**DoF Screening –** **Review of energy efficiency requirements and related areas of Building Regulations*. Discussion document and pre-consultation on next steps.***

Screening is the first of two methods by which the necessary level of “regard” is demonstrated as being paid to the statutory equality goal, as set out in Section 75 of the Northern Ireland Act 1998. The DoF Equality Scheme commits us to screening our policies. This includes our strategies and plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, procedure, policy etc.

This screening template is designed to help business areas consider the likely equality and human rights impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Detailed information about the Section 75 equality duties and what they mean in practice is available on the Equality Commission’s website:
<http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75GuideforPublicAuthoritiesApril2010.pdf>

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 accessible on the DoF website as soon as possible following completion and made available in alternative formats on request.

All Section 75 consultees should be advised of the screening exercise once the final policy decision has been taken.

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

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

**Section B** - 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

**Section C** - 4 key questions in relation to obligations under the Disability Discrimination Order and the Human Rights Act.

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

**SECTION A**

**Information about the policy**

This 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 on a step-by-step basis.

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

Is this a new or revised policy?

Revised

1. Name of the policy

Review of energy efficiency requirements and related areas of Building Regulations. Discussion document and pre-consultation on next steps.

1. Brief Description of the policy

This discussion document outlines, in technical detail, potential directions of travel for future improvements to energy efficiency requirements and seeks feedback on a wide range of matters. Other interlinked regulatory areas such as ventilation, overheating and electric vehicle charging infrastructure also form part of this discussion document.

1. Aims of the policy/ Rationale behind the changes

The energy efficiency of new buildings has a significant part to play in achieving net zero aims. This discussion document outlines potential future steps in technical detail and explores the opportunities and challenges associated with each. It also outlines potential future steps to update and enhance the Department’s technical guidance on ventilation standards as well as potential measures to mitigate overheating risks in dwellings and to require electric vehicle (EV) infrastructure. The aim of the document is to present a detailed technical overview to stakeholders and offer the opportunity to respond to a series of questions that will help inform subsequent uplifts.

1. Who will the policy affect?

The policy has the potential to affect all building stakeholders and those subsequently occupying, maintaining and providing energy services to the building. This includes developers, builders, designers, building control enforcement, landlords, energy bill payers and energy providers.

1. Is this a NICS wide policy?

This policy is applicable to all buildings subject to The Building Regulations (Northern Ireland) 2012 (as amended).

1. Who will implement the policy?

The Department of Finance has policy and legislation responsibility for the Building Regulations. Responses to this discussion document and pre-consultation is expected to help guide future amendments to these regulations.

1. Will this policy or revision address an existing inequality? Yes/No

If yes, please give details.

No.

1. Will this policy or revision benefit any Section 75 categories? Yes/No

If yes, please give details.

Yes. This policy is expected to deliver benefits for citizens at large and improve use of our energy resources. We expect that more energy efficient buildings will provide more comfortable indoor environments and potentially lower running costs. This should support beneficial outcomes, particularly for those vulnerable to cold as a result of health conditions, or those with higher energy bills. In any case, it is anticipated that all Section 75 categories will benefit from the intended policy in line with or to a greater extent than society at large.

1. Will this policy or revision have an adverse differential impact upon any of the Section 75 groupings? Yes/No. If yes, please give details.

No.

**Section B**

**Available evidence**

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

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below along with details of the different Section 75 groups you have met and / or consulted with to help inform your screening assessment. Please also provide details of priorities and needs identified for each Section 75 group.

* **Religious belief**

This 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 different Section 75 groups.

* **Political opinion**

As above.

* **Racial group**

As above.

* **Age**

As above.

* **Marital status**

As above.

* **Sexual orientation**

As above.

* **Men & women generally**

As above.

* **Disability**

As above.

* **Dependents**

As above.

**If you have no evidence held, outline how you will obtain it:**

N/A

**Screening questions**

There are 4 essential screening questions:

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the nine Section 75 categories?

None

1. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

No

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

None

1. Are there opportunities to better promote good relations between these three groups?

No

**Are there likely impacts on Section 75 Categories?**

* Religious belief:

What is the level of impact? *None*

* Political opinion:

What is the level of impact? *None*

* Racial group:

What is the level of impact? *None*

* Age:

What is the level of impact? *None*

* Marital status:

What is the level of impact? *None*

* Sexual orientation:

What is the level of impact? *None*

* Men and women generally:

What is the level of impact? *None*

* Disability:

What is the level of impact? *None*

* Dependants:

What is the level of impact? *None*

**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 policy is purely technical in nature and will have no bearing in terms of its likely impact on people with multiple identities.***

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

N/A

**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.

Alternatively, there may already be policies in place which would mitigate any adverse impact identified.

Mitigation measures proposed:

N/A

Section C

DoF also has legislative obligations to meet under the Disability Discrimination Order and the Human Rights Act . The following questions relate to these two areas.

Consideration of Disability Duties

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

**Explain your assessment in full**

No. This policy is purely technical in nature and unrelated to attitudes towards disabled people.

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

**Explain your assessment in full**

In general terms this policy is purely technical in nature and unrelated to increasing the participation by disabled people in public life.

he proposals may benefit those where a particular health condition or disability leads to increased vulnerability to cold or higher energy use, or if vulnerable to overheating in dwellings. Any cost savings and comfort benefits and associated health improvements, may provide opportunities to increase participation by disabled people in public life.

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 N Ireland. Articles 3 and 4 are classified as “absolute” rights ie the State can never withhold or take away these rights. All others are either “qualified” or “limited”. Further information is available via the following link

<http://www.nicshumanrightsguide.com/>

Indicate any potential *adverse impacts* that the policy / decision may have in relation to human rights issues.

**Adverse Impact**

(delete as appropriate)

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

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

N/A

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

N/A

If you have identified any adverse impacts on human rights through this screening you must complete a Human Rights Impact Assessment: <https://www.executiveoffice-ni.gov.uk/publications/human-rights-impact-assessment-proforma>.

 **Monitoring Arrangements**

Public authorities should consider the guidance contained in the Commission’s [Monitoring Guidance for Use by Public Authorities (July 2007)](http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75MonitoringGuidance2007.pdf): <http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75MonitoringGuidance2007.pdf>

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.

**Please detail proposed monitoring arrangements below:**

Part F (Conservation of fuel and power) of the Building Regulations (Northern Ireland) 2012 is subject to continuous review by the Department. Feedback is received in quarterly Building Control Liaison Meetings with district councils where implementation impacts inform future policy development. A provisional programme of amendments is expected to require further amendments around Part F and other related parts over the next decade. It is anticipated that all proposed amendments will be subject to equality impact screening and consultation exercises.

Section D - Formal Record of Screening Decision

**Title of Proposed Policy / Decision being screened:**

***Proposals for amendment of Technical Booklet Guidance to Part F (Conservation of fuel and power) of the Building Regulations (Northern Ireland) 2012.***

I can confirm that the proposed policy / decision has been screened for (i) equality of opportunity, (ii) good relations disabilities duties and (iii) human rights issues

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

\* **Screened Out** – No EQIA necessary (no impacts)

Provide a brief note to explain how this decision was reached:

This policy is purely technical in nature and will have no bearing in terms of its likely impact on the issues above.

**Screening assessment completed by -**

**Name** *John Burke*

**Grade** *PPTO (Architect)*

**Date 28 June 2023**

**And approved by –**

**Name** *William Black*

**Grade** *G6 (Acting)*

**Date 28 June 2023**

Central Support Team Notified 26 July 2023

Equality Contacts advised 26 July 2023

Screening uploaded to DoF website 26 July 2023