

NIPSA

RESPONSE TO

DEPARTMENT OF
AGRICULTURE AND RURAL
DEVELOPMENT

EQUALITY IMPACT
ASSESSMENT

FOR THE ROLL-OUT OF DARD
DIRECT

SEPTEMBER 2008

NIPSA - THE LEADING PUBLIC SERVICE UNION

INTRODUCTION

NIPSA is the largest trade union in Northern Ireland representing over 44,000 members within the civil and public services. This includes staff at all grades in the Department of Agriculture and Rural Development and specifically in this case those affected by the DARD Direct initiative. With reference to the EQIA public consultation phase NIPSA made direct representations to the Department and the Minister seeking an extension to the 9 week period.

We firmly believe it was irresponsible of the Department to undertake a public consultation exercise in the middle of the summer holidays and also during a very busy period for farmers and the rural community. This may well prevent many organisations, groups, farmers, staff and relevant stakeholders from being provided with the opportunity to consider and respond. At the very least NIPSA expected the consultation period to be 12 weeks which is generally accepted as good practice. Following consultation with our members, the NIPSA Agriculture Departmental Committee, and other stakeholders the following is our response to the EQIA document. By way of assistance we have aligned our comments with the specific report paragraphs.

DARD DIRECT PROGRAMME

Para 2.1 Current Service Delivery: NIPSA concur with the references in this paragraph to '*older buildings*' etc which are generally in poor condition. However we do not accept that this is a valid reason for closing these offices and as a direct result removing that service from the rural community. These offices where possible should be refurbished, made DDA compliant with greater accessibility to all consistent with a vibrant modern workplace environment for customers and staff. Much of the service delivery is dependent on ICT and Telephony neither of which is geographically restricted and could be "*rolled out*" at a reduced cost. Alongside enhanced effective and relevant training the Department could achieve delivery of the DARD Direct "*one stop shop*" at most of the existing sites.

Para 2.2 What is DARD Direct: The evaluation of the Pilot Scheme was strongly challenged by NIPSA. In our view the report sought to rely on “*anecdotal evidence*” and it also referred to lack of quantitative information on performance against the objectives, targets and outcomes identified with the economic appraisal, which is a key area.

Furthermore the economic appraisal was predicated on the assumption that there would be 7 super councils. Likewise that the PSNI would organise along these lines and DARD would organise similarly as PSNI have historically been major partners in disease control. We are also extremely concerned that the Departmental Board endorsed the closure of 23 offices in the absence of a full EQIA and screening. However we welcome the assurances received from the Minister that a final decision has not been taken regarding the closures and a definitive decision will only be made having first considered all relevant information and documentation.

Aims and Objectives – Para 2.3: We note that the report refers to “*equitable, improved access to all*” something NIPSA would strongly support. Para 2.2 refers to 90% of farm businesses being within a 16 mile radius of a DARD Direct Office. Given the make up of rural areas, type of roads etc we take issue with such a claim. We believe there is a lack of evidence to support same unless of course it is based on “*as the crow flies*”. Notwithstanding that 10% of the farming community have been deliberately excluded which questions the Department’s commitment to “*equitable*” access. Indeed it is very apparent that the proposed 10 indicative locations exclude large areas of the farming community. Given the perceived religious affiliation and political opinion within these excluded areas, the Department leave themselves open to claims of discrimination.

Para 3.2 Breakdown of Section 75 Groups for Farmers and Farm Families: It is important to note that the Farms and Families in NI Social Survey was conducted 7 years ago and may well be out of date.

Para 3.2.3 Age and Gender: When you consider the above point regarding the survey we would suggest that the median age for farmers may well exceed 57 years,

and that there is regrettably a far greater decline of young people entering the industry.

Para 3.2.6 Disability: We note the important reference to a *"higher level of disability among farmers"*. Once again this is based on an *"out of date"* survey and we would suggest it is somewhat higher.

Para 3.2.7 People with Dependents: Previous comments regarding the survey refer. On the basis that the main aims and objectives of DARD Direct is *"equitable, improved access to all"* predominately farm businesses, NIPSA maintain that it is imperative to obtain more up to date information in relation to Section 75 Groups etc.

Para 3.3 Breakdown of Section 75 Groups for Staff: NIPSA believe that a more detailed breakdown of the 732 staff is required. We maintain that administrative staff will be the most affected by the adverse impacts of the DARD Direct initiative. The majority of which are female, work part time have dependents and caring responsibilities.

Para 3.3.6 Gender: The comment at Para 3.3 above is very relevant and a more detailed breakdown will confirm that the greater number of staff affected by the initiative are female. The statement as it stands in this paragraph is therefore misleading.

Para 3.3.7 Disability: NIPSA concur with the reference to *"many individuals don't understand what is classified as a disability"* and this fact equally applies to the farming community. Again NIPSA request a more detailed analysis/survey is undertaken in order to obtain a more accurate picture to be able to assess the impact on staff with disabilities and related health problems.

Para 3.3.8 People with Dependents: It should not be assumed that it is only married staff who have dependents. For example 37% of staff are single, co-habiting, divorced etc who may also have dependents. Furthermore dependents should not be viewed as *'young'* as staff also have caring responsibilities for parents,

close relatives etc. On that specific point NIPSA request more detailed data in order to fully assess the impact.

Para 3.3.9 Work Grade and Work Pattern: As previously referred to, NIPSA maintain that the greater number of part time staff and non mobile grades, including those with dependents are within administration. Therefore a more detailed breakdown and analysis is required.

ANALYSIS OF THE NINE CATEGORIES AND THE DARD DIRECT PROGRAMME ON FARMERS AND FARM FAMILIES

Para 4.1.2: NIPSA require clarification and a detailed explanation as to how such perceptions will be taken into consideration, prior to deciding the final locations.

On behalf of our members we take great exception to the references to *"need to treat all customers equally and fairly"* etc. We believe this is a *"slight"* on our members who have provided, despite limited resources, the best possible service to all customers regardless of their religion and political views. There is absolutely no evidence to support that this has not been the case. It is an insult to suggest otherwise which is compounded by the reference to *"strict disciplinary policies"*. We find such references unacceptable in what is after all a public document. As a result we demand they are retracted. Furthermore that the Department unequivocally confirm that staff always have and will continue to treat **all** customers equally and fairly. The same applies to Para 4.2.2 in relation to race and nationality.

Para 4.2.1 Customer Service Delivery: Whilst NIPSA have been very supportive of migrant workers we take great exception to the generality of the Chinese Welfare Association allegations regarding public service staff. We are not aware of any evidence within DARD to support such an allegation. To include this in a public document was at the very least irresponsible of the Department likewise reference to disciplinary policies. It also displays a lack of support for their staff to the extent that they didn't even challenge or take issue with the CWA. NIPSA demands that the CWA are advised clearly and categorically that there is no evidence to support same.

Para 4.3 Age

Para 4.3.2 Mitigating Action: It is accepted that there is a lack of adequate public transport within the rural community. We are concerned that the availability of public transport was not considered prior to the indicative locations being published. Once this information is obtained and considered by the Department we wish to be advised as to what action will be taken if public transport is not available.

With reference to customers being trained to use the DARD website we would refer to Para 3.2.6. Given the genuine and real difficulties specified it is difficult to comprehend how these same customers could avail of the DARD website.

Para 4.5 Sexual Orientation

Para 4.5.1: See previous comments in relation to treating all customers equally and fairly.

Para 4.7.4: Previous comments refer in relation to public transport and the use of the DARD website.

Para 4.8.2: The Mitigating Action being proposed fails to take account of those with caring arrangements, increased travel and costs. NIPSA request proposals on how to mitigate against this adverse impact.

ANALYSIS OF THE NINE CATEGORIES AND THE DARD DIRECT PROGRAMME ON PROPOSED DARD DIRECT STAFF

Para 5.2.2: NIPSA require clarification and a detailed explanation as to how such perceptions will be taken into consideration prior to deciding the final locations.

Para 5.3.2: NIPSA believe that increased travelling time and associated costs **will** impact negatively in relation to marital status including those who are single etc and have dependents. The reference to excess fares is slightly misleading as

entitlement is for a maximum of 3 years. Given the fact there will be less offices, how will the costs impact be mitigated beyond the 3 year period? NIPSA have also lodged a claim for an increase in excess fares as the current rate does not provide proper compensation. Notwithstanding same, excess fares does not take account of the actual time spent travelling.

In relation to working from home this in NIPSA's view is misleading. During negotiations centrally regarding the draft Homeworking policy, it was generally accepted that staff within junior grades would not be able to avail of the policy. This brings us back to the previous point referred to in relation to administrative staff. The majority of those staff are AA to EOI level who it will not be possible to facilitate under any agreed Homeworking policy. These are the same staff expected to deliver and provide "*equitable face-to-face service delivery*" on the "*front line*". Just another fact that confirms Homeworking for these grades is a non runner. In relation to staff applying for a transfer to a DARD or other NICS offices this is viewed by NIPSA as a "*red herring*". With fewer NICS offices due to WP2010 and also with the closure of 23 DARD offices there will clearly be less options for a transfer. This also impacts adversely on HQ staff awaiting transfer closer to their home. We also seek further details in relation to what additional consideration will be given to travelling times prior to confirming the final locations.

Para 5.4.2: As with comment in relation to Para 5.5.1. There has been no consultation whatsoever with NIPSA regarding the new standardised office opening hours. Such a proposal **will** impact upon staff's ability to continue with their current flexible working arrangements.

Para 5.5.2: As per comments in relation to Para 5.5.1.

Para 5.6.2: As with comment at Para 5.3.2.

Para 5.7.1: NIPSA expect to receive details of any draft protocols. In relation to "*sound proof*" areas there is a need to clarify as to any additional cost.

Para 5.7.5: This is not a serious and genuine attempt to mitigate against the adverse impacts for staff who have a disability. Previous comments at Para 5.3.2 refers.

Para 5.8.1: We strongly challenge the references to 'may' as we firmly believe that there will be an adverse impact for staff with dependents.

Para 5.8.2: NIPSA require clarification and detailed proposals on what considerations will be given prior to the final locations being confirmed.

Para 5.8.3: As with 5.8.2 above this factor **will** impact upon staff with dependents, caring responsibilities and those that utilise flexible working conditions. The Government's latest announcement that it would extend the **right** to request flexible working to parents with children who are 16 and under also needs to be considered.

Para 5.8.4: We seek specific details as to how this would be done.

Para 5.8.5: NIPSA are concerned with references to training taking place outside normal working hours. All such courses should be conducted within the hours of work thereby preventing the need to mitigate against any adverse impact. In doing so they should be at a location convenient to the relevant staff. To suggest otherwise flies in the face of the Department and the NICS family friendly policy. On that point NIPSA were extremely concerned with the reference to "*it might be necessary for staff to reduce their working hours in order to maintain current care arrangements.*"

This is a clear acceptance of the adverse impact and is not we hope a serious consideration with regards to mitigating action. NIPSA seeks a full explanation with regards to this specific comment.

Para 5.8.6: NIPSA note the reference to the UAT but would wish to see evidence supporting the view regarding "*extended public opening hours*". Also as mentioned previously the Department **should** tailor courses to allow them to deliver same

during normal working hours rather than 'aim' to. This would then negate the need for mitigating action.

GENERAL COMMENTS

One of the main objectives of DARD is to support and enhance rural communities. DARD are also responsible for providing advice to other Departments as to their policies and how to take them forward. For example Rural Proofing and the need to consider the impact on the economy, equality and rural v town. The Department's recent strategy in relation to leading the way as the rural champion is also very relevant. Part of that strategy is to provide a voice for rural communities and to encourage women to participate in activities etc within their area. To become more involved and to work in rural areas. At present DARD staff work and live in rural areas and many are also part time farmers. DARD have also signed up to the NI Gender Strategy which focuses on women and making improvements for women on such issues as, caring needs, travel, family time and financial impact. Given all of the above it is extremely hypocritical of the Department to remove services from the rural community. As a result the EQIA report clearly highlights the adverse impact on the farming businesses, their families, dependents etc including existing DARD staff. From a staffing perspective there will be major adverse impacts on female staff who wish to live and work within their community. These staff also have caring responsibilities, dependents, some work part time, help out on the farm and avail of flexible working. They also made a conscious decision not to pursue promotion opportunities as they wished to remain within their local office. This has greatly assisted the Department due to the knowledge and expertise of those staff which they have gained and enhanced over many years. Notwithstanding these important issues, NIPSA also view the closure of 23 offices as a form of centralisation which is out with the Assembly and Government's policy of decentralisation.

The entire EQIA report is riddled with references to "*consideration will be given*" and "*will be taken into consideration*" in relation to mitigating action. This is unacceptable and NIPSA wish to see clearly defined details of mitigation and proposed plans for implementation **prior** to a final decision on the locations. **We would argue that part**

of any such mitigation should include a reduction in the number of offices to close.

CONCLUSION

There are clearly many uncertainties contained within the EQIA report. That said NIPSA believe that the current proposals will actually reduce the service presently provided to the farming and rural communities.

Staff will become demotivated and will suffer increased stress and pressure due to travelling time, costs, caring responsibilities etc and the lack of genuine family friendly policies.

Therefore in the absence of real, genuine and effective mitigating action NIPSA formally request that the DARD Direct initiative is halted. This would allow adequate time to consider and explore sensible, viable solutions to deal with the many adverse implications.