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Equality Assessment for ADI

DRIVER & VEHICLE TESTING AGENCY

EQUALITY IMPACT ASSESSMENT ON

APPROVED DRIVING INSTRUCTOR (ADI) SCHEME

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EQUALITY IMPACT ASSESSMENT OF THE ADI SCHEME

1. Introduction

1.1 Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions 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;
- Between men and women generally;
- Between persons with a disability and persons without; and
- Between persons with dependants and persons without.

1.2 In addition without prejudice to the above obligation, public authorities are also required to have regard to the desirability of promoting good relations between people of different religious beliefs, political opinion or racial group.

Policy Objective

1.3 The Approved Driving Instructor (ADI) Register was set up for road safety reasons, to maintain and improve the standard of driving tuition available to the general public. It ensures that the public can rely upon an acceptable minimum standard of tuition from registered driving instructors.

Need for an Equality Impact Assessment (EQIA)

1.4 The Driver & Vehicle Testing Agency has conducted an Equality Impact Assessment of the Approved Driving Instructor (ADI) Scheme under the Department of the Environment's Equality Scheme which was submitted to the Equality Commission in 2000.

1.5 The Equality Impact Assessment process has assessed all aspects of the ADI scheme for differential impacts upon the nine social groupings specified under Section 75 of the Northern Ireland Act referred to above.

1.6 The Northern Ireland Act requires **active** promotion of equality of opportunity. Where the EQIA on the ADI scheme has identified different impacts on any of these social groups action will be taken by the Agency where possible to mitigate any negative equality impact.

Process of Equality Impact Assessment

1.7 The Equality Commission considers that an equality impact assessment requires seven separate elements (or stages):

- Consideration of available data and research
- Assessment of impacts
- Consideration:
 - Of measures which might mitigate any adverse impact;

- Alternative policies which might better achieve the promotion of equality of opportunity
 - Formal consultation
 - Decision by the public authority
 - Publication of results of equality impact assessment
 - Monitor for adverse impact in the future and publication of the results of such monitoring
- 1.8 This document sets out the publication of results of the EQIA following the formal consultation stage and the decision by the Agency as to how it intends to address issues requiring mitigation. Six responses were received to the paper.
- 1.9 Although this EQIA has been carried out to comply with a commitment in the Department of the Environment's Equality Scheme, the scheme will continue to be monitored for adverse impacts on s75 groupings, particularly as policy and legislative changes have been planned following a review of the operation of the ADI scheme.

2. Consideration of Available Data and Research

Pre-consideration of the ADI Scheme and potential differential impacts

- 2.1 The Equality Commission's guidance on EQIA exercises provides for a public authority, to use its knowledge of the policy and supporting processes to perform a 'sift' of the equality groupings to eliminate those which it considers the scheme would have no differential impact upon. A 'sift' took place and the following groupings were considered unlikely to be differentially impacted by the ADI scheme:
- Marital status
 - Sexual orientation
 - Those with dependents
- 2.2 To support this position a number of relevant organisations were contacted including:
- Coalition on Sexual Orientation (CoSo);
 - Gingerbread NI;
 - Women's Information Group;
 - Women's Support Network
- 2.3 Broadly speaking, these organisations did not feel that there were likely to be differential impacts upon the groups of individuals that they represent.
- 2.4 Agreement was therefore reached not to include these groupings in the more detailed assessment of impacts but to include them in the public consultation stage of the process. Thus, the *age, gender, religion, political affiliation, disability and race groupings* were identified as categories where potential differential impacts may occur and they became the focus of the EQIA.

Methodology

- 2.5 The methodology used to compile the information for assessment was a combination of **quantitative** and **qualitative** analysis. The Agency holds a limited amount of information about ADIs on its records and because of the small size of the register a questionnaire was unlikely to produce sufficient responses to be statistically valid.
- 2.6 The key indicator used to assess impacts was the 'First Time Pass Rate' of each of the three qualifying examinations against each of the equality groupings.
- 2.7 The *age and gender* categories were assessed **quantitatively** through analysis of information held on DVTA's files and databases. The analysis was conducted on a sample of 204 fully qualified ADIs who were selected randomly from DVTA held files. In line with standard practice a differential impact of 7% or more (based on the size of the sample) was considered to be significant. There were 30 women in the sample, which is proportionate to the number of women on the Register;
- 2.8 The *religion and political opinion* categories were assessed using a widely used model based on post-code, which is programmed to determine likely religion and political opinion. This provides for two categories: Roman Catholic and Non-Roman Catholic. Political opinion was assumed using correlations between religion and political opinion provided by the statistics section of DRD that have been previously used in other EQIAs.
- 2.9 An overall analysis was conducted on the total number of attempts to pass all three stages of the scheme and this was further broken down by gender, age, religion and political affiliation. In addition the pass rates at each of the stages of the ADI qualifying examination were analysed in terms of gender, age, religion and political affiliation
- 2.10 As no factual data was held by DVTA and no reliable proxy was identifiable for the *disability and race* categories, they were assessed **qualitatively** through key informant interviews with a number of representative organisations.
- 2.11 The approach taken involved meeting with key informants from within DVTA and with the following groups:
 - MENCAP
 - Northern Ireland Disability Action
 - Northern Ireland Council for Ethnic Minorities (NICEM)
 - Indian Community Centre
 - Chinese Welfare Association
- 2.12 Attempts were made to speak to a number of other relevant groups without success.

2.13 A standardised and structured approach was taken to each interview, which involved :

- A brief introduction of the DVTA Equality Impact Assessment process, and why this group in particular had been approached;
- A brief description by the representative of their organisation/community group;
- Advice as to whether anyone from the particular group had applied for ADI registration or was already registered;
- A brief description of the ADI scheme and the three parts of the qualifying process involved;
- The representative expressed their opinion and perception of any issues associated with the scheme and the community/people they represent.

3. Assessment of Impacts from Quantitative Research

3.1 The **quantitative** research revealed a number of general findings about the ADI scheme, namely:

- 15% of those in the sample were women, which roughly equates to the total proportion of women on the ADI register, which is 14%. This compares to 51.3% of the Northern Ireland population being women.
- 40% of those in the sample were Roman Catholic (assumed to be Nationalist) and 60% were non-Roman Catholic (assumed to be Unionist). This assessment assumed that non-Roman Catholics were Protestant. This compares to figures for the overall community breakdown in NI as outlined in the 2001 census, ie, that 43.8% of the population were identified as being from a Roman Catholic background and 53.1 % from a Protestant/other Christian background, 0.4% from another religious background and 2.7% claiming to have no religious background.
- 10.3 % of those in the sample were in the 21-24 age group compared with 7.9% of the population; 45.6 % were 25-34, compared with 14.9% of the population; 27.5 % were 35-44 compared with 12.4% of the population and 16.7 % were 45-59, compared with 15% of the population.

Part I Examination

3.2 The Part I examination was carried out as a pen and paper test three times a year at one location, Stranmillis College in Belfast. A facility was available to extend the test by a half hour for people with learning difficulties. An advertisement was placed in the three main daily newspapers in Northern Ireland advising of the date of the next examination and inviting applications by a given closing date. Around 300 applications were received every year for this examination.

3.3 The key findings arising from analysis of first time pass rates at the Part I examination are:

- A significantly larger number of men (75.9%) passed Part I first time compared with 63.3% of women;
 - A significantly larger number of non-Roman Catholic (assumed to be Unionists) applicants (77.9%) passed Part I first time compared with 68.3% of Roman Catholics (assumed to be Nationalists); and
 - 85.7% of 21-24 year olds passed Part I first time compared with 73.1% of 25-34 year olds, 69.6% of 35-44 year olds and 76.5.% of 44-59 year olds.
- 3.4 Generally, there appeared to be impacts in terms of gender, religion & political affiliation and age in the Part I examination.

Gender Differential

- 3.5 The difference between the numbers of women passing Part I first time compared to men was more than 12%. This is the reverse of the trend for the learner driver theory test where women consistently do better than men.

Religion and Political Opinion Differential

- 3.6 While the ‘first time pass rates’ for the (practical) Parts II and III ADI examinations were very similar for Roman Catholics and non-Roman Catholics, the difference between non-Roman Catholic candidates and Roman Catholic candidates passing Part I first time was 9.6%.
- 3.7 When further analysed however, the statistics show that 92.9% of 21-24 year old Roman Catholics passed Part I first time against 71.4% of 21-24 year old non-Roman Catholics. This would suggest that the difference in the overall ‘first time pass rate’ between the two groups might diminish through time.

Age Differential

- 3.8 The success rate of 21-24 year olds at the Part I test was repeated in their performance at the Part II and III tests. The difference in the age of candidates passing the Part I test first time varied from a 9.2% difference between 21-24 year olds and 44-59 year olds, to a very significant difference of 16.1% between 21-24 year old and 35-44 year olds. The Agency has no information as to why these impacts occurred although the statistics are in line with results for other examination type situations including the learner driver theory test.

Part II Examination

- 3.9 The Part II test includes a test of eyesight and driving ability. The candidate must provide a car for the test that has a manual gearbox and prove that it is satisfactorily taxed, insured and has a valid MOT if necessary. The candidate has a maximum of three attempts at this examination (subject to not exceeding the two-year period for completing the entire qualifying process) before having to restart the process from the beginning.

- 3.10 The key finding arising from analysis of first time pass rates at the Part II examination was that there was an impact in terms of age. 71.4 % of 21-24 year olds passed Part II first time compared to 54.8 % of 25-34 year olds, 53.6 % of 35-44 year olds and 50% of 45-59 year olds. There is a difference of 21.4% between the highest (21-24 years old) group and the lowest (45-59 year old) group but there is also a very significant difference of 17.8% difference between 21-24 years olds and the next youngest group 25-34 year olds.

Part III examination

- 3.11 The Part III test is the test of ability to instruct. The test takes place in two parts, each of which lasts about half an hour. The candidate must demonstrate the knowledge and ability to instruct by giving practical driving instruction to the examiner who will first take on the role of a pupil with limited knowledge or who is a beginner and then a pupil who is at about test standard. The candidate is allowed to use lesson plans and training aids and should be prepared for the examiner, in 'role-play' as the pupil to ask questions.
- 3.12 The key finding arising from analysis of first time pass rates at the Part III examination is that again there was an impact in terms of age, but no impacts in terms of gender, religion or political affiliation. 85.7% of 21-24 year olds passed Part III first time compared to 54.9 % of 25-34 year olds, 53.4 % of 35-44 year olds and 61.8 % of 45-59 year olds. The difference between the 21-24 year olds and the 35-44 year olds is 32.3%. The nearest most successful age group to the 21-24 year olds are the 45-59 year olds although there is still 23.9 % of a difference between these two groups.

4. Assessment of Impacts from Qualitative Analysis

- 4.1 During the interviews with key informant representatives of disability and black and ethnic minority groups a number of key issues were raised.

Key Issue- Language/Communication

- 4.2 Currently all parts of the ADI qualifying examinations are conducted in the English language. This was regarded by some interviewees, including representatives from the Chinese, Cantonese, Mandarin and Hindi communities, as a potential barrier to achieving a first time pass at any of the parts of the qualifying examinations. Some of these groups felt it was the responsibility of DVTA to provide test materials and information about the scheme in their first language, and not just in English, and that translations and/or interpreters should be provided by the Agency. There was also a suggestion that the Agency should have bi-lingual examiners for the practical parts of the examination.
- 4.3 The Part III examination and the need for role-play was raised as a particular problem in relation to language, communication and the ability to cope in a crisis. The absence of requests for translated tests was regarded as an indicator of a differential impact, rather than as a sign that there was no demand. However, there was a contrasting view from some representatives

who felt that it was reasonable to expect people to learn English in order to make a living in an English speaking community. They did not feel that DVTA should produce literature in alternative languages, as they would eventually need to conduct driving lessons in English.

Key Issue - Equality Training

- 4.4 Some interviewees felt that the Agency should have anti-racism and cultural and disability awareness training for its examiners and staff. All groups contacted suggested that the attitude and level of understanding of examiners could affect candidates' performance (and therefore first time pass rate). Those representing ethnic minorities were of the view that greater cultural awareness of candidates may enable the examiners to understand specific behaviours during the test situation, including how to read non-verbal behaviours.

Key Issue - Access to information

- 4.5 All informant groups believed the people they represented had accessibility issues in relation to information about the scheme and the three stages, as well as language barriers. They felt that this could be improved if the scheme was marketed and advertised more fully. Some people were not aware of the existence of the Register and felt that if DVTA did not publicise the scheme, they perpetuated existing differential impacts. It was felt that DVTA should address issues at the **advertising** stage by stating that applications from people from the disabled community and black and ethnic minorities were welcome. Accessibility to information and to application forms was seen to be very important.

Key Issue -Time, Location and Accessibility

- 4.6 The time candidates are given to complete the written test was raised by both the disabled and black and ethnic minority groups who felt that extra time should be given to complete the tests in particular circumstances. Representatives of disabled groups felt that the location of the written test and the building used could be a barrier to disabled people being able to pass the test 'first time'.

Key Issue - Legislation

- 4.7 The legislation requiring the Part II test to be carried out in a manually transmitted vehicle was seen by representatives of disability groups to be a barrier to joining the Register. It did not provide for the use of 'automatic' vehicles or vehicles with adaptations when undergoing the Parts II and III practical tests.

Key Issue – Photographic Identification

- 4.8 Representatives of both disabled groups and ethnic minorities felt that the requirement for photographic ID was problematic, as many people do not have

a photographic form of identity. However, in order to apply to be an ADI an applicant must first hold a driver's licence, which is photographic ID. If they do not have a full driver's license they would not be eligible to apply to be an ADI.

Key Issue - Ensuring equal and consistent quality standards

- 4.9 This would include making provision for disabled instructors and those from black and ethnic minority groups to be able to teach learner drivers from their respective groups in their given language or in an automatic or adapted vehicle.

Key Issue - Entry Requirements

- 4.10 It was suggested that the requirement to hold a NI or GB driving licence for four out of the last six years in order to gain entry to the ADI register, discriminated against those not living in NI or GB for four years. The question was also raised as to whether or not DVTA would recognise driving instructors who had qualified in other countries.

5. Opinions Sought and Views Provided in Consultation Paper

- 5.1 Opinions were sought from consultees on the following:

Under-performance of Women at Part I test

- 5.2 *Why might women perform less well than men at the ADI Part I test?*
- 5.3 Respondents had no suggestions as to why women's pass rates should be lower than men's beyond the possibility that insufficient preparation had been taken on the part of anyone who did not pass (Road Safety Council for NI).
- 5.4 *What improvements could be implemented by the Agency to enable women to achieve a higher first time pass rate in the Part I test, bearing in mind the changes that are already proposed?*
- 5.5 No suggestions were given as to what improvements could be implemented by the Agency to enable women to achieve a higher first time pass rate in the Part I test, bearing in mind the changes that are already proposed.

Under-performance of Roman Catholics (Nationalists) at Part I test

- 5.6 *Why might Roman Catholics (Nationalists) perform less well than non-Roman Catholics (Unionists) at the Part I test?*
- 5.7 Respondents had no suggestions as to why Roman Catholics (Nationalists) perform less well than non-Roman Catholics (Unionists) at the Part I test beyond the possibility that insufficient preparation had been taken on the part of anyone who did not pass (Road Safety Council for NI).

High success rate of 21-24 years olds in all parts of the examination

- 5.8 *Why do 21-24 year olds achieve a higher first time pass rate than all other age groups at all parts of the examination?*
- 5.9 It was suggested that the more recently the 'L' test has been passed the fresher the memory of the procedure. The format of the test has changed over the past few years and older drivers will have been taught in a different way, eg, the use of gears for slowing down. After years of driving and under pressure in an exam type situation it might be easier to fall back on what is now unacceptable (Road Safety Council for NI).

Closing the gap between the youngest and the older applicants

- 5.10 *What actions could be taken by the Agency to close the gaps in the first time pass rates of the 21-24 age group and the other age groups.*
- 5.11 There were no suggestions as to what actions could be taken by the Agency to close the gaps in the first time pass rates of the 21-24 age group and the other age groups. However, concerns were expressed by the Road Safety Council for NI and Disability Action that the conversion of the Part I test to a computer based test would further disadvantage people in the older groups with less IT experience and people with disabilities for the same reason.

Under-representation of women on the register

- 5.12 *It would be useful to have your view as why only 15% of those on the Register are women. Given the opportunity for flexible working why would women not be more attracted to becoming an ADI?*
- 5.13 A substantial response was received from the NI ADI Association (NIADIA) to this question. "Women are often the primary carers in the home. Working into the evenings and weekends may not suit women with children; rather it may deter them. The major deterrent is that driving instruction is male-dominated as is the car industry." NIADIA go onto suggest that the attitude of most male driving instructors is sexist and prejudiced and driving examiners are the same. The Association feel that more female examiners would help to deplete sexist attitudes both within the Agency and outside it in the ADI industry" (NI ADI Association).
- 5.14 The Road Safety Council for NI also commented that they do not accept that the concept of flexibility in working hours is entirely valid. They state that many learner drivers require numerous lessons, and there will be popular time slots which a lot of learners will look for at the same time, for example, young drivers may will ask to be collected from school (the same time as the female instructor will have to do the school run and take on her own caring duties). This may reduce the number of clients available. ADIs need to be able to accommodate the availability of their clients, as they need a sufficient number to be able to meet the expenses of running a car and a reasonable profit. Rightly or wrongly females still have to take on the majority of the homemaking and childcare roles (Road Safety Council for NI).
- 5.15 Views were also sought on the following:

Key Issue - Time, Location, Accessibility

- 5.16 Extra time is currently allowed at the Part I test for applicants with dyslexia. *Views were sought on any additional measures, which the Agency might take in order to meet the needs of ethnic minorities and disabled customers bearing in mind the nature of the role of an ADI, which requires the ADI to hold a driving licence and to be able to communicate well with pupils.*
- 5.17 No suggestions were received.

Key Issue- Access to Information

- 5.18 *Views were sought on the Agency's proposals regarding awareness of the ADI scheme and suggestions as to other methods of making the scheme more accessible to ethnic minorities and disabled people. Views were also requested as to the reasonableness of this approach /and to any additional measures that could be taken to make information about the ADI scheme more easily accessible.*
- 5.19 Disability Action refuted the Agency's proposal to implement an appropriate awareness strategy including placing posters in test centres, local libraries, community centres for black and ethnic groups and job markets to alert potential ADIs to the existence of the scheme. They feel that it is vitally important that the agency introduce outreach measures to develop and build relationships with affected groups and focus on information provision.
- 5.20 They go on to say that the Agency has an obligation under the final elements of the Disability Discrimination Act to come into effect in October 2004, to modify physical barriers and this obligation should be more clearly stated.
- 5.21 Methods which they feel the Agency should consider are:
- Posters in a range of languages
 - Email briefings in a range of languages
 - Focus groups
 - Training community leaders
 - Articles in newsletters of affected groups

Key Issue - Legislation

- 5.22 The Agency had been considering a change in legislation, which would allow the Part II and III tests to be carried out in 'automatic' vehicles, which would make it possible for a 'restricted' ADI licence to be issued to allow an ADI to teach in an automatic or adapted vehicle. *Views were sought on any additional measures that could be taken to make the ADI scheme and examinations more accessible for disabled candidates.*
- 5.23 Disability Action believes that DVTA should work with the NI Mobility Centre (Disability Action) to identify the barriers faced by disabled people wishing to become ADIs and to put in place measures to overcome these

barriers. At interview stage the group were not aware of anyone with a disability who had become an ADI.

- 5.24 They also consider that the requirement to undertake the Part II test in a manually transmitted vehicle directly discriminates against people with disabilities who use automatic cars. They feel that the situation should be subject to immediate mitigation.
- 5.25 The Road Safety Council for NI however, (in their response to the consultation paper) felt that the most important issue was road safety. As regards disabled people, the key issue would be if they would be able to act to take over control of the car in an emergency? They felt that to be restricted to teaching in an automatic car would, because of lack of demand not be financially viable as most existing ADIs could if they wished teach in an automatic car.

Key Issue - Ensuring Equal and Consistent Standards

- 5.26 A suggestion was made at the interview stage that the Agency should make provision for disabled instructors and instructors from black and ethnic minority groups to be able to teach learner drivers from their respective groups in their given language or in an automatic or adapted vehicle. The Agency's position was that it is committed to ensuring equality and consistency of standards within the financial and legal constraints of the ADI scheme. However, the market determines business opportunities for learner driver lessons. Once registered, ADIs must find and secure their own business, be it with disabled customers or those speaking minority languages. *Views were sought on any other measures that could be undertaken to ensure equal and consistent quality standards.*
- 5.27 The Road Safety Council for NI felt that in order for an ADI to run a successful business s/he has to build up a good reputation and make a profit. To make a profit they have to keep their expenses to a minimum. They felt that restricting their catchment area could do this. An instructor limited to a particular type of client, language or transmission, would need to widen their catchment area thus adding to the time and cost. If the law were changed to allow for this the difficulties would have to be explained to the affected groups. It would not be acceptable for DVTA to take the test and registration fees only for a new ADI to discover that lack of demand meant they had to give up teaching (Road Safety Council for NI).
- 5.28 Disability Action however, felt the Agency had made assumptions about the ability of disabled people and those from black and ethnic minorities to assess business risks. They assured that disabled people are fully aware of market forces.
- 5.29 Other comments made on the consultation paper are as follows:

Key Issue – Language Communication

- 5.30 The Road Safety Council for NI advised that they see no need for ADI exams to be conducted in ethnic languages. They believe there would be insufficient demand for an instructor who could only teach in their own language, since most learners would require to be taught in English. While they think it would be useful for an instructor to be able to teach in an ethnic language they would also need to teach in English in order to make their business financially viable. They wondered what numbers of learner driver tests require an interpreter?

Key Issue- Equality Training

- 5.31 The NI Public Service Alliance (NIPSA) said that it was fully committed to equal opportunities and elimination of discrimination. Whilst they welcomed any review of the Agency's training programme, they would want to ensure that it would be on the basis of detailed consultation with NIPSA, the recognised trade union for DVTA staff.

Key Issue - Entry Requirements

- 5.32 It was suggested at the data collection stage that the requirement to hold a NI or GB driving licence for four out of the last 6 years in order to gain entry to the ADI register, discriminated against those not living in NI or GB for four years. The question was also raised as to whether or not DVTA would recognise driving instructors who had qualified in other countries.
- 5.33 The law currently provides for licences from foreign countries to count towards the four-year period provided that the applicant **currently** holds a NI or GB licence. DVTA has mutual recognition with the GB ADI scheme because the qualifying process is identical. It does not currently recognise the qualifications of someone who had trained or qualified in any other country as it could not be satisfied that the standard required had been met by another system.
- 5.34 Disability Action referred to new legislation - the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 2002 - which came into operation on 1 January 2003. They feel that any changes in the law should also encompass countries and states outside the EU. The new law provides for recognition of qualifications obtained in EU Member states.

6. The Agency's Decision and Proposals for Mitigation

Age, Gender, Religion and Political Opinion, Disability

- 6.1 The disproportionate success of the 21-24 year old age group is a trend throughout the entire ADI qualifying process. The theory that younger people do better at examinations because they are more likely to have recently completed full-time education does not adequately explain the relatively low scores of the 25-34 year old age group in the Part II test or the relatively high scores (in comparison to 21-24 year olds) of the 45-59 year old in the Part III test. Nor does it explain why in the case of the Part I and the Part III tests, the

greatest difference was with the 35-44 year olds. The Agency can only speculate as to the cause of the differential impacts as there are no obvious indicators available to explain them.

- 6.2 Likewise there is no obvious explanation as to why women and Roman Catholics/Nationalists should do less well at the Part I test and no suggestions have been made by consultees as to why this should be the case apart from lack of preparation.
- 6.3 The Part 1 test was in the past conducted anonymously in that all candidates were given a candidate number and the staff who adjudicated at the test and marked the examination paper did not know which candidate number matched which individual. An identification check was carried out at the beginning of the test and obviously candidate numbers were matched with names following the test to advise them of their results. The process involved did not however, facilitate deliberate or direct discrimination.
- 6.4 From April 2003, the Part I test was converted to a computer-based test delivered from the 6 existing theory test centres (those currently used for the learner driver theory test) and is now available on demand throughout the year. The results of the test in terms of age and gender will be easier to monitor and it will also be possible to compare results with the Driving Standards Agency in GB. The delivery of the test at several locations instead of one will hopefully begin to address accessibility problems that may have been experienced by all groups, but particularly the disabled, and which may have contributed to differential impacts.
- 6.5 The concern raised that the conversion of the Part I test to an IT based test would further disadvantage older groups and disabled people ***will be kept under review and analysis will be carried out once sufficient tests have been carried out on the new system to make statistical analysis meaningful. If impacts have increased the Agency will have to further address how these can be mitigated.***

Action: DVTA
- 6.6 As regards the NIADIA point about the number of women driving examiners, the Agency does state in its advertising that women are particularly welcome because they are under-represented. Beyond this it would be unlawful for the DVTA to participate in positive discrimination.

Language/Communication

- 6.7 There is no quantitative evidence of the numbers of black people and those from ethnic minorities on the ADI register, but interviews with representatives of these groups would suggest that they are under-represented in the ADI industry. Unlike the learner driver theory test no translations are made available for the ADI Part I test or the other parts of the qualifying examination.

- 6.8 In 2001/02 the Agency carried out 248 Part I tests, 157 Part II tests and 132 Part III tests. While this amounts to 537 tests, actual candidates would have been much fewer as some of the tests were repeats and many candidates would have completed the entire three part qualifying process (including repeats) within the year. The 2001 census results show that less than 1% of the population regards themselves as being within an ethnic minority. Using this figure, it could be assumed that less than 5 applicants per year would come from an ethnic minority background and would include those who have a good command of English.
- 6.9 The Agency appreciates the view expressed by representatives of black and ethnic minority groups and Disability Action regarding the benefits to be had by providing for translations, interpreters or multi-lingual examiners, albeit, some representatives felt that it was reasonable to learn the language of the community they lived in.
- 6.10 DVTA is a Trading Fund, and all costs are paid for through fee income. If the Agency financed the translation of any of the tests into one or more alternative language, the costs would have to be borne by *all* applicants - a relatively small group of customers. It would also be necessary to provide the end-to-end qualifying process in alternative languages if non-English speaking candidates were to be facilitated through the whole process.
- 6.11 Providing translations for the practical tests would require that some examiners would need to be multi-lingual, or, a longer test would have to take place with the aid of an interpreter. This would add to the expense of the tests and potentially introduce a health and safety risk if a critical instruction was not immediately understood. The 'user pays' principle would be difficult to apply, as there would be so very few users over which to spread what would be prohibitive costs.
- 6.12 In 2001 the Environment Committee of the NI Assembly expressed the view that ADI fees should not increase for the foreseeable future.
- 6.13 Taking these factors into consideration the Agency does not at this point intend to progress action that would involve providing interpreters, interpretations or information and guidance in other languages, for reasons of costs and logistics as outlined above.
- 6.14 *It will however make information about the ADI scheme more readily available so that people from black and ethnic minorities can make an informed judgement about the scheme. The Agency's Customer Charter Statement and Code of Practice is currently published in Chinese. As other publications come up for re-print, consideration will be given to having them published in other languages. We will also aim to provide material in other accessible formats.*

Equality training

- 6.15 Agency staff are currently provided with information and guidance on equal opportunities issues including awareness of discrimination and the dangers of anti-social or intimidating behaviour in the workplace. Customer awareness training is also provided.
- 6.16 The Agency recognises that its training programmes need to be reviewed, updated and repeated in order to ensure that Agency staff provide and continue to provide an impartial, equitable and fair service to all s75 groups. ***The Agency will undertake a review within its Human Resources function to examine the extent to which existing and planned training programmes meet current and future needs. This will be done in consultation with NIPSA, the Public Sector trade union, with Disability Action, NICEM and the Department's Training Branch.***

Action: DVTA

Access to Information

- 6.17 DVTA does not currently 'market' the ADI scheme. An information booklet is available on request and is issued automatically to applicants requesting Part I applications. This is also available on the Agency's Internet site. The choice or option to become an ADI is left entirely to the individual, as is responsibility for finding business opportunities.
- 6.18 Views expressed at the interview and consultation stage indicate that there is a strong desire for the ADI scheme to be marketed and advertised more proactively. In particular Disability Action feel that the Agency should work with affected groups to develop and build relationships and focus on information provision.
- 6.19 ***The Agency will implement an awareness strategy that will include placing posters in test centres, local libraries, community centres for ethnic groups and job markets to alert potential ADIs to the existence of the scheme. We will also be observing the Department of the Environment's guidance on making information accessible.***

Action: DVTA

Time, Location, Accessibility

- 6.20 Extra time is currently allowed at the Part I test for applicants with dyslexia. ***The Agency will aim to accommodate as far as possible any other special needs as they arise. The documentation relating to the tests will be examined to ensure that all customers are aware that we will try to facilitate them in taking the tests. A review will also be carried out of the accessibility arrangements of the theory test centres for wheelchair users.***

Action: DVTA

Legislation

- 6.21 Currently the Part II and Part III tests must be carried out in a car with a manual transmission and although ADIs may provide tuition in a vehicle with

automatic transmission few choose to do so. Disability Action feel this rule directly discriminates against those who cannot (for reasons of disability) drive a vehicle with automatic transmission.

- 6.22 A change to legislation to allow the test to be done in an automatic vehicle could be made simply by amending the relevant regulations. However, a pre-requisite would be provision for an applicant to obtain an emergency control certificate - to certify that they could handle the vehicle in an emergency situation. This would require a change to primary law - a much lengthier process.
- 6.23 *The Agency will take forward plans to introduce the requisite primary legislation and a consultation paper will issue to all interested parties in December 2003. As suggested by consultees the Agency will continue to work with Disability Action to identify the barriers faced by disabled people wishing to become ADIs and put in place measures to overcome these barriers.*

Action: DVTA

Ensuring equal and consistent standards

- 6.24 The Agency is committed to ensuring equality and consistency of standards within the financial and legal constraints of the scheme. However, it remains its position that the market determines business opportunities for learner driver lessons and, once registered, ADIs must find and secure their own business, be it with disabled customers or those speaking minority languages.

Entry Requirements

- 6.25 Disability Action believes that any change to legislation allowing for recognition of professional qualifications from other states should include countries outside the EU. It is unlikely that recognition could extend carte blanche to all states as it would be impossible to assess all of them for the road safety features of their scheme. *However, the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 2002 provides for recognition of professional qualifications within the EU. Arrangements for recognition are likely to depend on commonality of ADI schemes across the European Community and DVTA will contribute to policy making in a European context, to ensure compliance with the new laws.*

Action: DVTA

7. Publication of EQIA Results

- 7.1 This Equality Impact Assessment has been published and copies will be issued to all consultees to inform them about the process undertaken, its outcomes, and the decisions taken by the Agency. Additional copies and copies in alternative formats, if desired, may be requested from:

Name: Deirdre Walsh
Address: DVTA, Balmoral Road, Belfast,
Tel. No. 028 9054 7959
Email: deirdre.walsh@doeni.gov.uk
Minicom: 028 9066 5453

- 7.2 The general public has been informed of the availability of the EQIA through a Press Release. The results are also published on www.nics.gov.uk/pubs/equalityimpact or www.doeni.gov.uk/dvta/publications

8. Equality Impact Assessment Monitoring

- 8.1 The impacts of the ADI scheme will be monitored over a period of 5 years to identify any unforeseen outcomes of the strategy and to ensure that all objectives are being achieved. The Department will be responsible for this. Results will be analysed to determine whether or not the impact of the ADI scheme on any of the nine equality groups has changed significantly.

Overview of the Approved Driving Instructor (ADI) Scheme

1. The Approved Driving Instructor (ADI) Register was set up for road safety reasons, to maintain and improve the standard of driving tuition available to the general public. It ensures that the public can rely upon an acceptable minimum standard of tuition from registered driving instructors. There are currently just less than 700 ADIs on the ADI register. This represents a ratio of 1:2,400 of the Northern Ireland population. The numbers on the ADI register have reduced in recent years but the volume of applicants for learner driver tests would suggest that more ADIs would result in under-employment for some. The ratio of ADIs to potential pupils is approximately 1:60 per year.
2. The Register is administered by the Driver & Vehicle Testing Agency (DVTA) on behalf of the Department of the Environment under the provisions of the Road Traffic (Northern Ireland) Order 1981 and regulations made under that Order, the Motor Cars (Driving Instruction) Regulations (Northern Ireland) 1991. It is illegal for anyone to charge for instruction unless:
 - Their name is on the Register of Approved Driving Instructors or;
 - They hold a trainee's "Licence to give Instruction" issued by the Registrar
3. Application forms to become an ADI are obtainable from any Driver & Vehicle Testing Agency Centre or from the Register of ADIs at DVTA Headquarters in Belfast. Anyone wishing to become an ADI must:
 - Hold a full Northern Ireland or Great Britain car driving licence and have held it for a total of 4 years out of the past 6 years;
 - Not have been disqualified from driving nor have been subject to 'R' plate restrictions for more than 12 months for any part of the 4 years preceding the date of application;
 - Be a fit and proper person to have their name entered in the Register. All convictions including motoring offences still in force under the Rehabilitation of Offenders (Northern Ireland) Order 1978 are taken into account; and
 - Pass the qualifying examination.
4. An applicant must be able to pass Parts II and III of the qualifying examination in a vehicle with a manual gearbox.
5. The Qualifying Examination is in three parts:
 - A theory test (Part I)
 - A practical test of driving ability (Part II); and
 - A practical test of ability to instruct (Part III)
6. All three parts of the examination must be passed in this order and the whole examination must be completed within two years of passing the written test. If the examination has not been completed within this time an applicant must start again from the beginning. Applicants are allowed three attempts at each

of the practical tests (Parts II and III). A fee must be paid for each attempt at each part of the qualifying examination. Once the qualifying examination has been passed the applicant must pay to have their name entered in the ADI register for a four-year period, following which application must be made for the renewal of registration.

7. Trainee Licences which provide for a trainee to give instruction for reward must also be paid for. Details of fees can be obtained from DVTA and are advertised widely.
8. The DVTA is not the employer of ADIs (most are self-employed) and while applications from all groups are welcome, the Agency cannot create any expectation about potential business opportunities, as the demand for driving lessons is entirely consumer driven.

LIST OF CONSULTEES

ANNEX B

<p>British Deaf Association Disability Action Disabled Drivers Association NI NI Rider Training Scheme NI Motorcyclists Federation Disability Committee of the Northern Ireland Committee (ICTU) Employers' Forum on Disability MENCAP NI Womens' Aid Federation Women's Support Network Women's Resource and Development Agency Coiste na n-iarchimi Bryson house Committee on Administration of Justice Community Relations Council NI Equality Commission Equality Forum NI Committee, Irish Congress of Trade Unions NI Council for Voluntary Action NI Voluntary Trust NI Association for Mental Health Rural Community Network Alliance Party Democratic Unionist Party NI Women's Coalition Party NI Unionist Party Progressive Unionist Party Workers Party Social Democratic and Labour Party Sinn Fein UK Unionist Party Ulster Unionist Party Democratic Left Ulster Democratic Party Labour Party Chinese Welfare Association NI Council for Ethnic Minorities NI Islamic Centre Belfast Traveller Educations & Development Group Indian Community Centre Sikh Cultural Centre Multi-cultural Resource Centre</p>	<p>Traveller Movement NI Save the Children Gingerbread NI Methodist Church NI Belfast Hebrew Congregation Presbyterian Church in Ireland Bishop of Down and Connor NI Statistics & Research Agency Law Centre (NI) NI Anti-poverty Network NIACRO NIPSA Carafriend Coalition on Sexual Orientation Gay and Lesbian Youth NI NI Gay Rights Association Rainbow Project Ulster Scots Heritage Council Health & Safety Agency NI West Belfast Economic Forum NIADIA North West ADI Association Newry and Mourne ADI Association British Deaf Association (NI) Sense NI Parents Advice Centre Age Concern NI Barnardos (NI) Children's Law Centre Child Poverty Action Group Child Care NI Help the Aged NI NSPCC Mid-Ulster ADI Association Civic Forum NI Human Rights Commission Road Safety Council for NI RoSPA Automobile Association RAC Police Service for NI General Consumer Council Elite Driving Agency ABBA Driving School Acclaim Driving Academy Ian's School of Motoring Doak Driver Training</p>
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