premises, but not employees in such premises).

The policy was developed and was designed with a view to promoting consistency and reasonableness for making better decisions in this area. However, the policy is not to be applied in such a way as to prevent due consideration being given to the particular circumstances of each application.

Additionally, having regard to the significant resource consequences of administering the implications of the policy, the policy should be reactive in nature. The current procedures for seeking and assessing the views of occupiers and the criteria to be followed are:

- Only applications supported by a petition representing not less than one third the people on the Electoral Register of the street for which the application is made will be progressed.

- Where the foregoing requirements have been met the Council will canvass by post all people appearing on the Electoral Register of that street and seek their views on the request to erect a street sign in a second specified language.
- Where two thirds or more of occupiers appearing on the Electoral Register have indicated that they are in favour of the erection of a second language street sign, then such a sign will be erected. People who do not respond will be deemed not to be in favour of the application.
- Consideration will be given to long streets, where the majority opinion on whether to have a second language street sign may differ between readily identifiable, substantial lengths of the street. In these circumstances consideration will be given to the erection of dual language nameplates in those substantial portions of the street where the required majority of occupiers have expressed a wish for such a nameplate.
- When a decision to erect a street sign in a second language has been taken the translation will be carried by an independent and competent body.
- The design and placing of the second language street sign will be that it shall be located immediately below the English sign and the size of the lettering shall be smaller than the English sign, to avoid any risk of confusion to the emergency services.

Aims and objectives of the policy / decision to be screened: -

The decision taken by the People and Communities Committee which is being screened relates to an application made by Radius Housing association which represents a significant departure from the Council's existing policy in respect of dual language street signs.

Radius have requested that the street be named in Irish prior to the properties being fully occupied, as they are an occupier and no survey can be carried out as the street is not fully occupied.

The People and Communities Committee, at its meeting on 6th November, had used its discretion and agreed that dual language signs be erected at Rose Street, subject to an equality assessment, as an exception to the Council's Street Naming Policy on the basis

that, surrounding and adjacent streets had dual language signs erected, the street was located in the Gaeltacht Quarter and it viewed the Housing Association, which had made the application and owned the houses, as the occupier of the land given the street was not fully occupied.

This screening exercise seeks to identify impacts, if any, that the decision will have in relation to the Council's duties in relation to equality and promotion of good relations.

Given the decision taken it is arguable that the Council is creating a scenario whereby land owners can apply pre-development for dual language street names, as single – owner applicants, which by-passes the existing procedures particularly in regards to ascertaining the views of local occupiers (future residents) on the erection of a dual language street sign.

On whom will the policy / decision impact?

Consider the internal and external impacts (both actual or potential)

- Staff – there will be some impact on staff resources as Belfast City Council Building Control will be required to manage the decision taken by elected members.
- Service users – those occupiers who have recently occupied the street, or those who will in the next number of weeks.

The information received from Radius is that occupation is as follows:

Addresses Currently Occupied (as of 11th October 2018)

4, 6, 8, 10, 12, 14, 16, 18, 20

Due to be handed over (22nd November 2018)

22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42

Final handover (expected 6th December 2018 – depending on snag list, handover may be pushed to January 2019)

1, 3, 5, 7, 9, 11, 13, 15, 17 & 2

- Other public sector organisations – None
- Voluntary / community groups / trade unions - only those groups/ organisations based in the area.
- Others, please specify – None.

Are there linkages to other Agencies/ Departments?

The current dual language street signs policy is a Belfast City Council policy based on its interpretation of existing statutory provision in Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995. The Department for Communities have primary responsibility for legislation in this area.

Section B

1. Outline consultation process achieved or planned Equality Scheme

In relation to public consultation the Council's Equality Scheme states "We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's Guidance 'section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)'

All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their Trades Unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.

In bringing forward this application to committee, there has been an exchange of correspondence between Building Control and Radius Housing as the proposal from Radius falls outside the scope of its current policy. The Council sought confirmation from Radius on the reasons for submitting an application for a dual language street sign for Rose Street at this stage.

Radius Housing responded by letter dated 29 August 2018 setting out why in their view application should be processed, and called on Belfast City Council to take a flexible approach to the legislation and its own policy when determining this application.

In summary the main reasons why Radius have made a pre-development application are:

- Rose Street falls within the Gaeltacht Quarter
- Radius Housing is the land owner and should be regarded as an occupier for the purposes of this application.
- Over two thirds (58no) of the properties in this overall development have dual language street signs (Springfield Avenue and Springfield Road).
- A dual language street sign will provide continuity not only within the development but also with the surrounding street within the Gaeltacht Quarter, which currently have dual language signs.

- The dual language street sign application has the support of the local residents association.

2. Available evidence

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below to help inform your screening assessment. Please note: It is important to record information gathered from a variety of sources such as:

- Monitoring information
- Complaints
- Research /surveys

Monitoring Information

In discharging its duties under street naming and numbering and in particular dual language signage the Building Control Service regularly records information on the number of applications for dual language signs across the City. It also carries out surveys in line with current policy on foot of any applications made for a dual language street sign. This information is held by the street naming unit within the Building Control Service.

Complaints

If any complaints are received by the Building Control Service in relation to its dual language street naming functions, these complaints are recorded and handled in line with the Belfast City Council complaints procedure which will be made available on request to a complainant.

Research/ Surveys

Upon receipt of an application for a dual language street sign, officers from the street naming team will determine if the application meets the policy requirements for it to be deemed valid namely, support of one third of the residents in the street on the electoral register. They will also undertake research which may include a site visit in and around the areas relevant to the application. They will also organise a survey in line with the current dual language street signs policy to ascertain the support for the erection of a street nameplate in a second language. This survey will be hand delivered to each premises within the relevant street and

staff will be available to provide advice and guidance to occupiers as required during this process.

Belfast City Council recognized an area of west Belfast between Divis Street and Kennedy Way encompassing land to the right and left of this as being a Gaeltacht Quarter in 2012 – Rose Street falls within this area. The Gaeltacht Quarter straddles the Court and Black Mountain district electoral Areas – Rose Street is in the Court DEA in the Clonard ward. There are 111 dual language signs in the Gaeltacht Quarter area as recognized by Belfast City Council with there being 64 in the immediate area surrounding Rose Street. There are currently 37 other pending applications for dual language signs throughout the City.

Consultation Exercise and Other Public Authorities

Although the Dual Language Street Signs policy was initially adopted by the Council in 1998 it is subject to regular evaluation in terms of its application across the City. In 2009, the Council adopted a wider Street Naming and Buildings Numbering policy which was subject to public consultation. This policy includes as an Appendix the 1998 policy on dual language street signs which continues to be the policy the Council operates under.

In addition to this public consultation on the council's policy in this area, these issues have also been the subject of considerable debate and discussion not just within the council but also through the Courts in recent years. These previous challenges to the policy have after due consideration been accepted by the Court as a reasonable policy.

As mentioned previously, the Gaeltacht Quarter straddles the Court and Black Mountain District Electoral Areas. According to the 2011 census 13.66% of people in Belfast have some knowledge of Irish including 1286 people in Beechmount and 1089 people in Clonard which are the immediate areas surrounding Rose Street. In terms of bilingual signs, there are 264 streets in Belfast with a bilingual sign – 261 in Irish and 3 in Ulster Scots. Of the overall total there are 37 applications still pending. 111 of the signs are in the Gaeltacht quarter with 64 in the general area around Rose Street.

| Section 75 category | Details of evidence / information and engagement |
|----------------------------|--|
| Religious belief | <p>The religious breakdown for the Court DEA area as seen in the 2011 census shows that 31.97% of residents reported being from a Catholic background whereas 49.02% came from a Protestant or other Christian religious background. 9.73% of people in the Court DEA have some knowledge of Irish according to the 2011 census, with 1089 people in the Clonard ward having some knowledge of Irish. In Northern Ireland there tends to be a strong perceived correlation between religious belief and political opinion and between knowledge of Irish or Ulster scots and political opinion.</p> |
| Political opinion | <p>In the case of Reid v Belfast City Council 2015 Judge Horner stated that: In relation to Article 11 (4) of the 1995 Order ...in deciding whether and, if so, to exercise its powers (sic) in relation to any street, a council should have regard to any view in the matter expressed by the occupiers of the premises in that street.</p> <p>Judge Horner also added that “the policy of providing an additional street name in another language can be socially and politically divisive. The level of discord can be gauged from the debates within the Council. Unfortunately, in Northern Ireland’s deeply divided society many on each side of the political and cultural divide, rightly or wrongly, see the others language, whether it be Irish or Ulster Scots, as associating that community with a particular political viewpoint. In those circumstances it cannot be unreasonable to require clear convincing evidence on the part of those who occupy the street that they want additional street name plate in another language apart from English.</p> |
| Racial group | <p>Black Mountain: white 98.03%; Traveller 0.19%; Indian 0.31%; Pakistani 0.05%; Bangladeshi 0.03%; Asian 0.71%; Black Caribbean 0.02%; Black African 0.12%; Black other 0.02%; Mixed 0.25%; other 0.05%</p> |

| | |
|----------------------------------|---|
| | <p>1.73% of people born in other non-EU countries, 0.62% born in other EU countries</p> <p>Court: white 98.02%; Traveller 0.03%; Indian 0.48%; Pakistani 0.02%; Bangladeshi 0.01%; Asian 0.49%; Black Caribbean 0.02%; Black African 0.17%; Black other 0.05%; Mixed 0.33%; other 0.09%</p> <p>1.92% of people born in other non-EU countries, 1.46% born in other EU countries</p> |
| Age | <p>Black Mountain: under 18 (24.64%); 18-30 (18.48%); 30-44 (18.18%); 45-59 (19.43%); 60-74 (12.05%); 75-84 (5.32%); 85+ (1.9%)</p> <p>Court: under 18 (23.59%); 18-30 (10.49%); 30-44 (18.98%); 45-59 (18.11%); 60-74 (13.39%); 75-84 (5.82%); 85+ (1.95%)</p> |
| Marital status | There has been no relevant data identified. |
| Sexual orientation | There has been no relevant data identified. |
| Men & women generally | There has been no relevant data identified. |
| Disability | Black Mountain:39.49% of people have a disability or long term health issue Court: 41.68% of people have a disability or long term health issue |
| Dependants | There has been no relevant data identified. |

3. What is the likely impact (indicate if the policy impact is positive or negative) on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?

| Section 75 category | Likely impact? | Level of impact? Minor / Major / None |
|----------------------------|--|--|
| Religious belief | Traditionally in Northern Ireland correlations are made between race, religious belief and | Minor |

| | | |
|--|---|--|
| | <p>political opinion. Updates from the Northern Ireland Housing Executive in relation to the shared neighbourhood developments as outlined in The Together: Building a United Community Strategy outlines its vision of a “united community, based on equality of opportunity, the desirability of good relations and reconciliation – one of which is strengthened by diversity, where cultural expression is celebrated and embraced and where everyone can live, learn, work and socialize together, free from prejudice, hate and intolerance”. The strategy also has 4 key priorities, one of which is Our Shared Community. The aim of this priority is to create a community where division does not restrict the life opportunities of individuals and where all areas are open and accessible to everyone.</p> <p>In addition, during the Reid Case – Judge Horner referred to the OFMDFM document “A Shared Future: Policy and Strategic Framework for Good Relations in Northern Ireland (March 2005) which emphasized a need for authorities to take positive action to ensure that shared and neutral spaces remain shared and used by all sections of the community this supports a policy which requires a high level of community desire for a dual nameplate which, realistically, “might well be viewed as identifying a street clearly with one community and constructed as exclusive of other communities.</p> | <p>The impact for this decision is deemed minor because Rose Street is situated within the Gaeltacht Quarter (recognised in 2012) which includes a total of 111 dual language signs in Irish, with 64 of these in the general area around Rose Street.</p> |
|--|---|--|

| | | |
|----------------------------------|-----------|------------------|
| Political opinion | See above | Minor – as above |
| Racial group | See above | Minor – as above |
| Age | None | None |
| Marital status | None | None |
| Sexual orientation | None | None |
| Men & women generally | None | None |
| Disability | None | None |
| Dependants | None | None |

4. 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 | <p>Whilst the decision required involves the interpretation of the Council's existing statutory functions the observations in relation to Together: Building United Communities should be made. As there has been no consultation with the residents, they should be informed of the dual language street signage at the earliest opportunity. Current Good Relations activity in the area should continue.</p> <p>The correlations between equality of opportunity and good relations are particularly relevant in this instance.</p> | |
| Political opinion | As above | |
| Racial group | As above | |

| | | |
|----------------------------------|----|----------|
| Age | No | As above |
| Marital status | No | As above |
| Sexual orientation | No | As above |
| Men & women generally | No | As above |
| Disability | No | As above |
| Dependants | No | As above |

5. To what extent is the policy likely to impact (positive or negatively) on good relations between people of different religious belief, political opinion or racial group? What is the level of impact?

| Good relations category | Likely impact? | Level of impact? Minor/Major/None |
|--------------------------------|--|--|
| Religious belief | Given the decision to approve the naming of the street without policy requirement to seek the views of those living in the street, it is arguable that a precedent will be set which may potentially impact of the good relations of people on grounds of political opinion, racial or religious background. | Minor The impact for this decision is deemed minor because Rose Street is situated within the Gaeltacht Quarter (recognised in 2012) which includes a total of 111 dual language signs in Irish, with 64 of these in the general area around Rose Street. |
| Political opinion | As above | Minor – as above |
| Racial group | As above | Minor – as above |

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

| Good relations category | Likely impact? | Level of impact? Minor/Major/None |
|--------------------------------|--|--|
| Religious belief | Linguistic diversity has the potential to promote good relations between people of different backgrounds | |
| Political opinion | As above | Minor – as above |
| Racial group | As above | Minor – as above |

7. Multiple Identities

Provide details of data on the impact of the policy on people with multiple identities.

Specify relevant Section 75 categories concerned.

None.

Section C

Belfast City Council also has legislative obligations to meet under the [Disability Discrimination Order](#) and Questions 5 -6 relate to these two areas.

Consideration of Disability Duties

8. Does this proposed policy / decision provide an opportunity for the Council to better **promote positive attitudes** towards disabled people?

Explain your assessment in full

No, the decision in this case does not provide an opportunity for the Council to better promote positive attitudes towards disabled people.

9. Does this proposed policy / decision provide an opportunity to actively **increase the participation** by disabled people in public life?

Explain your assessment in full

No, the decision in this case does not provide an opportunity to actively increase the participation by disabled people in public life.

10. Monitoring Arrangements

Section 75 places a requirement the Council 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.

| Equality | Good Relations | Disability Duties |
|-----------------------------------|----------------------------------|----------------------------------|
| Complaints will be monitored | Complaints will be monitored | Complaints will be monitored |
| Unusual trends will be monitored. | Unusual trends will be monitored | Unusual trends will be monitored |

Section D

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened –

Application for a dual language street sign by Radius Housing for a new development at Rose Street

I can confirm that the proposed policy / decision has been screened for –

| | |
|----------|--|
| X | Equality of opportunity and good relations |
| X | Disabilities duties |

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

*place an X in the appropriate box below

| | |
|--------------------------|---|
| <input type="checkbox"/> | *<u>Screened In</u> – Necessary to conduct a full EQIA |
|--------------------------|---|

| | |
|--|--|
| | <p>*<u>Screened Out</u> – No EQIA necessary (no impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> |
|--|--|

| | |
|----------|---|
| X | <p>* <u>Screened Out</u> - Mitigating Actions (minor impacts)</p> <p>There are minor impacts identified in relation to race, religion and political background. These are deemed minor because Rose Street is situated within the Gaeltacht Quarter (recognised in 2012) which includes a total of 111 dual language signs in Irish, with 64 of these in the general area around Rose Street.</p> <p>As there has been no consultation with the residents they should be informed of the dual language street signage at the earliest opportunity. Current Good Relations activity in the area should continue in line with the Council’s current Language Strategy.</p> |
|----------|---|

Formal Record of Screening Decision (cont.)

Screening assessment completed by (Officer Level) -

Ian Harper

Date: 3-12-18

Building Control Manager

Signature:

Screening decision approved by -

Aidan Thatcher

Date: 3-12-18

Director of Planning and Building Control

Signature:

Please save the final version of the completed screening form and forward to the Equality and Diversity Officer – equality@belfastcity.gov.uk. The screening form will be placed on the BCC website and a link provided to the Council's Section 75 consultees.

For more information about equality screening contact –

Equality & Diversity Officer

Belfast City Council

City Hall Belfast

BT1 5GS

Telephone: 028 90270511

equality@belfastcity.gov.uk