

Rural Needs Policy

Version 4.0 April 2018

	Approved by	Date
Version	AMT	
	GAC	
	PHA Board	
Review due		

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1 Introduction and Background

The legislation

1.1 The Rural Needs Act (Northern Ireland) 2016 ('the Act') came into operation for Government Departments and District Councils on 1 June 2017 and for public authorities including the **Public Health Agency (PHA) on 1 June 2018**. Following a review, the Department of Agriculture, Environment and Rural Affairs (DAERA) has produced revised guidance which is reflected in this policy.

1.2 The purpose of the Act is to ensure that public authorities have '**due regard**' to the social and economic needs of people in rural areas and to provide a mechanism for ensuring greater transparency in relation to how public authorities consider rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services.

1.3 The Act seeks to help deliver fairer and more equitable treatment for people in rural areas which will deliver better outcomes and make rural communities more sustainable.

2 Aims of the PHA Rural Needs Policy are;

2.1 To assist PHA staff understand their statutory responsibilities under the Act, and to provide guidance on undertaking a proportionate Rural Needs Impact Assessment as a mechanism for ensuring rural needs are appropriately taken into account.

2.2 To set out the steps and templates required for undertaking a Rural Needs Impact Assessment and the roles and responsibilities of those involved.

2.3 To ensure that evidence of the consideration of the Act is produced along with the associated monitoring and reporting requirements.

3 PHA's responsibilities under the Act

3.1 The PHA has two main duties under the Act;

- Have due regard (by undertaking a Rural Needs Impact Assessment) to the economic and social needs of people in rural areas when developing, adopting, implementing or revising policies, strategies and plans, and designing and delivering public services.
- Complete the Rural Needs Annual Monitoring Return for inclusion in the PHA's Annual Report and forward a copy to DAERA for publication in the Rural Needs Annual Monitoring Report.

4 Definitions of 'Rural' and 'Rural Needs'

4.1 In order to identify and consider 'rural needs', the PHA must have a clear understanding of how it classifies whether an area is urban or rural in relation to a policy, strategy or plan being developed, adopted, implemented or revised or a public service being designed or delivered. The accepted definitions of 'rural' are set out in **Appendix A**.

4.2 The Act defines rural needs as 'the social and economic needs of persons in rural areas.'

4.3 It is important to be clear what this means and to be able to distinguish between a 'need' and something that is desirable. In general terms, a 'need' can be considered to be something that is essential to achieve a standard of living comparable with that of the population in general. For example, it can relate to the ability to access key public services such as health and education, the ability to access suitable employment opportunities and the ability to enjoy a healthy lifestyle.

5 Duty to have Due Regard to Rural Needs

5.1 The PHA has a duty to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services.

5.2 This means that the PHA must consciously consider the social and economic needs of persons in rural areas and ensure that this consideration is exercised in such a way that it appropriately influences the activity which is subject to the due regard duty.

5.3 What the PHA is required to do in order to fulfil its due regard duty will depend on the particular circumstances and will be determined on a

case by case basis. The level of 'regard' that is 'due' will depend on the relevance of rural needs to the decision or function in question. The greater the relevance and potential impact for people in rural needs, the greater the regard required by the duty.

5.4 A Rural Needs Impact Assessment is the process recommended by DEARA to assist public authorities including the PHA in fulfilling their due regard duty.

5.5 Where a public authority chooses not to undertake a Rural Needs Assessment it should have a rationale for departing from the guidance and ensure that when adopting the alternative approach it fulfils the due regard duty.

6 Who carries out the Rural Needs Impact Assessment

6.1 The responsibility for undertaking the Rural Needs Impact Assessment rests with the respective senior manager who is leading on the development, adoption, implementation or revision of the policy, strategy plan, or service development.

6.2 As a matter of good practice, and to ensure that the process is robust, s/he will involve others with relevant knowledge and experience in the exercise.

7 When is the Rural Needs Impact Assessment undertaken

7.1 Rural Needs should be taken into account from the very start of the decision-making process when developing, adopting, implementing or revising policies, strategies and plans, and designing and delivering public services. The Rural Needs Impact Assessment should therefore be undertaken in tandem with the policy process itself to ensure that rurality considerations inform the decision-making from the beginning of the process.

8 Undertaking a Rural Needs Impact Assessment

8.1 In order to evidence the consideration given by the PHA to rural needs, the senior manager should follow the six step Rural Needs

Impact Assessment process, ensuring that the associated template is completed.

(Appendix B – Rural Needs Impact Assessment Template & Appendix C - Guidance notes).

8.2 The level of analysis undertaken in the template should be proportionate to both the scale of the potential impact of the policy, strategy, plan or public service and its relevance to people in rural areas.

8.3 The senior manager will ensure that the Rural Needs Impact Assessment accompanies the policy, strategy or plan throughout its approval process to allow comments by those consulted. If comments received from consultees require changes to be made to the document, these will be implemented before final approval of the policy, strategy, plan or service.

8.4 The following flowchart summarises the process for ensuring that the PHA can demonstrate that it effectively takes rural needs into account.

Development of initial or amendment of existing policy, strategy or plan

Step 1 – Define the Issue - be clear about the outcomes the policy or programme is designed to deliver. This may mean doing things differently in rural areas so that the policy can be successful in achieving its outcomes whilst not unfairly disadvantaging rural areas.

Step 2 - Understand the situation - Carry out detailed context analysis to assess any differential impact on rural areas. This may include engaging with rural stakeholders, reviewing rural evidence base and assessing wider policy context.

Policy, strategy or plan **does** impact on rural areas or communities (intentionally or unintentionally).

Step 3 – Develop & Appraise Options - Having carried out a detailed analysis of the context, the policy holders should be able to identify the potential impact of the policy in rural areas. Consider options to address any identified gaps or other ways in which the proposed policy, strategy or plan may have a negative impact on rural areas.

Step 4 – Preparing for delivery Complete rural needs impact assessment (RNIA) template & submit for internal review & approval.

Prepare (revised) policy, strategy or plan including amendments or mitigating actions.

Step 5 - Carry out public consultation on preferred option if required.

If necessary, consider additional mitigating actions, amend rural needs impact assessment and finalise policy, strategy or plan.

Step 6 – Monitoring & Reporting – Register kept of all PHA RNIA's which will be used to complete the annual monitoring return to be included in PHA Annual Report and sent to DAERA for publication and laid before the NI Assembly.

Policy, strategy or plan **does not** impact on rural areas or communities

Further issues affecting rural areas/communities identified

9 Annual Monitoring and Reporting requirements

9.1 The Act requires the PHA to monitor and report annually on how it has met its duty to have due regard to rural needs, by:

- Completing the Rural Needs Annual Monitoring Return (Appendix D), and submit annually to DAERA, for inclusion in their Rural Needs Monitoring Report. This report will be laid before the Northern Ireland Assembly and published.
- Including information from the Rural Needs Annual Monitoring Return in the PHA Annual Report.

9.2 In order to compile the Annual Monitoring Return, all completed Rural Needs Impact Assessments should be forwarded to the PHA Planning and Operational Services team **[insert name/email address when confirmed]** by the lead senior manager.

9.3 The Planning and Operational Services team will record the relevant information on a central data base, which will be used to complete the Rural Needs Annual Monitoring Return.

9.4 All information on Rural Needs Impact Assessments (or other evidence that rural needs have been taken into account) should also be retained for each policy, strategy, plan or service as evidence that due regard has been paid to rural needs by the relevant senior manager. These documents should be retained in line with the PHA's records management policy.

10 Training and Information

10.1 An Introduction to Rural Proofing e-learning package has been developed by the Rural Development Council on behalf of DAERA, to help public authorities including the PHA understand and fulfil their obligations under the Rural Needs Act. The e-learning training package can be found at <http://www.rdc.org.uk/public/RuralProofing/story.html>

10.2 Other sources of additional guidance and support as well as frequently asked questions are listed in **Appendix E**.

11 Roles and Responsibilities

11.1 PHA Board

The **PHA Board** is responsible for seeking assurance that any policy, strategy, plan or service development submitted to the Board for decision has been Rural Needs Impact Assessed and for approving the Rural Needs Annual Monitoring Return.

11.2 The Chief Executive

The **Chief Executive** is accountable to the PHA Board for the development, implementation, maintenance and review of the PHA's Rural Needs Policy in accordance with the Act including any good practice or guidance that has been or may be issued by the DAERA.

11.3 Agency Management Team

AMT Members will ensure that the Act is implemented across the PHA. Members are collectively responsible for:

- Ensuring that an appropriate rural needs impact assessment has been completed when developing, adopting, implementing or revising policies, strategies and plans, and designing and delivering public services.
- Providing assurance to the PHA Board

11.4 Directors

Director of Operations

The Director of Operations is the lead executive Director with responsibility for ensuring that the PHA has effective and appropriate processes and systems to ensure that the PHA takes due regard of rural needs, provides an annual return to DAERA and includes the relevant information in the PHA Annual Report.

All Directors

All Directors are responsible for:

- Ensuring that all lead officers in their Directorate are aware of this policy and their obligation to complete a Rural Needs Impact Assessment.
- Providing assurance to the Chief Executive and the PHA Board that policies and decisions in their area of responsibility have been Rural Needs Impact Assessed, that the associated documentation has been completed and copies shared with the Operations Directorate.

Assistant Directors

All Assistant Directors are responsible for supporting their Director:

- Ensuring that staff within their function are aware of this policy and the requirement to complete a Rural Needs Impact Assessment;

- Ensure that all Rural Needs Impact Assessment documentation has been completed and is shared with the Operations Directorate for inclusion in the Annual Return.

11.5 The **lead officer** is responsible for:

- Making themselves aware of the Act, using the sources listed in section 10, completing the e-learning programme and attending any training that may be arranged;
- Carrying out the Rural Needs Impact Assessment exercise, taking account of the 6 steps, and for completing the associated documentation;
- Deciding who else to involve in the process;
- Ensuring that the policy or decision is finalised, taking account of the Rural Needs Impact Assessment;
- Ensuring that a copy of the completed Rural Needs Impact Assessment template is forwarded to the Operations Directorate as soon as possible once it has been completed alongside the decision-making process;

11.6 Assistant Director Planning and Operational Services

The Assistant Director is responsible for:

- Ensuring the maintenance of a register of policies and decisions that have been assessed along with completed Rural Needs Impact Assessments;
- Providing an annual monitoring return to DAERA for inclusion in their Rural Needs Act Annual Monitoring Report;
- Ensuring that the relevant information is included in the PHA Annual Report

[Appendices](#)

A – Definition of Rural

B – Rural Needs Impact Assessment Template

C – Guidance Notes on Rural Need Impact Assessment

D – Rural Needs Annual Monitoring Return (for completion by Operations Directorate)

E – Guidance, Advice, Information and Frequently Asked Questions