

**Department of Health**

**Draft Equality Action Plan**

**Draft Disability Action Plan**

**(2018-2023)**

**Consultation Response Questionnaire**

**Responses must be received no later than midnight on**

**WEDNESDAY 28 FEBRUARY 2018**

**November 2017**

**BACKGROUND**

**Equality Action Plan**

Section 75 of the Northern Ireland Act 1998 (the Act)[[1]](#footnote-1) requires public authorities, in carrying out their functions, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories as outlined below:

Section 75 (1):

In carrying out the functions as they relate to Northern Ireland there is a requirement to have due regard to the need to promote equality of opportunity between:

* persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
* men and women generally;
* persons with a disability and persons without; and
* persons with dependants and persons without.

Section 75 (2):

In addition, without prejudice to the obligations above, in carrying out the functions as they relate to Northern Ireland the Department is required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

**Disability Action Plan**

Under Section 49 (A) of the Disability Discrimination Act 1995 (DDA 1995) as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006, the Department of Health is required when carrying out its functions to have due regard to the need to:

* promote positive attitudes towards disabled people; and
* encourage participation by disabled people in public life.

Under Section 49(B) of the DDA 1995, the Department of Health is also required to submit to the Equality Commission a disability action plan showing how it proposes to fulfil these duties in relation to its functions.

The disability duties, like the duties under Section 75, adopt the mainstreaming approach and through equality screening tools the Department considers the effect of their policies, or likely impacts and if there is an opportunity to better promote positive attitudes towards disabled people or encourage their participation in public

Purpose

The attached questionnaire seeks your views on the draft Equality Action Plan and Disability Action Plan.

It is important to note that the plans relate solely to the Department of Health and its functions. The Department’s Arm’s Length Bodies (HSC Board, HSC Trust Public Health Agency etc.) are all deemed to be Public Authorities and are, therefore, responsible for their own Equality and Disability Action Plans specific to their functions.

Freedom of Information

Please note that responses to this consultation will be subject to the Freedom of Information Act 2000 which gives the right of access to the information held by public authorities. Before you submit your response, please read Appendix 1 about the effect of the Freedom of Information Act 2000 on the confidentiality of responses to public consultation exercises.

**DEPARTMENT OF HEALTH**

**DRAFT EQUALITY ACTION PLAN and DRAFT DISABILITY ACTION PLAN**

**CONSULTATION QUESTIONNAIRE**

The questionnaire can be completed by individual stakeholders, members of the public, or on behalf of a group or organisation.

**Your Details**

|  |  |
| --- | --- |
| Name: |  |
| Job Title: |  |
| Organisation: |  |
| Address: |  |
|  |  |
|  |  |
| Tel: |  |
| E-mail: |  |

**May we contact you should clarification be required on your response?**

**Yes / No**

 (delete as appropriate)

**Responses via this form on the website will be automatically submitted, however you may also print the form, or submit a response in any format, by email to** equality@health-ni.gov.uk **or by posting to:**

Department of Health

Equality & Human Rights Unit

Room D3

Castle Buildings

Belfast

BT4 3SJ

**Responses must be received no later than midnight on WEDNESDAY 28 FEBRUARY 2018**

Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.

**Questions**

**1. Have the appropriate health inequalities been identified?**

 **If not, please tell us why?**

**2. Do you broadly agree that the action measures in the Draft Equality Action Plan will have a positive impact on the Section 75 groups? YES/NO**

 **If not, please explain why not, and add any further comments.**

**3. Do you broadly agree that the action measures in the Draft Disability Action Plan will have a positive impact? YES/NO**

**If not, please explain why not, and add any further comments.**

**4. Do you have any other general comments on the draft Equality Action Plan and draft Disability Action Plan?**

Note: it would be helpful if commenting on specific items within the draft plans to quote the particular Action Measure number(s).

**THANK YOU FOR COMPLETING OUR QUESTIONNAIRE.**

**Appendix 1**

**FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS**

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department 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.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor’s Code of Practice on the Freedom of Information Act provides that:

* the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department’s functions and it would not otherwise be provided;
* the Department should not agree to hold information received from third parties “in confidence” which is not confidential in nature;
* acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner’s Office (or see website at: <http://www.informationcommissioner.gov.uk/>).

1. [↑](#footnote-ref-1)