

Equality Screening for Fire Safety Changes to Building Regulations July 2023

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

a) Name of the policy

The 5th amendment to 'The Building Regulations (Northern Ireland) 2012'. It will create a Statutory Rule entitled 'The Building (Amendment) Regulations (Northern Ireland) 2023'.

b) Brief Description of the policy

The revision to Part E (Fire safety) of the Building Regulations and supporting guidance in Technical Booklet E will introduce new and amended technical requirements for a range of fire safety measures in various building types.

c) Aims of the policy/ Rationale behind the changes

The aims of the policy changes are to improve fire safety standards for residents/occupiers of a various range of building types (primarily

dwelling and principally blocks of flats) and enhance firefighter safety in terms of firefighting and search and rescue operations.

d) Who will the policy affect?

The policy will impact on building users, building designers/constructors, those procuring buildings, enforcement bodies (district councils), fire and rescue service personnel and product manufacturers (particularly fire alarm and sprinkler component manufacturers). It should have no adverse effect on any particular group, rather it is intended to make buildings safer for all users.

The intended effect is to reduce the consequences of fire through saving lives and preventing injuries.

e) Is this a NICS wide policy?

No

f) Who will implement the policy?

The policy will be implemented through a Statutory Rule amending the Building Regulations and supporting technical guidance by the Department of Finance. The requirements will be enforced in building regulations by the 11 District Councils.

g) Will this policy or revision address an existing inequality? ~~Yes~~/No
If yes, please give details.

N/A

h) Will this policy or revision benefit any Section 75 categories? ~~Yes~~/No
If yes, please give details.

The enhanced fire safety standards in buildings should benefit all including the 9 categories of persons under Section 75.

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

As technical changes, there should be a positive impact for all including Section 75 groupings.

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**

None

- **Political opinion**

None

- **Racial group**

None

- **Age**

None

- **Marital status**

None

- **Sexual orientation**

None

- **Men & women generally**

None

- **Disability**

None

- **Dependents**

None

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

No evidence necessary. These amendments are aimed at improving health and safety (fire safety) standards for all and do not affect any particular group in an adverse way. Equality of opportunity and/or good relations for persons in the equality and good relations categories will not be impacted.

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?
(~~minor/major~~/none)
2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories? (~~yes~~/no)
3. To what extent is the policy likely to impact upon good relations between people of different religious belief, political opinion or racial group? (~~minor/major~~/none)
4. Are there opportunities to better promote good relations between these three groups? (~~Yes~~/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).

No

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. The legislative amendments and supporting technical guidance changes are aimed at improving fire safety standards in buildings for all users (including disabled people) and fire and rescue service personnel alike.

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

Explain your assessment in full

No. The revisions to fire safety standards in the building regulations do not provide an opportunity to actively increase the 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.

	<u>Adverse Impact</u>	
	(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 1 Article 1	no
Right to education	Protocol 1 Article 2	no
Right to free and secret elections	Protocol 1 Article 3	no

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

Some of the new requirements such as automatic fire suppression provision in certain buildings will undoubtedly increase life safety levels for occupants but will also enhance property protection and enjoyment of possessions for residents under protocol 1 Article 1.

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

None

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>

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:

The implementation of the legislative amendments and technical guidance changes will be enforced by the District Councils in Northern Ireland. Liaison meetings between Councils and the Department of Finance are held quarterly and any issues with policy implementations or consistency of enforcement are monitored, and subsequently reviewed by the Department.

Section D - Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened:

Amendment to The Building Regulations (Northern Ireland) 2012 (as amended) entitled 'The Building (Amendment) Regulations (Northern Ireland) 2023'.

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:

The proposed amendments to building regulations are aimed at enhancing fire safety standards in buildings for all including fire and rescue service personnel who perform firefighting and search and rescue operations. The changes being technical in nature will have no bearing in terms of likely impact on equality of opportunity and/or good relations for people within the equality and good relations categories (including disabled people). The revised policy will also have no adverse impact on human rights issues.

Screening assessment completed by -

Name Damian Fairley
Grade Acting PPTO
Date 23/05/23

And approved by –

Name William Black
Grade 6 (acting)
Date 21/06/23

Central Support Team Notified	03/07/2023
Equality Contacts advised	03/07/2023
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