

Newry, Mourne and Down District Council Policy Screening Form

Policy Information

Name of the policy	Request to add 'unisex' symbol signage to single access toilets
Is this an existing, revised or new policy?	New – customer request
What is it trying to achieve (aims/outcomes)	<p>Leisure Services (Newry Leisure Services) received a customer comment asking that the Council consider adding a 'unisex' symbol to all single access toilets within Newry Leisure Centre <i>“so that anyone who identifies as Trans / non-binary has a place they feel comfortable using the bathroom”</i>.</p> <p>The customer comment was discussed at the Councillors' Equality & Good Relations Reference Group meeting on 29 September 2022. Members were supportive of the request and the consensus was that if progressed, this should be implemented across all Council facilities.</p> <p>If implemented, a 'unisex' symbol would be affixed to all single access toilets, including accessible toilets.</p>
Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.	Men, women, trans and non-binary people.
Who initiated or wrote the policy?	N/A
Who owns and who implements the policy?	Corporate

Implementation factors

	Yes	No
Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?	X	
If yes, are they Financial	X	
If yes, are they Legislative		
If yes, and they are Other please specify:		

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

	Yes	No
Staff	X	
Service users	X	
Other public sector		

organisations		
Voluntary/community/trade unions		
Other, please specify:		

Other policies with a bearing on this policy

What are they and who owns them	
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Available evidence

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

Section 75 Category	Details of needs/experiences/priorities																		
Religious belief	<table border="1"> <thead> <tr> <th>LGD</th> <th>All usual residents</th> <th>Catholic</th> <th>Protestant and other Christian</th> <th>Other religions</th> <th>None</th> </tr> </thead> <tbody> <tr> <td>Northern Ireland</td> <td>1,810,863</td> <td>817,385 (45.14%)</td> <td>875,717 (48.36%)</td> <td>16,592 (0.9%)</td> <td>101,169 (5.59%)</td> </tr> <tr> <td>Newry, Mourne & Down</td> <td>171533</td> <td>113200 (65.99%)</td> <td>34718 (20.34%)</td> <td>752 (0.43%)</td> <td>10229 (5.96%)</td> </tr> </tbody> </table> <p>(Source: Census Data 2011).</p> <p>The Committee of Experts which monitors the application of the European Charter for Regional or Minority Languages, upon which aspects of the Council's Irish language strategy are founded, emphasises that 'adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population is not to be considered an act of discrimination against the users of more widely used languages' (Source: Council of Europe (2010) – Report of the Committee of Experts on the Charter (UK 3rd Monitoring Cycle), 21.04.10, para 123).</p>	LGD	All usual residents	Catholic	Protestant and other Christian	Other religions	None	Northern Ireland	1,810,863	817,385 (45.14%)	875,717 (48.36%)	16,592 (0.9%)	101,169 (5.59%)	Newry, Mourne & Down	171533	113200 (65.99%)	34718 (20.34%)	752 (0.43%)	10229 (5.96%)
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Political opinion	<p>Elected political party representation is an approximate barometer of political opinion of people within the Council area.</p> <p>The party breakdown of the Council's elected members is as follows:</p> <table> <tr> <td>Sinn Féin</td> <td>16 seats</td> </tr> <tr> <td>SDLP</td> <td>11 seats</td> </tr> <tr> <td>Democratic Unionist</td> <td>5 seats</td> </tr> <tr> <td>Independents</td> <td>3 seats</td> </tr> <tr> <td>Ulster Unionist</td> <td>2 seats</td> </tr> <tr> <td>Alliance</td> <td>3 seats</td> </tr> </table>	Sinn Féin	16 seats	SDLP	11 seats	Democratic Unionist	5 seats	Independents	3 seats	Ulster Unionist	2 seats	Alliance	3 seats						
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	<p>TUV 1 seat</p> <p>The Council is committed to ensuring equality of opportunity for all of its service users it is not anticipated that the Irish Language Strategy will have any adverse impact on people from Unionist or other political perspectives i.e. providing access to services and information in Irish does not adversely impact upon the rights of others to access services and information in their preferred language(s) and positive actions to promote the Irish language do not constitute discrimination against others. (Source: Council of Europe, Advisory Committee on the Framework Convention for National Minorities (Third Opinion on the UK) ACFC/OP/III(2011)006, para 28, June 2011).</p>																																										
Racial group	<p>According to the 2011 Census, 1.8% (32,400) of the usually resident population of Northern Ireland belongs to minority ethnic groups; this is more than double the proportion in 2001 (0.8%).</p> <p>The minority ethnic language profile within the area serves as a possible indicator of the BME community profile.</p> <p>The composition of language groups in the Newry, Mourne and Down District Council area is noted by NISRA (2011) as follows:</p> <p>Minority Ethnic Language Profile of the Newry, Mourne and Down LGD Area</p> <table border="1" data-bbox="395 999 1382 1559"> <thead> <tr> <th>Main language of residents in Newry, Mourne and Down District LGD</th> <th>Number</th> <th>Percentage %</th> </tr> </thead> <tbody> <tr> <td>English</td> <td>156794</td> <td>97.15</td> </tr> <tr> <td>Polish</td> <td>2100</td> <td>1.18</td> </tr> <tr> <td>Lithuanian</td> <td>836</td> <td>0.47</td> </tr> <tr> <td>Irish</td> <td>367</td> <td>0.24</td> </tr> <tr> <td>Portuguese</td> <td>86</td> <td>0.05</td> </tr> <tr> <td>Slovak</td> <td>134</td> <td>0.08</td> </tr> <tr> <td>Chinese</td> <td>121</td> <td>0.07</td> </tr> <tr> <td>Tagalog/Filipino</td> <td>55</td> <td>0.03</td> </tr> <tr> <td>Latvian</td> <td>208</td> <td>0.25</td> </tr> <tr> <td>Russian</td> <td>109</td> <td>0.06</td> </tr> <tr> <td>Malayalam</td> <td>87</td> <td>0.05</td> </tr> <tr> <td>Hungarian</td> <td>74</td> <td>0.04</td> </tr> <tr> <td>Other</td> <td>755</td> <td>0.46</td> </tr> </tbody> </table> <p>This Irish Language Strategy will not impact adversely on people from different racial backgrounds or people with different language requirements: positive action for one language does not constitute discrimination against another language or language user. It may in fact contribute positively to a greater understanding of the linguistic diversity which exists within the Council area.</p>	Main language of residents in Newry, Mourne and Down District LGD	Number	Percentage %	English	156794	97.15	Polish	2100	1.18	Lithuanian	836	0.47	Irish	367	0.24	Portuguese	86	0.05	Slovak	134	0.08	Chinese	121	0.07	Tagalog/Filipino	55	0.03	Latvian	208	0.25	Russian	109	0.06	Malayalam	87	0.05	Hungarian	74	0.04	Other	755	0.46
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Age	<p>The age profile of the Newry, Mourne and Down LGD area at Census Day 2011 is as follows:</p> <table border="1" data-bbox="395 1962 1401 2029"> <thead> <tr> <th>Age Profile</th> <th>NI</th> <th>Newry, Mourne & Down</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>124382</td> <td>12721</td> </tr> </tbody> </table>	Age Profile	NI	Newry, Mourne & Down	0-4	124382	12721																																				
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5-7	67662	6876
8-9	43625	4595
10-14	119034	12287
15	24620	2599
16-17	51440	5260
18-19	50181	4570
20-24	126013	11570
25-29	124099	11805
30-34	373947	35122
45-59	347850	32556
60-64	94290	8624
65-74	145600	12817
75-84	86724	7453
85-89	21165	1849
90+	10231	829

In terms of fluency in Irish language by age in the Newry, Mourne and Down area, most fluent speakers of the Irish language are in the 12-15 age range. Accordingly, the Irish Language Strategy has potential to positively impact on people within this category. There is no evidence of adverse impact on older age profile categories.

Marital status

The table below illustrates the marital status profile of the Newry, Mourne and Down area:

Marital Status	Newry, Mourne and Down LGD	NI
All usual residents: Aged 16+ years	132455	1431540
Single (never married or never registered a same-sex civil partnership) Aged 16+ years	47722	517393 (35.14%)
Married: Aged 16+ years	65255	680831 (47.56%)
In a registered same-sex civil partnership: Aged 16+ years	102	1243 (0.09%)
Separated (but still legally married or still legally in a same-sex civil partnership): Aged 16+ years	4697	56911 (3.98%)
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	6271	78074 (5.45%)
Widowed or surviving partner from a same-sex civil partnership: Aged 16+ years	8408	97088 (6.78%)

Census data indicates that the majority of Irish speakers are single, followed closely by married people. This strategy may, therefore, have a positive impact on both single and married people, but will not adversely affect any other marital status grouping.

Sexual orientation	<p>Analysis of the Census 2011 indicates that between 2% and 10% of the population may be lesbian, gay or bisexual.</p> <p>There are no official statistics in relation to the number of gay, lesbian or bisexual people in Northern Ireland. However, research conducted by the HM Treasury shows that between 5% - 7% of the UK population identify themselves as gay, lesbian, bisexual or 'trans' (transsexual, transgendered and transvestite) (LGBT). This is a sizeable proportion of the population here in Northern Ireland.</p> <p><u>Promoting Inclusion for LGBT+ people, Blog by Geraldine McGahey, Chief Commissioner, Equality Commission for Northern Ireland, 6 July 2022</u></p> <p>“Looking first at sexual orientation, discrimination because of a person’s sexual orientation is prohibited in employment and when providing services. The allegation most frequently made against employers is that gay, lesbian or bisexual people have been subjected to harassment by co-workers. A common feature of industrial tribunal cases is employers’ failure to take reasonably practicable steps to prevent such behaviour from happening, which can lead tribunals to hold such employers liable for the discriminatory actions of their employees.</p> <p>Secondly, in relation to gender reassignment, discrimination is also prohibited in employment and service-provision under the sex discrimination legislation. Trans people are protected against unlawful discrimination on that ground if they intend to undergo, are undergoing or have undergone gender reassignment. That terminology is important because statutory law doesn’t refer to other terms that are in common usage, such as “transgender” or “non-binary” or “gender identity”. Legal cases relating to gender reassignment discrimination are less common than those relating to sexual orientation, but they are no less serious. They also offer an opportunity to explore the scope of the law’s protections against unlawful discrimination and may help to inform law and policy-makers about how to reform the law.</p> <p>Thus, there is a wide array of clear protections against unlawful discrimination available to LGBT people. There are also some areas where peoples’ legal rights deriving from different legal provisions interact.</p> <p>For example, employers and service-providers usually maintain some single-sex spaces, such as male-only or female-only toilets, changing rooms or hospital wards. Sex discrimination law allows this because it recognises that some spaces and situations exist where women may suffer serious embarrassment, or where they may reasonably object, if they were obliged to share the same facilities with men at the same time, and vice versa. This may have implications for some trans people in some contexts, should they wish to use the facility that corresponds to their acquired gender. In situations like this, it is important for employers and service-providers to try to find the appropriate balance that protects the dignity of all.”</p>

Men and women generally	<p>The sex profile for the Newry, Mourne and Down LGD is as follows:</p> <table border="1" data-bbox="411 365 1265 506"> <thead> <tr> <th>LGD</th> <th>Male</th> <th>Female</th> </tr> </thead> <tbody> <tr> <td>Northern Ireland</td> <td>887323</td> <td>923540</td> </tr> <tr> <td>Newry, Mourne and Down LGD</td> <td>83866</td> <td>85345</td> </tr> </tbody> </table> <p>Census data indicates slightly higher fluency rates in Irish among males, but this differential is not significant enough to result in any adverse impact for females.</p> <p><u>UK Government Press Release: All public buildings to have separate male and female toilets, Department for Levelling Up, Housing and Communities and Kemi Badenoch MP, 4 July 2022</u></p> <p>All new public buildings should have separate male and female toilets, the Department for Levelling Up, Housing and Communities has announced today (4 July 2022). The approach will mean women, who may need to use facilities more often for example because of pregnancy and sanitary needs, have appropriate facilities. The move follows a call for evidence which gathered a wide range of views, including from pregnant women, older people, disabled people and people who come under the protected characteristic of gender reassignment. The rise in 'gender neutral' toilets raised safety concerns from women who feel they are losing privacy and being unfairly disadvantaged.</p> <p>Separate unisex (or universal) toilets should be provided if there is space, but should not come at the expense of female toilets. A consultation will be launched in the autumn, which will also consider the design of unisex self-contained cubicles to maximise privacy and whether improvements to disabled persons toilets should be made. The changes will be made through building regulations and guidance. Disabled toilet provision will not be affected by the changes.</p> <p>Minister for Equalities Kemi Badenoch MP said: It is vital that women feel safe and comfortable when using public facilities, and that their needs are respected. These changes will ensure that separate toilets for men and women are preserved at the same time as providing universal toilets for those that want them. This is a common-sense approach.</p>	LGD	Male	Female	Northern Ireland	887323	923540	Newry, Mourne and Down LGD	83866	85345	
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Disability	<p>According to the 2011 Census 19.62% of people in the Newry, Mourne and Down District Council area have a long-term health problem or disability that limits their day-to-day activities;</p> <table border="1" data-bbox="395 1821 1402 2022"> <thead> <tr> <th>LGD</th> <th>All usual residents</th> <th>Long-term health problem or disability: Day-to-day activities</th> <th>Long-term health problem or disability: Day-to-day activities</th> <th>Long-term health problem or disability: Day-to-day activities not</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	LGD	All usual residents	Long-term health problem or disability: Day-to-day activities	Long-term health problem or disability: Day-to-day activities	Long-term health problem or disability: Day-to-day activities not					
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		limited a lot	limited a little	limited
Northern Ireland	1810863	215232 (11.89%)	159414 (8.8%)	1436217 (79.31%)
Newry, Mourne and Down	171533	19579 (11.4%)	14102 (8.22%)	135530 (79.01%)

In Northern Ireland the profile of people with a disability is cited as follows:

- More than 1 in 5 or 21% of the population in Northern Ireland has a disability The incidence of disability is higher in Northern Ireland than any other part of the UK
- 1 in 7 people in Northern Ireland have some form of hearing loss
- 5,000 sign language users who use British Sign Language (BSL) and/or Irish Sigh Language (ISL)
- In Northern Ireland there are 57,000 blind people or people with significant visual impairment
- 52,000 people with learning disabilities

(Source: Disability Action)

In respect of Irish, a smaller percentage of people who have a limiting longstanding illness are less likely to have knowledge of Irish than those who have no limiting longstanding illness (10% and 14% respectively). (Source: Knowledge and Use of Irish in Northern Ireland, Continuous Household Survey 2011/12).

It is not anticipated that this strategy will have any adverse impact on people with a disability. In respect of Irish, a smaller percentage of people who have a limiting longstanding illness are less likely to have knowledge of Irish than those who have no limiting longstanding illness (10% and 14% respectively). (Source: Knowledge and Use of Irish in Northern Ireland, Continuous Household Survey 2011/12).

It is not anticipated that this policy will have any adverse impact on people with a disability.

Dependants

Persons with dependents may be people who have personal responsibility for the care of a child (or children), a person with a disability, and / or a dependent older person.

There are 61,998 households in Newry, Mourne and Down, 37.5% of which have dependents. With regard to these figures, dependents are defined as those aged 0-15 years or those aged 16-18 years who are in full-time education and living with their parents or grandparents. Similar to the regional trend, the proportion of households with dependents in the District has declined from 50% in 1981 to 37.5% in 2011.

There are 5,466 lone parent households with dependent children in Newry, Mourne and Down which equates to almost 9% of number of total households in the District and is the fourth highest in Northern Ireland, after Belfast (17,036), Derry and Strabane (6,337) and Armagh, Banbridge and Craigavon (6,337). Half of the parents in lone parent household in Newry, Mourne and Down are unemployed, almost a quarter are in full time employment and over a quarter are in part time employment. 89% of the

	<p>parents in lone parent households are female compared to 11% who are male.</p> <p>In 2012, the teenage conception rate was 1.02 per 1,000 mothers, which is the third lowest in N.Ireland before Lisburn and Castlereagh and Fermanagh and Omagh.</p> <p>Available census information in terms of knowledge of Irish in houses with and without dependents indicates that although Irish speakers are more likely to come from households without dependent children, no adverse impacts are anticipated for those households with dependent children.</p>
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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	No needs, experiences and priorities have been identified.
Political opinion	No needs, experiences and priorities have been identified.
Racial group	No needs, experiences and priorities have been identified.
Age	No needs, experiences and priorities have been identified.
Marital status	No needs, experiences and priorities have been identified.
Sexual orientation	All people should feel safe and comfortable accessing toilet facilities.
Men and women generally	All people should feel safe and comfortable accessing toilet facilities.
Disability	Many single access toilets within Council facilities are designated accessible toilets. Council also has a number of Changing Places toilets.
Dependants	No needs, experiences and priorities have been identified.

Screening Questions

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

Section 75 category	Details of policy impact	Level of impact? Major/minor/none
Religious belief	No adverse impact identified.	None
Political opinion	No adverse impact identified.	None
Racial group	No adverse impact identified.	None
Age	No adverse impact identified.	None
Marital status	No adverse impact identified.	None
Sexual orientation	Addresses fear and safety issues, and positively contributes to dignity and respect for users accessing toilet facilities.	Minor - positive
Men and women generally	Addresses fear and safety issues, and positively contributes to dignity and respect for users accessing toilet facilities.	Minor - positive
Disability	Potential impact in relation to the immediate availability of an accessible toilet facility due to its use by a non-disabled customer. However, it should be noted that while accessible toilets are toilets that have been specially designed to better accommodate people with physical disabilities, they are self-contained toilet facilities used by people of different sex (male and female).	Minor
Dependants	No adverse impact identified.	None

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

Section 75 category	If Yes, provide details	If No, provide details
Religious belief		No
Political opinion		
Racial group		
Age		
Marital status		

Sexual orientation		
Men and women generally		
Disability		
Dependants		

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

Good relations category	Details of policy impact	Level of impact? Major/minor/none
Religious belief	No adverse impact identified.	None
Political opinion	No adverse impact identified.	None
Racial group	No adverse impact identified.	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 details
Religious belief		No
Political opinion		
Racial group		

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).

None

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

Screening Decision

In light of your answers to the previous questions, do you feel that the policy should (please underline one):

1. **Not be subject to an EQIA (with no mitigating measures required)**
2. Not be subject to an EQIA (with mitigating measures /alternative policies)

3. Not be subject to an EQIA at this time

4. Be subject to an EQIA

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

It is recommended the request to add 'unisex' symbol signage to single access toilets not be subject to an EQIA (with no mitigating measures required).

If implemented, a 'unisex' symbol would be affixed to all single access toilets, including accessible toilets.

While accessible toilets are toilets that have been specially designed to better accommodate people with physical disabilities, they are self-contained toilet facilities used by people of different sex (male and female).

It is not anticipated at this point that adding a unisex symbol to single access toilets would have an adverse impact upon people with a disability.

Taking all of the above into account, adding a unisex symbol to single door access toilets would therefore indicate to users that these are self-contained toilets which ensure dignity and privacy for all users.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

In light of these revisions, is there a need to re-screen the revised/alternative policy? Yes / No. If No, please explain why

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and prioritising EQIA

If 3. or 4, is the policy affected by timetables established by other relevant public authorities? NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. 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 EQIA.

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 EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development.

Please detail proposed monitoring arrangements below:

N/A

Approval and Authorisation

Screened by:	Position/Job Title	Date
Approved by:		
Colin Moffett	Head of Corporate Policy	2 December 2022