Consultation on revised Approved Code of Practice (ACOP): Safe work in confined spaces: Confined Spaces Regulations 1997 (L101)

Consultative Document

June 2016
Consultation on revised Approved Code of Practice (ACOP):
Safe work in confined spaces: Confined Spaces Regulations 1997 (L101)

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This Consultative Document is based on the Consultative Documents “Consultation to review HSE’s Approved Codes of Practice” and “Consultation on Draft Approved Code of Practice (ACOP): Safe work in confined spaces: Confined Spaces Regulations 1997 (L101)” issued by the Health and Safety Executive in Great Britain, whose assistance is gratefully acknowledged.

If you are reading this document on a computer screen and would prefer a printed version, it can be obtained on request. Furthermore, if you require a more accessible format an Executive Summary is available in Braille, large print, on disc or audiocassette, or in Irish, Ulster Scots and other languages of the minority ethnic communities in Northern Ireland. To obtain a summary in one of these formats, please contact David Beck at the address shown at paragraph 20.
INTRODUCTION

1. This consultative document invites views on the revised Approved Code of Practice (ACOP) "Safe work in confined spaces: Confined Spaces Regulations 1997 (L101)", drafted by the Health and Safety Executive in Great Britain (HSE), which the Health and Safety Executive for Northern Ireland (HSENI) proposes to approve for use in Northern Ireland. In these circumstances the existing HSENI “Safe Work in Confined Spaces in Northern Ireland – Approved Code of Practice (Confined Spaces Regulations (Northern Ireland) 1999)” ACOP will be revoked.

2. This ACOP provides practical guidance on how to comply with the requirements of the Confined Spaces Regulations 1997. (The relevant legislation in Northern Ireland to which the ACOP can be read across is the Confined Spaces Regulations (Northern Ireland) 1999 (“the 1999 Regulations”).

3. This consultation is undertaken in compliance with Article 18 of the Health and Safety at Work (Northern Ireland) Order 1978 which requires HSENI to consult on revisions to ACOPs prior to seeking the consent of the Department for the Economy to approve the revised ACOP for use in Northern Ireland.

4. The revised ACOP and associated guidance is available at the following location – Safe work in confined spaces.

BACKGROUND

The role and status of ACOPs and how they are used to help organisations comply with health and safety law.

5. ACOPs provide practical guidance on complying with the general duties of the Health and Safety at Work (Northern Ireland) Order 1978 (HSWO) or the requirements of goal-setting regulations. They are important tools for experienced health and safety audiences that explain the law and enable the control of more complex risks. They can also provide certainty for dutyholders by setting out preferred methods or standards to achieve compliance and by clarifying what is required by terms such as suitable, sufficient or adequate. ACOPs have mainly been made available for high risk activities where some precision is required in the approach to controlling the risks.

6. ACOPs are not law but do have a special legal status; if the advice in ACOP material is followed in relevant circumstances duty holders can
be confident they are complying with the law. This is made clear in the front of each ACOP document by a statement that those who comply with the ACOP material will have done enough to comply with the law on the specific issues addressed by the ACOP. Dutyholders may use alternative methods to those set out in an ACOP to comply with the law and this is also stated at the front of each ACOP. However, if the dutyholder is prosecuted for a breach of health and safety law, and it is proved that they have not followed the relevant provisions of the ACOP, then that element of the offence will be taken as proved unless they can show the court that they have complied with the law in some other way.

7. An ACOP can be an appropriate format for providing advice where:

- there are certain preferred or recommended methods to be used (or standards to be met) to achieve compliance; and
- the nature of the issue being addressed is such that in most cases dutyholders should be strongly encouraged to pursue those methods (or standards).

8. Guidance material also helps dutyholders comply with the law but differs from the authoritative advice of an ACOP by allowing dutyholders wider discretion to identify the options that are the best fit for the circumstances.

The Löfstedt Review of health and safety legislation

9. On 28 November 2011 Professor Ragnar Löfstedt published his independent review of health and safety legislation ‘Reclaiming health and safety for all’. The review reported that overall a wide range of stakeholders supported the principles of ACOPs and saw them as a vital part of the system, forming a key link between goal setting legislation and guidance, though many also felt there was room for improvement.

10. In his report Professor Löfstedt recommended that HSE should review all of its ACOPs. The UK Government accepted this recommendation and an initial consultation was launched in June 2012 by HSE. That consultative document alongside an analysis of responses is available on the HSE website.

Review of ACOPs

11. The initial HSE consultation sought views on the following proposal for reviewing ACOP L101:

“Do you agree with the proposals to update and revise the Safe work in confined spaces ACOP for publication by the end of 2014?”
Overall, there were a total of 109 responses of which 98 were in favour of doing so and only two opposed the review.

12. HSE subsequently issued a further public consultation in August 2014 setting out the detailed proposals in the “Consultation on draft Approved Code of Practice (ACOP): Safe work in confined spaces: Confined Spaces Regulations 1997 (L101”).

13. The significant revisions and other changes of note that have been made are as follows:

Text updated page 2. The status paragraphs have been updated in line with the principles for producing ACOPs with changes to guidance and lay-out:

**Introduction**

The text has been cut down substantially. This details briefly, the main changes from the previous version.

**Guidance to Regulation 1**

- Has been expanded to try to better explain and define what a confined space is (both largely or completely enclosed and have a reasonably foreseeable 'specified risk').

- Provides additional examples of confined spaces including ones detailing new potential confined spaces e.g. storage areas for wood-pellet biofuel.

- Includes a simple flowchart for establishing whether a space is 'confined' within the Regulations.

- Shows the association with the specified risk, which needs to exist, the list of hazards is re-ordered to better mirror the specified risks as listed in regulation 1(2).

- The list of hazards has been amended to add new examples where reduced oxygen work areas are deliberately created to prevent fires by inhibiting ignition.

**Guidance to Regulations 2 and 8**

- New preamble to regulation 8 better explains its purpose. This is designed to help the reader’s understanding. This text is neither ACOP nor guidance and has no status.
• Former paragraph 14 which talks about the revocation of certain Regulations in 2002 has been deleted; the footnote confirms it is obsolete.

• The other proposed amendments deal solely with updates to Regulations.

Guidance to Regulation 3

• New text added to the ‘Oxygen deficiency and oxygen enrichment’ section identifies specific actions to be taken when providing a work area in which the atmosphere has a reduced oxygen concentration.

• New section of text added on the risks from increased working temperatures.

Guidance to Regulation 4(2)

• Paragraph about the importance of a written safe system of work moved to the second paragraph. In the current version this paragraph is at the end of the section and could be missed.

• New wording to the section on ‘testing and monitoring the atmosphere’ which clarifies the need to ensure the equipment is functioning appropriately and setting the provisions described by manufacturer as the minimum requirement.

• Portable gas cylinders and internal combustion engines section - The paragraph has been split into four paragraphs which deal with petrol powered engines, gas cylinders and diesel powered engines and which clarifies potential confusion.

• Smoking section – the wording has changed to accommodate the change in legislation relating to smoking in workplaces and other public areas.

• Use of a permit-to-work procedure section – The guidance has been redrawn to make it clearer.

Guidance on Regulation 5

• A new paragraph has been added showing that proper certified training for entry into and providing emergency arrangements is available.

• The section on Respiratory Protective Equipment (RPE) has been amended, including to accommodate the requirements of the Control of Substances Hazardous to Health Regulations 2002 (COSHH):
Initial paragraph added reference to the need to fit test any RPE

Removed phrase relating to HSE approved equipment as HSE does not offer approval of RPE equipment

Information on the quality and performance of respirators has been revised to clarify that employers need to ensure that the equipment they are providing is appropriate for the task, and that where there is doubt, to seek further advice from the manufacturer or supplier.

New information has been added on checking resuscitation equipment and includes mention of Automated External Defibrillators (AEDs).

- Sections formerly referring to ‘Examination of equipment’ and ‘Test certificates and examination of records’ have been replaced with sections called ‘Inspection and testing of equipment used in connection with confined space entry’, ‘Thorough Examination of Respiratory Protective Equipment’ and ‘Thorough examination of lifting equipment’. This defines what is required and refers to the provisions of the legislation (mainly COSHH 2002 and the Lifting Operations and Lifting Equipment Regulations 1998).

- Training: An additional sentence is added to promote refresher and certified training.

Annex 1

- New wording added as Notice of Approval.

Reference and further guidance

- Some slight amendments have been made to the reference and further guidance pages to accommodate new publications and withdrawals.

14. HSE received 74 responses to the public consultation on the specific ACOP proposals, including replies from the sectors largely involved with working in confined spaces (utilities, construction, petroleum/chemical, agriculture and engineering) including unions, trading associations representing multiple organisations, major stakeholders for safety in the industry and major employers. The majority of the responses were positive about the changes that had been made and therefore required no further changes but there were lots of suggestions for additions or wording changes. This included suggestions for additional examples of places that either are or are not confined spaces. A total of 80 proposed minor amendments (alternative wording etc.) were accepted and changes made.
THE PROPOSAL

The revised ACOP

15. It is the policy of HSENI to maintain parity with the health and safety regime in Great Britain, where appropriate. Accordingly consultees are invited to comment on the proposal by HSENI that the revised ACOP, drafted by HSE, should be approved for use in Northern Ireland and the existing HSENI ACOP withdrawn.

16. The revised ACOP is available at the following location – Safe work in confined spaces. We are seeking views on the whole publication, i.e. the advice provided as ACOP and the associated guidance material. The difference in presentation and status of the contents of the publication is explained in the revised ACOP.

COSTS AND BENEFITS

17. The ACOP has been primarily revised to bring it up to date, accommodate amendments relating to new legal requirements and to make it clearer and more understandable for users. The legal duties it places on dutyholders, the advice it provides and the methods of compliance described remain largely unchanged. Dutyholders already complying with the Regulations are unlikely to need to change what they are doing. The benefits arising from the revised ACOP will predominantly be realised by new users seeking advice on achieving compliance or those accessing it to refresh their knowledge.

EQUALITY IMPACT

18. The proposals have been screened for any possible impact on equality of opportunity affecting the groups listed in section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified. A copy of the screening document is at Annex 1.

INVITATION TO COMMENT

19. HSENI would welcome your comments on the proposals in this CD. Comments are particularly welcome on the assumptions relating to costs and benefits relevant to Northern Ireland, and the conclusion that the proposals would have no adverse effect on any section 75 groups.

20. Comments, in whatever format you choose to use, should be sent to: -
so as to arrive not later than **noon on 31 August 2016**.

21. HSENI tries to make its consultation procedures as thorough and open as possible. Responses to this consultation will be kept at the office of HSENI at the above address after the close of this consultation period, where they can be inspected by members of the public or be copied to them. HSENI can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on confidentiality in relation to your response to this consultation.

22. The Environmental Information Regulations 2004 and the Freedom of Information Act 2000 give the public rights of access to information held by a public authority, namely, HSENI in this case. These rights of access to information include information provided in response to a consultation. HSENI cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.

23. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

June 2016

Health and Safety Executive for Northern Ireland
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

Proposal relating to a revised Approved Code of Practice (ACOP) - “Safe work in confined spaces: Confined Spaces Regulations 1997 (L101)”, drafted by the HSE, which HSENI proposes to approve for use in Northern Ireland.

Is this an existing, revised or a new policy?

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

This ACOP and guidance provides practical guidance on how to comply with the Confined Spaces Regulations 1997. The equivalent legislation in Northern Ireland is the Confined Spaces Regulations (Northern Ireland) 1999.

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

The benefits from the ACOP and guidance will apply equally to all S75 categories and to others affected by the guidance.

Who initiated or wrote the policy?

The Health and Safety Executive in Great Britain

Who owns and who implements the policy?

Subject to approval for use in Northern Ireland the policy is owned and implemented in Northern Ireland by the Health and Safety Executive for Northern Ireland.
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 - the ACOP and guidance is principally relevant to employers and self-employed people (dutyholders) as well as anyone who has responsibility for controlling work which may need to be carried out in a confined space, such as managers and supervisors.
Other policies with a bearing on this policy

• what are they?

The Löfstedt review of health and safety legislation ‘Reclaiming health and safety for all’. A UK Government independent review to make proposals for simplifying health and safety law.

• who owns them?

Department for Work & Pensions
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? Specify details for each of the Section 75 categories.

<table>
<thead>
<tr>
<th>Section 75 category</th>
<th>Details of evidence/information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td>Although there is no available data the revisions to guidance apply equally beneficially to all Section 75 categories and others.</td>
</tr>
<tr>
<td>Political opinion</td>
<td>As above.</td>
</tr>
<tr>
<td>Racial group</td>
<td>As above.</td>
</tr>
<tr>
<td>Age</td>
<td>As above.</td>
</tr>
<tr>
<td>Marital status</td>
<td>As above.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>As above.</td>
</tr>
<tr>
<td>Men and women generally</td>
<td>As above.</td>
</tr>
<tr>
<td>Disability</td>
<td>As above.</td>
</tr>
<tr>
<td>Dependants</td>
<td>As above.</td>
</tr>
</tbody>
</table>
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 for each of the Section 75 categories

<table>
<thead>
<tr>
<th>Section 75 category</th>
<th>Details of needs/experiences/priorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td>Although there is no available data the revisions to guidance apply equally beneficially to all Section 75 categories and others.</td>
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<td>Marital status</td>
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</tr>
<tr>
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</tr>
<tr>
<td>Disability</td>
<td>As above.</td>
</tr>
<tr>
<td>Dependants</td>
<td>As above.</td>
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</tbody>
</table>
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.
<table>
<thead>
<tr>
<th>Section 75 Category</th>
<th>Details of policy impact</th>
<th>Level of impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td>Revisions to the ACOP and guidance on how to comply with the requirements of the Confined Spaces Regulations 1997. It is proposed that the ACOP should be approved for use in Northern Ireland.</td>
<td>None. The revisions to the ACOP and guidance have no bearing on equality of opportunity.</td>
</tr>
<tr>
<td>Political opinion</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>Racial group</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>Age</td>
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<td>As above</td>
</tr>
<tr>
<td>Disability</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>Dependents</td>
<td>As above</td>
<td>As above</td>
</tr>
</tbody>
</table>
Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

<table>
<thead>
<tr>
<th>Section 75 category</th>
<th>If Yes, provide details</th>
<th>If No, provide reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td></td>
<td>The revisions to the ACOP and guidance will apply equally beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of equality of opportunity.</td>
</tr>
<tr>
<td>Political opinion</td>
<td></td>
<td>As above</td>
</tr>
<tr>
<td>Racial group</td>
<td></td>
<td>As above</td>
</tr>
<tr>
<td>Age</td>
<td></td>
<td>As above</td>
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<td>Marital status</td>
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<td>As above</td>
</tr>
<tr>
<td>Dependants</td>
<td></td>
<td>As above</td>
</tr>
</tbody>
</table>
3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

<table>
<thead>
<tr>
<th>Section 75 category</th>
<th>Details of policy impact</th>
<th>Level of impact minor/major/none</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td>Revisions to the ACOP and guidance on how to comply with the requirements of the Confined Spaces Regulations 1997. It is proposed that the ACOP should be approved for use in Northern Ireland.</td>
<td>None. The revisions to the ACOP and guidance have no bearing on good relations between people of different religious belief, political opinion or racial group.</td>
</tr>
<tr>
<td>Political opinion</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>Racial group</td>
<td>As above</td>
<td>As above</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Good relations category</th>
<th>If Yes, provide details</th>
<th>If No, provide reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious belief</td>
<td>The revisions to the ACOP and guidance will apply equally</td>
<td></td>
</tr>
</tbody>
</table>
beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of good relations between people of different religious belief, political opinion or racial group.

<table>
<thead>
<tr>
<th>Political opinion</th>
<th>As above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racial group</td>
<td>As above</td>
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</table>

**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).*

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

Although there is no available data the revisions to guidance will apply equally to all of the Section 75 Groups and adverse impact on people with multiple identities is not anticipated.
Part 3. Screening decision

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

The provisions of the proposed revised ACOP and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally and to the same extent as other groups.

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.

The provisions of the proposed revised ACOP and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally. There are, therefore, no grounds for mitigation or alternative policies.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

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?

If so, give the reasons to support your decision, together with the proposed changes/amendments or alternative policy.
**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.

<table>
<thead>
<tr>
<th>Priority criterion</th>
<th>Rating (1-3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effect on equality of opportunity and good relations</td>
<td></td>
</tr>
<tr>
<td>Social need</td>
<td></td>
</tr>
<tr>
<td>Effect on people’s daily lives</td>
<td></td>
</tr>
<tr>
<td>Relevance to a public authority’s functions</td>
<td></td>
</tr>
</tbody>
</table>

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. 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.
5. 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.
ANNEX 2

Name of Consultees
Action on Hearing Loss
Advice NI
AES
Age NI
Age Sector Platform
Agency for the Legal Deposit Libraries
Alliance Party
Allpipe Engineering Ltd.
An Munia Tober
Archbishop of Armagh and Primate of all Ireland
Ards Business Centre Ltd.
Argyle Business Centre Ltd.
Armagh Business Centre Ltd.
Aspergers Network
Attorney General (NI)
Autism Northern Ireland
Ballymena Business Centre Ltd.
Banbridge Enterprise Centre
Bar Council
Belfast Centre for the Unemployed
Belfast City Centre Management
Belfast Harbour Commissioners
Belfast Health and Social Care Trust
Belfast Hebrew Congregation
Belfast Islamic Centre
Belfast Solicitors Association
Bishop of Down and Connor
Board of Deputies of British Jews
BOC
Bombardier
British Deaf Association
British Library – Legal Deposit Office
Bryson House
BSC and Electric Ireland
Buildhealth NI
Business in the Community
Calor Gas (NI) Ltd.
Cancer Focus Northern Ireland
Cara-Friend
Carers NI
Carrickfergus Enterprise Agency Ltd.
Catholic Bishops of Northern Ireland
Causeway Enterprise Agency Ltd.
Cedar Foundation
Central Services Agency
Chartered Institute of Environmental Health NI
Chemical Business Association
Chief Constable Police Service of Northern Ireland

Children in Northern Ireland
Children’s Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association
Civil Law Reform Division
Civil Service Occupational Health Service
Commission for Victims and Survivors
Commissioner for Older People Northern Ireland
Committee on the Administration of Justice
Communication Access
Community Foundation for Northern Ireland
Community Relations Council
Construction Employers’ Federation
Construction Industry Training Board NI
Cookstown Enterprise Centre Ltd.
Co-Operation Ireland
Council for Catholic Maintained Schools
Countryside Services Ltd.
Courts and Tribunal Service
Creggan Enterprises Ltd.
Democratic Unionist Party
Disability Action
District Councils
Driver and Vehicle Testing Agency
Du Pont (UK) Industrial Ltd.
Dungannon Enterprise Centre Ltd.
East Belfast Community Development Agency
East Belfast Enterprise Park Ltd.
East Belfast Partnership Board
Eastern Group Environmental Health Committee
Education Authority
Employers For Disability NI
Engineering Employers’ Federation NI (EEF)
Equality Coalition
Equality Commission
Executive Council of the Inn of Court of NI
Falls Community Council
Federation of Small Businesses
Fermanagh Enterprise Ltd.
Fire Brigades Union
Food Standards Agency Northern Ireland
Forensic Science Agency of Northern Ireland
Foyle Women’s Information Network
Freight Transport Association
General Consumer Council for Northern Ireland
Gingerbread Northern Ireland
GMB
Gray & Adams (Ireland) Ltd
Greater Shankill Partnership
Green Party
Harland and Wolff Heavy Industries Ltd.
Health and Safety Executive
Health and Social Care Board HQ
Heron Brothers Ltd.
HM Council of County Court Judges
HM Revenue and Customers
Home Retail Group
Inclusive Mobility and Transport Advisory Committee (IMTAC)
INCORE Conflict Resolutions Ltd.
Indian Community Centre
Independent Political Parties
Information Commissioner's Office
Institute of Directors
Institute of Directors (NI Division)
Invest NI
Irish National Teachers' Organisation (INTO)
Judge G Conner
Justice for Asbestos Victims
Kesh Development Association Charitable Trust
Labour Party
Labour Relations Agency
Larne Development Forum
Law Centre (NI)
Law Society of Northern Ireland
Lonmin (NI) Ltd
Lord Chief Justice Office
Mallusk Enterprise Park
Maritime and Coastguard Agency
McAlorum Construction Ltd.
McClay Library, QUB
MENCAP
Methodist Church in Ireland
Mindwise
Ministry of Defence
MPs & MEPs (NI)
Mr Sam McKane
Musicians Union
Mutual Energy Ltd.
National Collection of NI Publications
National Library of Ireland
Newry and Mourne Enterprise Agency
North Belfast Partnership
North City Business Centre Ltd.
North Down Development Organisation Ltd.
North / South Ministerial Council
North West Community Network
Northern Group
Northern Health and Social Care Trust

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Northern Ireland Assembly Library
Northern Ireland Assembly Members
Northern Ireland Assembly – The Speaker
Northern Ireland Association for Mental Health
Northern Ireland Association for the Care and Resettlement of Offenders
Northern Ireland Audit Office
Northern Ireland Authority for Utility Regulation
Northern Ireland Association of Citizens Advice Bureaux
Northern Ireland Centre for Competitiveness
Northern Ireland Chamber of Commerce
Northern Ireland Chamber of Trade
Northern Ireland Commissioner for Children and Young People
Northern Ireland Committee/Irish Congress of Trade Unions
Northern Ireland Conservative Association
Northern Ireland Council for Ethnic Minorities
Northern Ireland Council for Voluntary Action
Northern Ireland Court Service
Northern Ireland Electricity
Northern Ireland Environment Link
Northern Ireland Fire and Rescue Service
Northern Ireland Gay Rights Association
Northern Ireland Housing Executive
Northern Ireland Human Rights Commission
Northern Ireland Judicial Appointments Commission
Northern Ireland Law Commission
Northern Ireland Local Government Association (NILGA)
Northern Ireland Prison Service
Northern Ireland Public Service Alliance (NIPSA)
Northern Ireland Public Service Ombudsman (NIPSO)
Northern Ireland Safety Group (NISG)
Northern Ireland Statistics and Research Agency (NISRA)
Northern Ireland Tourist Board
Northern Ireland Women's European Platform
NSPCC, Northern Ireland Regional Office
NUS/USI
NW Community Network
Occupational Health Service
Office of Industrial Tribunals
Omagh Enterprise Co. Ltd.
Ormeau Enterprises Ltd.
Participation the Practice of Rights Project
People Before Profit Alliance
Pharmaceutical Society of Northern Ireland
POBAL
Police Federation for Northern Ireland
Police Service of Northern Ireland
Presbyterian Church in Ireland
Prince's Trust
Progressive Unionist Party
Prospect
Quarry Products Association NI
Queen’s University
Roads Service
Roman Catholic Church
Roy Coulter Consulting Ltd.
Royal College of Midwives
Royal Institution of Chartered Surveyors (RICS)
Royal National Institute for the Blind (NI)
Rural Community Network
Rural Development Council
St. John Ambulance NI
Scotia Gas Networks (SGN)
SDLP
Seagate Technology (Ireland)
Sense NI
Services Industrial Professional Technical Union (SIPTU)
Sinn Fein
Social Security Agency
Society of Local Authority Chief Executives
South Belfast Partnership Board
South Eastern Health and Social Care Trust
South West Fermanagh Development Organisation Ltd.
Southern Group Environmental Health Committee
Southern Health and Social Care Trust
SSE Airtricity Energy Supply (NI) Ltd
Strabane Industrial Properties Ltd.
Tennants Textile Colours Ltd.
Townsend Enterprise Park Ltd.
Traditional Unionist Voice
Training for Women Network Ltd.
Translink
Transport Salaried Staff Association
UK Independence Party
UK National Committee of UN Women
Ulster Farmers’ Union
Ulster Scots Community Network
Ulster Teachers’ Union
Ulster Unionist Party
Union of Construction, Allied Trades and Technicians (UCATT)
Union of Shop, Distributive and Allied Workers (USDAW)
UNISON (Northern Ireland)
Unite the Union
University of Ulster
Volunteer Centre
Volunteer Now
Visual Access NI (Braille, Audio and DAISY)
Water Service
West Belfast Development Trust Ltd.
West Belfast Partnership Board
Western Group Environmental Service