



EQUALITY IMPACT ASSESSMENT (EQIA) OF THE NORTHERN IRELAND POLLING STATION SCHEME

January 2005



AN EQUALITY IMPACT ASSESSMENT (EQIA) OF THE NORTHERN IRELAND POLLING STATION SCHEME

POLICY AIMS AND OUTCOMES

1. List the aims and any associated objectives of the policy.

To provide a sufficient number of polling stations throughout Northern Ireland to afford all registered electors, not exercising an absent vote, an equal opportunity to exercise their right to vote in suitable premises.

2. Briefly describe the context.

Legislation requires the Chief Electoral Officer to provide for the conduct of elections in Northern Ireland and provide a polling station scheme. In determining the location of each polling place within the polling station scheme, the Chief Electoral Officer (CEO) considers a wide range of factors so as to identify and utilise premises which provide voters with effective and efficient arrangements and which address the issues of equality and disability as fully as possible.

In the first instance, the polling station scheme is constructed to provide at least one polling place in each electoral ward and within each polling place the number of polling stations is such that between eight hundred and twelve hundred electors are allocated to each station. It is also a primary aim of the scheme to find locations, which are convenient to the majority of electors in a ward. Where possible, but having regard to perceived changes in demography and subject to structural improvements required by statute, the scheme is solidly based on using proven premises and locations well known to electors. Premises maintained by local authority revenues are available by right to the CEO for electoral purposes whereas other premises are available only by agreement with owners. The CEO uses such buildings, in particular primary schools, where those premises do not create conflict with recently established and emerging standards on equality and access. However, ideal options are not always available.



3. What is the desired outcome?

The provision of satisfactory arrangements for the conduct of an election or referendum in Northern Ireland.

4. List all the stakeholders.

Northern Ireland Office, Political Parties, Electoral Commission, Electorate, Owners of Premises, PSNI, Local Authority Councils and the Electoral Office Team Leaders.

5. List all the beneficiaries.

Electorate and Political Parties.

6. Are there any associated policies?

- a) To conduct all elections and referendums in Northern Ireland.
- b) To prepare and maintain an accurate electoral register.
- c) To liaise with the Electoral Commission.
- d) To ensure that District Council staff are adequately trained and updated in election practices so as to enable them to conduct local government elections (every 4 years) effectively and efficiently.
- e) To train staff properly to carry out canvass, polling station and office duties efficiently and effectively.
- f) To advertise for and recruit fairly sufficient staff to carry out canvassing, to man Polling Stations and to provide the Electoral Office with clerical support.
- g) To invite applications for temporary or permanent Absent Votes and to take the subsequent decision on entitlement according to the legislation; and to ensure Absent Voting procedures are strictly adhered to during elections.
- h) To implement measures in the Anti-Fraud Bill.
- i) To provide the necessary and appropriate election equipment for all Polling Stations in all elections.
- j) Re-designing election stationery and forms as necessary.
- k) The purchase of supplies and services.
- l) To provide satisfactory security arrangements for permanent premises, Count Centres, permanent/temporary staff and the public when on the premises, at Polling Stations and Count Centres.



7. Who originates and defines the policy?

Parliament

8. Who implements the policy?

Electoral Office staff on behalf of the Chief Electoral Officer.

9. Who delivers the policy?

Electoral Office and the Chief Electoral Officer (Full time and Part time staff)

10. What other public bodies do you need to work with to implement the policy?

Education and Library Boards, Electoral Commission, Northern Ireland Office, Police, Political Parties, DOE (Roads & Planning), Local Authority Councils. See Stakeholders who are public bodies.

11. How will the work on this policy be co-ordinated?

Under the direction of the Chief Electoral Officer through certain designated staff.

12. What outcomes would other stakeholders want from this policy?

A democratic electoral system that reliably reflects, in a confidential poll, the political views of the people in Northern Ireland.



AVAILABLE DATA & RESEARCH AND ASSESSMENT OF IMPACTS

In assessing the impact of the current Polling Station Scheme on the nine section 75 groups, the Electoral Office for Northern Ireland (EONI) has made use of the following data and research: the full range of Census data as published by the Northern Ireland Statistics and Research Agency on its website up to the date of this report, utilising analyses to electoral ward level, where available, of the Northern Ireland population by ethnic group, community background, age, sex and marital status; data extracted from Polling Station logs for the November 2003 Assembly Election; written responses to a stakeholder consultation exercise; and representations made by interest groups including Disability Action, the Rainbow Project and RNIB.

Based on this data and research, the EONI has concluded that the current position on the impact of the Polling Station Scheme on the nine section 75 groups is as follows:

RELIGIOUS BELIEF

Defined as Protestant; Catholic, Hindu; Jewish; Islam/Muslim; Sikh; Buddhist; other; people of no religious belief.

In the consultation process prior to the publication of the current Polling Station Scheme there were 11 objections to the locations of 10 proposed Polling Stations on religious/political grounds. As a result, 6 Polling Stations were re-located/were not included in the final Polling Station Scheme.

The EONI concludes that the current Polling Station Scheme has no adverse, differential impact on people because of their religious belief.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**



3. If the impact is assessed as adverse, what alternative actions should the EONI take?



POLITICAL OPINION

Defined as Unionists generally; Nationalists generally; members/supporters of any political party; other.

See above for EONI response to the consultation process prior to the publication of the current Polling Station Scheme.

The aftermath of the November 2003 Election revealed that there had been 8 representations by political parties about eight different Polling Places during and after the Election. The grounds for the complaints were in relation to polling places which were perceived as being too crowded, changes which had been made for November 2003 to the Polling Station Scheme, the use of an Orange Hall, political colours on kerbstones and flags outside polling places and electors being asked to vote at polling places which were perceived as being opposite to their religious/political affiliations. Each of these representations was carefully considered by EONI and as a result four changes will be made to the Polling Station Scheme prior to subsequent elections.

The EONI concludes that the current Polling Station Scheme does not generally have an adverse, differential impact on people on the grounds of their political opinion.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



RACIAL/ETHNIC GROUP

Defined as Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Asian Other; Black African; Black Caribbean; Black Other; White; Mixed Ethnic group; Other Ethnic group.

Census statistics by electoral ward show that ethnic groups other than white form no more than 0.1% of the population.

Polling Station Logs show no evidence of complaints by people from ethnic minority groups about Polling Stations.

The EONI concludes that the current Polling Station Scheme does not have an adverse effect on people on the grounds of their Racial/Ethnic group.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



AGE

Defined as people under 18; people between 18 and 65; people over 65.

Some Polling Station Logs indicated that the location of some Polling Stations caused problems for older people such as steep approaches, long distances to walk to Polling Station entrance and too many steps at entrances. In all 10 Polling Stations were identified as particularly difficult for older people.

The EONI concludes that the current Polling Station Scheme includes too many Polling Stations that are difficult for older people.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



MARITAL STATUS

Defined as Married people; unmarried people; divorced or separated people; widowed people.

The Polling Station logs show no evidence that the Polling Station Scheme had any adverse differential effect on people because of their marital status.

The EONI concludes that the current Polling Station Scheme has no adverse, differential impact on people on the grounds of their marital status.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



SEXUAL ORIENTATION

Defined as Gay; lesbian; bisexual; heterosexual.

There are no quantitative data on electors by sexual orientation. However, in response to the consultation process, the Rainbow Project responded that the Polling Station Scheme did not have an adverse, differential impact on people on the grounds of their sexual orientation.

The EONI concludes that the current Polling Station Scheme has no adverse, differential impact on people because of their sexual orientation.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



MEN AND WOMAN GENERALLY

Defined as men including boys; women including girls; transgendered people; transsexual people.

The Polling Station logs and responses to the consultation process contained no evidence that the current Polling Station Scheme has any adverse, differential effect on men or women.

The EONI concludes that the current Polling Station Scheme has no adverse, differential impact on people because of their gender.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



DISABILITY

Defined as People with a disability as defined in section 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995.

Representations from Disability Action and evidence from Polling Station logs indicate that a number of Polling Stations present difficulties of access for wheelchair users. The number of Polling Stations identified is 76. (see [Annex A](#))

The EONI concludes that the current Polling Station Scheme includes an unacceptably high number of Polling Stations that pose access difficulties for wheelchair users.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



DEPENDANCY

Defined as people with a primary responsibility for:- a child; a person with a disability; a dependant older person.

The Polling Station logs and the consultation process produced no evidence that the current Polling Station Scheme has any adverse, differential impact on people because of their responsibility for dependants.

The EONI concludes that the current Polling Station Scheme has no adverse, differential impact on people on the grounds of their dependency.

QUESTIONS FOR CONSULTEES:

- 1. Are there any other data sources to be considered?**

- 2. Do you agree with the EONI's conclusions on impact?**

- 3. If the impact is assessed as adverse, what alternative actions should the EONI take?**



OVERALL CONCLUSION

Analysis of the data and research available shows that wheelchair users and older people are the two section 75 groups that suffer a significant adverse, differential impact over access to Polling Stations in the current Polling Station Scheme.

CONSIDERATION OF MEASURES

In most of the Polling Stations under consideration in this EQIA the most obvious solution to the access difficulties would be the construction of suitable ramps. However, this solution is not available to the Chief Electoral Office because he does not own any of the properties that are used as polling stations in elections in Northern Ireland nor, even if he did, does he possess the resources to provide such facilities.

The measures available to the Chief Electoral Officer are, first, to conduct a review of the 76 Polling Stations identified in this EQIA to see if suitable alternative locations can be identified that have improved access for wheelchair users; second, he can continue to press the relevant owners of the properties, e.g. Education and Library Boards, to provide suitable access for wheelchair users in anticipation of the providers of educational services being brought within the remit of the Disability Discrimination Act 1995. There are a limited number of places where there are no other premises available.

PUBLIC CONSULTATION

The responses to the consultation on the Polling Station EQIA were as follows:

RNIB

The RNIB asked that the blind persons' smartpass should be included in the valid forms of identity for electors in future elections because, like the senior smartpass it is issued as part of the Northern Ireland Concessionary Fares Scheme.

The Rainbow Project

The Project pointed out that while access to Polling Stations did not have an adverse impact on people because of their sexual orientation, Rule 44, Schedule 1 of the Northern Ireland Assembly (Elections) Order 2001 states that only candidates and their 'wives or husbands' are permitted to be present at the counting of votes.

In the November Assembly Elections this issue was raised with the CEO who issued an instruction to Deputy Returning Officers that the term 'wives and husbands' should be interpreted more widely to include both opposite sex and same sex partners. However, the Rainbow Project have requested that the Electoral Office make recommendations to The Government to change or amend Rule 44 to treat same sex partners equally with wives or husbands.

Lisburn City Council

The City Council requested that Local Authorities be included as stakeholders in Section 4 of this EQIA and also be included in section 10 as public bodies with whom the Electoral Office works to implement the Polling Station Scheme policy.

The William Keown Trust

The Trust (which highlights the achievements and promotes the dignity of people with disabilities) commented on three of the section 75 categories in relation to the Polling Station Scheme:

- First, under the Age category the Trust commented that *'Until access is acceptable for the needs of older people this group of people should be informed of the level of access that is presently available at their Polling Station.'*
- Second, under the Disability category, where the impact is assessed as adverse, the Trust commented as follows;
 - '1. Relocate the Polling Station to an accessible venue.*
 - 2. Provide the person with a disability with a description of the access that is available e.g.*
 - (i) the presence of a ramp*
 - (ii) the number of steps*
 - (iii) the provision of accessible car parking space near to the entrance*
 - (iv) the level of lighting outside the Polling Station*
 - (v) the height of the counter in the polling booth.*
- Third, under the dependancy category, the Trust commented that *'If the definition of dependancy includes people with a primary responsibility for a person with a disability then the impact will be adverse for the same reasons that apply to "disability".*
.....This group of people has the added problems of surmounting the adverse circumstances for the benefit of those who are dependent on them.
EONI should inform both this group and those who are dependent on them of the degree of access provided at their Polling Station.'

Help the Aged

In a written submission and then at a meeting with the EONI Equality Team, Help the Aged made the following key points:

- 'Older voters represent 40% of the electorate in Europe.'

- ‘With reference to the terminology used in the EQIA of the NI Polling Station Scheme when referring to people aged 65+, Help the Aged suggest the EONI use the term **‘older people’** rather than **‘elderly’**. The term ‘older people’ more adequately reflects the people we are working with, those who participate in society as equals to others, regardless of age. Other terms infer vulnerability and frailness, a burden to society, of people who are outside society not participating in it. In working with people aged 65+, Help the Aged recognises the individuality of all people and the wide spectrum of abilities and competencies this age range has. We also note that the document uses the term **‘wheelchair disabled’** and suggest that the term **‘wheelchair user’** is substituted instead.’
- ‘We are anxious that the wider issues of accessibility and participation in the election process at all levels should be scrutinised by the EONI in tandem with the Electoral Commission in the specific context of Northern Ireland.’
- ‘In addition to the data available from NISRA and the 2003 Census, Help the Aged urges the Electoral Office to take into consideration more detailed data regarding the health of the electorate. Statistics compiled by Dr Liz McWhirter are available through the Department of Health and Social Services. Data are also available through the four Health Boards.
Help the Aged would encourage the EONI to look at research that discusses wider issues of disability and mobility.’
- ‘Older people are particularly vulnerable to mobility problems. We are also disappointed that the document refers only to the difficulties experienced by wheelchair users. People live with a wide range of disabilities that can hamper access. Scope, the disability organisation, has estimated that of the Polling Stations that they surveyed in the UK at the general election in 2001, 69% had some access problems.’
- ‘It [the Polling Station Scheme] should also address the availability of safe, affordable and reliable transportation to the polling station locations chosen by the EONI.’
- ‘Help the Aged would also like to raise the matter of possible intimidation in the immediate vicinity of polling stations turning something as simple as casting a vote into a frightening and stressful experience.’
- ‘We believe that the EONI must look at accessibility in the widest terms possible. We urge the CEO to conduct a thorough review of all NI Polling Stations. That review should not only address improved access for wheelchair users but for all groups with disability or mobility problems. If necessary, the EONI should look at the location of premises beyond the Education and Library Board premises to fulfil criteria of increased accessibility. Help the Aged believe that the EONI also needs to find an alternative to the current campaigning activities allowed in the vicinity of the polling station on election day in order to reduce the intimidation felt by some older people when going to vote.’
- ‘We believe that much action must be taken to afford all individuals the right to participate in the democratic process on election day. Whilst it is unavoidable for some, postal voting and proxy voting options are not the answer. They can exclude and isolate many older people and administrative procedures are not straightforward and hassle-free for the most vulnerable.’

ELECTORAL OFFICE RESPONSE TO CONSULTATION

Responsibility for legislation affecting elections in Northern Ireland rests with the Political Directorate in the Northern Ireland Office. The Chief Electoral Officer (CEO) will refer to the Political Directorate for resolution the electoral legislative issues raised by the RNIB and by the Rainbow Project.

As requested by Lisburn City Council, the EONI will include Local Authorities as stakeholders in section 4 of this EQIA and in section 10 as public bodies with whom the Electoral Office works to implement the Polling Station Scheme policy.

The CEO and EONI staff are very aware of the importance of the issues of access to Polling Stations for older people and for people with disabilities that have been raised by the William Keown Trust and Help the Aged. They acknowledge that these problems of access can also apply to those with a

primary responsibility for disabled dependants. Where there is some problem with access at a designated polling place, the EONI has been working with the Equality Commission and the owners of such properties to ensure that appropriate adaptations are made to allow full accessibility for everyone. After each election, the EONI reviews the locations used as Polling Stations in the election, taking into account views and comments on access made by electoral staff, electors and politicians. The EONI will carry out a formal statutory review of the Polling Station Scheme, including issues of accessibility, early in 2005 and will publish the revised Scheme in accordance with legislation.

The CEO is considering enlisting the assistance of groups representing older people and disabled people to establish in each Electoral Area regular contacts between specified members of these groups and Area Electoral Officers to address local issues of access to Polling Stations along the lines suggested by the William Keown Trust and Help the Aged.