



Health and Safety Executive for Northern Ireland

Proposals to Introduce Charges for the Assessment of Onshore Borehole Notifications

Consultative Document

May 2014

PROPOSALS TO INTRODUCE CHARGES FOR THE ASSESSMENT OF ONSHORE BOREHOLE NOTIFICATIONS

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This Consultative Document (CD) is based on the relevant paragraphs of the Great Britain (GB) CD concerning the introduction of charges for the assessment of onshore borehole notifications entitled “*HSE Proposal for extending cost recovery*” issued by the GB Health and Safety Executive, whose assistance is gratefully acknowledged.

If you would prefer a printed version, it can be obtained on request. Furthermore, if you require a more accessible format, executive summaries are available in Braille or large print, on disc or audio-cassette, 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 Robert Greer at the address shown at paragraph 27.

INTRODUCTION

1. This CD seeks comments on proposals by the Health and Safety Executive for Northern Ireland (HSENI) to introduce charges for the assessment of onshore borehole notifications by amending the Health and Safety (Fees) Regulations (Northern Ireland) 2012 (S.R. 2012 No. 255) (“the 2012 Regulations”).
2. The proposed Regulations will be known as the Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014 (“the Amendment Regulations”) (see **Annex 1**).
3. The proposed introduction of charges does not impose any new health and safety requirements on dutyholders. HSENI’s aim is to continue to provide protection for workers and society from the effects of work activities, while shifting some of the cost burden from the taxpayer to those businesses that operate onshore boreholes.

BACKGROUND

4. Given the potential for major hazard incidents, operators of onshore boreholes and others entitled to drill boreholes are subject to the requirements of regulation 6 of the Borehole Sites and Operations Regulations (Northern Ireland) 1995 (S.R. 1995 No. 491). This requires a notification to be sent to HSENI before borehole construction, intervention or abandonment operations commence.
5. HSENI assesses these notifications to ensure adequate design, and then verifies that they are operated safely through inspection.
6. HSENI proposes to recover its costs for the time spent in assessing notifications submitted under the provisions of regulations 6(1), 6(2), 6(3), 6(4) and 6(5) of the Borehole Sites and Operations Regulations (Northern Ireland) 1995. This includes time spent on the following activities:
 - desktop assessment work;
 - on-site verification inspection work;
 - meetings (wherever they take place);
 - telephone conversations; and
 - report writing.

PROPOSED NEW CHARGES

7. Under the proposed legislative change those who notify HSENI of their intention to operate an onshore borehole would pay the costs incurred by HSENI.
8. It is normal policy, all other things being equal, for Northern Ireland health and safety fees and charges to be maintained in parity with those charged in Great Britain (GB) for corresponding services.
9. The amount is not specified in the proposed Regulations but shall not exceed the sum of the costs reasonably incurred by HSENI.
10. As the expertise required to undertake notification assessment work resides with specialists with detailed knowledge of the industry, the charge is calculated based on the time spent on the particular cost recoverable activity, multiplied by a pre-determined hourly rate. The current cost recovery rate for boreholes notification work is £166 per hour.

REASON FOR PROPOSED NEW CHARGES

11. Onshore Boreholes represent a major hazard risk and are subject to additional regulatory controls.
12. The proposals will enable HSENI to put in place a regime to recover the cost of its activities with respect to the assessment of notifications under the Borehole Sites and Operations Regulations (Northern Ireland) 1995.
13. It will also ensure compliance with the guidance contained in “Managing Public Money Northern Ireland”¹.

CURRENT CHARGES

14. HSENI’s policy is to charge for a range of activities collectively described as “permissioning” work. This allows the duty holder – for example – to trade in a dangerous substance or carry out work in hazardous conditions, once HSENI is satisfied with the control mechanisms in place.
15. “Permissioning” activities which are currently charged for include assessing and accepting safety cases, issuing licences, issuing certificates, granting approvals, granting exemptions from regulations and accepting notifications.
16. The proposed new charges are therefore analogous to some of the “permissioning” regimes already in place.

¹ See <http://www.dfpni.gov.uk/afmd-mpmni>

RELATIONSHIP WITH GREAT BRITAIN

17. The proposals set out in this CD do not differ in any significant way from the relevant proposals contained in the corresponding GB CD (see the acknowledgement on page 1 of this CD). Such differences as do occur relate only to Northern Ireland legislation and institutions.
18. Charges for the assessment of onshore borehole notifications were introduced in GB in 2012. The proposed Northern Ireland charges are identical to those charged in GB for similar services since October 2012.

COSTS

19. An assessment of the costs associated with the introduction of the proposed charges can be found at **Annex 2**. Overall the annual cost to NI business is estimated as £100K.
20. In arriving at this figure HSENI examined the number of notifications and site-visits over the last 3 years (2011 - 2013) for which statistics are available. Although the future activity levels of onshore borehole work are extremely difficult to anticipate due to uncertainties around this particular sector, it is thought there will be an increase in borehole activity in the future. HSENI currently forecast that there will be an average of 200 borehole notifications during 2014 and for each subsequent year.
21. The introduction of new charges will undoubtedly impact on those required to complete onshore borehole notifications. However, this has to be set against the fact that charges for comparable services in Great Britain have been in force since October 2012 and it appears reasonable that such charges should be maintained at a consistent level across the UK.
22. Before finalising its proposals HSENI will take into account any further evidence provided from the consultation process.
23. Comments on the above approach and conclusions would be welcome.

EQUALITY IMPACT

24. 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 3**.

HUMAN RIGHTS

25. HSENI has considered the matter of Convention rights and is satisfied that there are no matters of concern.

INVITATION TO COMMENT

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

27. Comments, in whatever format you choose to use, should be sent to: -

Mr Robert Greer
Health and Safety Executive for Northern Ireland
83 Ladas Drive,
Belfast, BT6 9FR
Tel: (028) 90 546 817; Fax: (028) 90 235 383;
Textphone: (028) 90 546 896
E-mail: robert.greer@hse.gov.uk

so as to arrive not later than noon on **Monday 4 August 2014**.

28. 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 the confidentiality given by you in response to this consultation.

29. The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, namely, HSENI in this case. This right of access to information includes 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. If you do not wish information about your identity to be made public, please include an explanation in your response.

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

May 2014

Health and Safety Executive for Northern Ireland

 STATUTORY RULES OF NORTHERN IRELAND

2014 No. 000**HEALTH AND SAFETY**
**The Health and Safety (Fees) (Amendment) Regulations
(Northern Ireland) 2014**

Made - - - - *xxth xxx 2014*

Coming into operation - *xxth xxx 2014*

The Department of Enterprise, Trade and Investment(**a**), being the Department concerned(**b**), makes the following Regulations in exercise of the powers conferred by Articles 40(2) and (4), 49 and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978 (“the 1978 Order”)(**c**).

The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A) of the 1978 Order(**d**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014 and shall come into operation on xxth xxx 2014.

(2) In these Regulations—

“the 2012 Regulations” means the Health and Safety (Fees) Regulations (Northern Ireland) 2012(**e**); and

“the Executive” means the Health and Safety Executive for Northern Ireland.

Amendment of the 2012 Regulations

2.—(1) The 2012 Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) After regulation 12, insert—

**“Fees for notifications under the Borehole Sites and Operations Regulations
(Northern Ireland) 1995**

12A.—(1) Subject to paragraph (3), a fee is payable to the Executive by the person referred to in column 2 of Schedule 9 for the performance by the Executive of such functions conferred on it as are specified in column 1 of that Schedule.

-
- (a) Formerly the Department of Economic Development; *see* S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services, *see* S.I. 1982/846 (N.I. 11), Article 3
- (b) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
- (c) S.I. 1978/1039 (N.I. 9)
- (d) Article 13(1) was substituted by S.I. 1998/2795 (N.I. 18), Article 4
- (e) S.R. 2012 No. 255

- (2) Any fee referred to in paragraph (1) is—
- (a) not to exceed the sum of the costs reasonably incurred by the Executive for the performance of the function; and
 - (b) payable within 30 days from the date of the invoice that the Executive has sent or given to the person who shall pay that fee, and such invoices shall include a statement of the work done and the costs incurred, including the period to which the statement relates.

(3) No fee is payable under paragraph (1) for the performance by the Executive of the functions specified in column 1 of Schedule 9 to the extent that, in respect of any such function, a fee is payable or has been paid pursuant to the Control of Major Accident Hazard Regulations (Northern Ireland) 2000(a).

(4) For the purposes of this regulation and Schedule 9, “the 1995 Regulations” means the Borehole Sites and Operations Regulations (Northern Ireland) 1995(b), and “borehole site” and “operator” have the same meaning as in those Regulations.”

(3) After Schedule 8 insert Schedule 9 as set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on xxth xxx 2014.



Name of Senior Officer

A senior officer of the Department of Enterprise, Trade and Investment

(a) S.R. 2000 No. 93, amended by S.R. 2005 No. 305, S.R. 2008 No. 424, S.R. 2009 No. 132 and S.R. 2013 No. 161
(b) S.R. 1995 No. 491, amended by S.R. 1999 No. 150 and S.R. 2000 No. 388

SCHEDULE

Regulation 2(3)

SCHEDULE TO BE INSERTED AFTER SCHEDULE 8 TO THE
HEALTH AND SAFETY (FEES) REGULATIONS (NORTHERN
IRELAND) 2012

“SCHEDULE 9

Regulation 12A

FEES FOR NOTIFICATIONS UNDER THE BOREHOLE SITES
AND OPERATIONS REGULATIONS (NORTHERN IRELAND)
1995

Column 1	Column 2
<i>Function</i>	<i>Person by whom fee is payable</i>
Assessing a notification sent to the Executive pursuant to regulation 6(1) of the 1995 Regulations for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator of a borehole site
Assessing a notification sent to the Executive pursuant to regulation 6(2) of the 1995 Regulations for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator of a borehole site
Assessing a notification sent to the Executive pursuant to regulation 6(3) of the 1995 Regulations for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The person entitled to drill the borehole
Assessing a notification sent to the Executive pursuant to regulation 6(4) of the 1995 Regulations for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator of a borehole site
Assessing a notification sent to the Executive pursuant to regulation 6(5) of the 1995 Regulations for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator of a borehole site or, in the case of particulars previously notified under regulation 6(3) of the 1995 Regulations, the person entitled to drill the borehole”

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Health and Safety (Fees) Regulations (Northern Ireland) 2012 (S.R. 2012 No. 255).

2. These Regulations introduce fees payable by specified persons in respect of the performance by the Executive of certain functions specified in the Borehole Sites and Operations Regulations (Northern Ireland) 1995 (*regulation 2 and Schedule*).

3. An estimate of the costs associated with these Regulations has been prepared by the Executive and is held at its offices at 83 Ladas Drive, Belfast, BT6 9FR, from where a copy may be obtained on request.

NORTHERN IRELAND COSTS ANALYSIS

Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014

PROPOSAL

The Health and Safety Executive for Northern Ireland (HSENI) proposes to introduce charges for the assessment of onshore borehole notifications by amending the Health and Safety (Fees) Regulations (Northern Ireland) 2012 (S.R. 2012 No. 255) (“the 2012 Regulations”).

The proposed Regulations will be known as the Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014 (“the Amendment Regulations”).

REASON FOR PROPOSED NEW CHARGES

The proposals will enable HSENI to put in place a regime to recover the costs of its activities with respect to the assessment of notifications of onshore boreholes. It will also ensure compliance with the guidance contained in ‘Managing Public Money Northern Ireland’¹, which refers to full cost recovery for chargeable statutory functions.

The proposals do not introduce any new health and safety requirements for dutyholders. However, they transfer the cost burden from the taxpayer to those that operate onshore boreholes

DETAIL

Given the potential for major hazard incidents, operators of onshore boreholes and others entitled to drill boreholes are subject to the requirements of regulation 6 of the Borehole Sites and Operations Regulations (Northern Ireland) 1995 (S.R. 1995 No. 491). This requires a notification to be sent to HSENI before borehole construction, intervention or abandonment operations commence.

HSENI assesses these notifications to ensure adequate design, and then verifies that they are operated safely through inspection.

HSENI proposes to recover its costs for the time spent in assessing notifications submitted under the provisions of regulations 6(1), 6(2), 6(3), 6(4) and 6(5) of the Borehole Sites and Operations Regulations (Northern Ireland) 1995. This includes time spent on the following activities:

- desktop assessment work;
- on-site verification inspection work;

¹ See <http://www.dfpni.gov.uk/afmd-mpmni>

- meetings (wherever they take place);
- telephone conversations; and
- report writing.

PROPOSED NEW CHARGES

It is normal policy, all other things being equal, for Northern Ireland health and safety fees and charges to be maintained in parity with those charged in Great Britain (GB) for corresponding services.

The amount is not specified in the proposed Regulations but shall not exceed the sum of the costs reasonably incurred by HSENI.

The charge is calculated based on the time spent on the particular cost recoverable activity, multiplied by a pre-determined hourly rate. The current cost recovery rate for boreholes notification work is £166 per hour.

CURRENT CHARGES

HSENI's policy is to charge for a range of activities collectively described as "permissioning" work. This allows the duty holder – for example – to trade in a dangerous substance or carry out work in hazardous conditions, once HSENI is satisfied with the control mechanisms in place.

"Permissioning" activities which are currently charged for include assessing and accepting safety cases, issuing licences, issuing certificates, granting approvals, granting exemptions from regulations and accepting notifications.

The proposed new charges are therefore analogous to some of the "permissioning" regimes already in place.

EFFECTIVE DATE

The proposed new charges would apply in respect of each application for approval on or after the date of coming into operation of the proposed Regulations.

COMPARISON WITH GREAT BRITAIN

Charges for the assessment of onshore borehole notifications were introduced in GB in 2012. The proposed Northern Ireland charges are identical to those charged in GB for similar services since 9 October 2012.

IMPACT ON INDUSTRY

The charges for boreholes notification work will be payable by those who are dutyholders under regulations 6(1), 6(2), 6(3), 6(4) and 6(5) of the Borehole Sites and Operations Regulations (Northern Ireland) 1995.

Full economic costs will be recovered from industry.

The annual cost to NI business is estimated as £100K. In arriving at this figure HSENI examined the number of notifications and site-visits over the last 3 years (2011 - 2013) for which statistics are available.

Year	2011	2012	2013	Total
Number of notifications	143	468* (This figure included 338 for January 2012)	45 (up to 14/11/13)	656

*Note - Letters were sent out in August 2011 reminding companies of the need to notify Boreholes to HSENI hence sudden increase in 2012.

Although the future activity levels of onshore borehole work are extremely difficult to anticipate due to uncertainties around this particular sector, it is thought there will be an increase in borehole activity in the future. HSENI currently forecast that there will be an average of 200 borehole notifications during 2014 and for each subsequent year.

HSENI estimates that 600 hours will be spent on borehole activity during 2014 and each subsequent year.

Overall it is considered that the proposed new charges would not have a significant effect on NI industry. A full impact assessment is not produced.

HSENI
May 2014

DETI EQUALITY SCREENING FORM

Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

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

Information about the policy

Name of the policy

Proposals to Introduce Charges for the Assessment of Onshore Borehole Notifications.

Is this an existing, revised or a new policy?

New - the proposals will introduce charges for the assessment of onshore borehole notifications.

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

HSENI's aim is to continue to provide protection for workers and society from the effects of work activities, while shifting some of the cost burden from the taxpayer to those businesses that operate onshore boreholes.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

The policy will apply equally to all Section 75 categories and to others affected by the policy.

Who initiated or wrote the policy?

The proposals are to be submitted to DETI for the making of health and safety Regulations under the Health and Safety at Work (Northern Ireland) Order 1978. HSENI is responsible for devising and delivering the proposals to DETI. If DETI accepts the proposals, it is responsible for enacting the legislation.

Who owns and who implements the policy?

HSENI owns the policy. In the main fees will be collected by HSENI.

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 – fees are payable by the owners and/or operators of boreholes.

Other policies with a bearing on this policy

- what are they?

Policies relating to relevant health and safety legislation that attract fees.

- who owns them?

HSENI

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.

Section 75 category	Details of evidence/information
Religious belief	The policy applies equally to all Section 75 categories and others. Available data relates to the number of onshore borehole notifications received by HSENI.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual Orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

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

Section 75 category	Details of needs/experiences/priorities
Religious belief	The proposals are designed to introduce a charge for the assessment of onshore borehole notifications by amending the Health and Safety (Fees) Regulations (Northern Ireland) 2012. They are designed to maintain services and thus address issues common to all Section 75 categories.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 detailed below.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which

there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;

- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions detailed below and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 Category	Details of policy impact	Level of impact? minor/major/none
Religious belief	The proposals are designed to enable HSENI to recover operating costs. This will impact on those borehole operators that have responsibilities under the onshore boreholes health and safety provisions, in that they may incur higher costs.	None – The policy has no direct impact on equality of opportunity.
Political opinion	As above	None
Racial group	As above	None
Age	As above	None
Marital status	As above	None
Sexual orientation	As above	None
Men and women generally	As above	None
Disability	As above	None
Dependants	As above	None

2 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		The policy will apply equally to all Section 75 groups and others and will have no direct impact on promotion of equality of opportunity.
Political Opinion		As above
Racial group		As above
Age		As above
Marital status		As above
Sexual orientation		As above
Men and women generally		As above
Disability		As above
Dependants		As above

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?		
Section 75 category	Details of policy impact	Level of impact minor/major/none
Religious belief	The proposals are designed to enable HSENI to recover operating costs. This will impact on those borehole operators that have responsibilities under the onshore boreholes health and safety provisions, in that they may incur higher costs.	None
Political opinion	As above	None
Racial group	As above	None

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes , provide details	If No , provide reasons
Religious belief		The proposals will not contribute to or detract from the promotion of good relations between these groups.
Political opinion		As above
Racial group		As above

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

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 policy will apply equally to all of the Section 75 Groups and potential 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 proposals will apply equally to all of the Section 75 Groups 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 policy has no specific impact on equality of opportunity or good relations. 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.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

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.

Name of Consultees

Action on Hearing Loss
 Age NI
 Age Sector Platform
 Agency for the Legal Deposit Libraries
 Alliance Party
 Allpipe Engineering Ltd.
 Amalgamated Engineering and Electrical Union
 AMEY BPO
 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
 Association of British Insurers
 Association of Consulting Engineers (NI Branch)
 Association of Independent Advice Centres
 Association of Local Authorities of Northern Ireland
 Association of Teachers and Lecturers
 Association of University Teachers
 Atlas Environmental NI
 Attorney General (NI)
 Autism Northern Ireland
 Bakers, Food and Allied Workers Union
 Ballymena Business Centre Ltd.
 Banbridge Enterprise Centre
 Bar Council
 Barnardos
 Belfast Centre for the Unemployed
 Belfast City Centre Management
 Belfast Education and Library Board
 Belfast Harbour Commissioners
 Belfast Health and Social Care Trust
 Belfast Hebrew Congregation
 Belfast Islamic Centre
 Belfast Marine Engineering Employers' Association
 Belfast Solicitors Association
 BGE (NI)
 Bishop of Down and Connor
 Board of Deputies of British Jews
 Bord Gais HQ
 Borough Councils
 Brigantes Energy Ltd
 British Chemical Distributors and Traders Association
 British Clothing Industry Association (NI)
 British Library – Legal Deposit Office
 British Medical Association

British Oxygen Company
Bryson House
Budget Energy Ltd.
Buildhealth NI
Business in the Community
Cairn Energy plc
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
Chadwyck-Healey Ltd.
Chartered Institute of Environmental Health, NI
Chartered Institute of Marketing
Chemical Business Association
Chief Constable Police Service of Northern Ireland
Child Care Northern Ireland
Children in Northern Ireland
Children's Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association
Cinematograph Exhibitors' Association
City Councils
Civil Law Reform Division
Civil Service Occupational Health Service
Colloide Engineering Systems
Commission for Victims and Survivors
Commissioner for Children and Young People for NI
Commissioner for Older People for Northern Ireland
Committee on the Administration of Justice
Communication Access
Communication Workers' Union (CWU)
Community Foundation for Northern Ireland
Community Relations Council
Community Relations Training Learning Consortium
Community Union
Confederation of British Industry
CONNECT
Conroy Gold & Natural Resources plc
Construction Employers' Federation
Construction Industry Training Board
Cookstown Enterprise Centre Ltd.
Coolkeeragh Power Ltd.
Co-Operation Ireland
Council for Catholic Maintained Schools
Countryside Services Ltd.

Courts and Tribunal Service
Craigavon Industrial Development Organisation Ltd.
Creggan Enterprises Ltd.
Dalradian Gold Ltd.
Deaf Association Northern Ireland
Democratic Unionist Party
Derry Well Woman
Desmond and Sons Ltd.
Disability Action
District Councils
Down's Syndrome Association
Driver and Vehicle Testing Agency
Driver Training Services
Du Pont (UK) Ltd.
Dungannon Enterprise Centre Ltd.
East Belfast Community Development Agency
East Belfast Enterprise Park Ltd.
East Belfast Partnership Board
Eastern Group Environmental Health Committee
Employers For Disability NI
Electric Ireland
Energia
Engineering Employers' Federation NI (EEF)
Engineering Training Council
Engineers' and Managers' Association (EMA)
Equality Coalition
Equality Commission
Equipment Hire Association of Northern Ireland Ltd
Equity
Executive Council of the Inn of Court of NI
Falls Community Council
Federation of Small Businesses
Federation of Petroleum Suppliers
Federation of the Retail Licensed Trade (NI)
Fermanagh Enterprise Ltd.
Fire Brigades Union
Firmus Energy
Food Standards Agency Northern Ireland
Forensic Science Agency of Northern Ireland
Fortress Pro-Tec Ltd
Foyle Meats
Foyle Women's Information Network
FPA NI (formerly Family Planning Association)
Freight Transport Association
Gaelectric
General Consumer Council for Northern Ireland
Gingerbread Northern Ireland
Glass and Glazing Federation
GMB
Graphical Paper and Media Union

Gray & Adams (Ireland) Ltd
 Greater Shankill Partnership
 Green Party
 Guide Dogs for the Blind Association
 Harland and Wolff Heavy Industries Ltd.
 Health and Safety Executive
 Health and Social Care Board
 Heating and Ventilating Contractors' Association
 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
 Infrastrata plc
 Institute of Acoustics
 Institute of Directors
 Institute of Directors (NI Division)
 Institute of Professionals, Managers and Specialists (IPMS)
 Institute of Quarrying
 Invest NI
 Irish Bank Officials Association
 Irish National Teachers Organisation
 Irish Salt Mining & Exploration Co. Ltd.
 Islandmagee Storage Ltd.
 James G McAlorum Ltd.
 John Mackle (Moy) Ltd.
 Joint Industry Board for the Electrical Engineering Industry
 Judge McKibbin
 Justice for Asbestos Victims
 Kesh Development Association Charitable Trust
 Labour Party
 Labour Relations Agency
 Lafarge Cement
 Lagan Group
 Larne Development Forum
 Law Centre (NI)
 Law Society of Northern Ireland
 Lilliput Services
 Local Government Staff Commission for NI (LGSC)
 Lonmin (NI) Ltd.
 Lord Chief Justice Office
 Magherafelt Women's Group
 Mallusk Enterprise Park
 Maritime and Coastguard Agency
 Mastic Asphalt Federation (NI)
 McClay Library, QUB

Mr B McClintock
 McGrigors, Solicitors
 MENCAP
 Metallum Exploration Ltd.
 Methodist Church in Ireland
 Mindwise
 Ministry of Defence
 MPs & MEPs (NI)
 Mr George Condell
 Mr Richard Steele
 Musicians Union
 National Association of Schoolmasters/Union of Women Teachers
 National Association of Teachers in Further and Higher Education
 National Collection of NI Publications
 National Library of Ireland
 National Union of Rail, Maritime and Transport Workers
 Newry and Mourne Enterprise Agency
 Newry and Mourne Senior Citizen's Consortium
 Newry and Mourne Women
 Newtownabbey Senior Citizen's Forum
 NI21
 NI-CO (Northern Ireland Public Sector Enterprises Ltd)
 NIGEN
 North Belfast Partnership
 North City Business Centre Ltd.
 North Down Development Organisation Ltd.
 North Eastern Education and Library Board
 North / South Ministerial Council
 North West Community Network
 North West Forum of People with Disabilities
 North West Industrial Health and Safety Group
 Northern Group
 Northern Group Systems
 Northern Health and Social Care Trust
 Northern Ireland African Cultural Centre
 Northern Ireland Agricultural Producers' Association
 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 Bakery Council
 Northern Ireland Bankers' Association
 Northern Ireland Centre for Competitiveness
 Northern Ireland Chamber of Commerce
 Northern Ireland Chamber of Trade
 Northern Ireland Committee/Irish Congress of Trade Unions

Northern Ireland Commissioner for Children and Young People
Northern Ireland Conservative Association
Northern Ireland Council for Ethnic Minorities
Northern Ireland Council for Integrated Education
Northern Ireland Council for the Curriculum, Examinations and Assessment
Northern Ireland Council for Voluntary Action
Northern Ireland Court Service
Northern Ireland Dairy Association
Northern Ireland Economic Research Centre
Northern Ireland Environment Link
Northern Ireland Fire and Rescue Service
Northern Ireland Gay Rights Association
Northern Ireland Hotels Federation
Northern Ireland Housing Executive
Northern Ireland Human Rights Commission
Northern Ireland Judicial Appointments Commission
Northern Ireland Law Commission
Northern Ireland Local Government Association
Northern Ireland Master Plumbers' Association
Northern Ireland Occupational Health and Safety Group
Northern Ireland Oil Federation
Northern Ireland Polymers Association
Northern Ireland Prison Service
Northern Ireland Public Service Alliance (NIPSA)
Northern Ireland Quarry Owners' Association
Northern Ireland Railways
Northern Ireland Resident Magistrates' Association
Northern Ireland Safety Group
Northern Ireland Spinners Ltd.
Northern Ireland Statistics and Research Agency (NISRA)
Northern Ireland Textiles and Apparel Association Ltd
Northern Ireland Timber Trades' Association
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.
Omagh Minerals Ltd.
Omagh Women's Area Network
Ormeau Enterprises Ltd.
Participation the Practice of Rights Project
Pass International
Peter Scott Health and Safety
Pharmaceutical Society of Northern Ireland
Phoenix Natural Gas
POBAL
Police Federation for Northern Ireland

Police Service of Northern Ireland
 Power NI (formerly NIE)
 Premier Power Limited
 Presbyterian Church in Ireland
 PricewaterhouseCoopers
 Prince's Trust
 Progressive Unionist Party
 Providence Resources NI Ltd.
 P.R. Singleton Ltd.
 Public Commerce Services Union (PCS)
 Quarry Products Association NI
 Queen's University
 Rathlin Energy (UK) Ltd.
 Richards PLC
 Roads Service
 Roman Catholic Church
 Roy Coulter Consulting Ltd.
 Royal College of Midwives
 Royal College of Nursing of the UK (NI Board)
 Royal Institution of Chartered Surveyors in Northern Ireland
 Royal National Institute for the Blind (NI)
 Rural Community Network
 Rural Development Council
 Safety Advice Centre
 Save the Children
 SDLP
 Seagate Technology (Ireland)
 Senior Citizens Consortium Sperrin Lakeland
 Sense NI
 Services Industrial Professional Technical Union (SIPTU)
 Shorts Bombardier PLC
 Sinn Fein
 Skyglaze Architectural Systems Ltd.
 Social Security Agency
 Society of Local Authority Chief Executives
 Society of Occupational Medicine
 South Belfast Partnership Board
 South Eastern Education and Library Board
 South Eastern Health and Social Care Trust
 South West Fermanagh Development Organisation Ltd.
 Southern Education and Library Board
 Southern Group Environmental Health Committee
 Southern Health and Social Care Trust
 Spence Bryson Limited
 SRT Donnelly and Co.
 SSE Airtricity Energy Supply (NI) Ltd
 St John Ambulance NI
 Strabane Industrial Properties Ltd.
 Staff Commission for Education and Library Boards
 Sypol Ltd.

Tamboran Resources Pty. Ltd.
Tennants Textile Colours Ltd.
Terrain Energy Ltd.
Tesco Stores Ltd.
Thermomax Ltd.
Townsend Enterprise Park Ltd.
Traditional Unionist Voice
Trainfield Construction Ltd.
Training for Women Network Ltd.
Translink
Transport Salaried Staff Association
Transport Training Services Ltd.
Transtec Automotive (Campsie) Ltd.
UK Independence Party
UK National Committee of UN Women
Ulster Farmers' Union
Ulster Furniture Federation
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 at Coleraine
Volunteer Centre
Volunteer Now
Visual Access NI (Braille, Audio and DAISY)
Water Service
West Belfast Development Trust Ltd.
West Belfast Partnership Board
Western Education and Library Board
Western Group Environmental Service
Western Health and Social Care Trust
Westlink Enterprise Ltd.
William Keown Trust
Women's Forum NI
Women's Information NI
Women's Resource and Development Agency
Women's Support Network
Women's Training, Enterprise and Childcare
Workers' Party
Workspace
Youth Action Northern Ireland Gender Equality Unit