

## **EXPLANATORY MEMORANDUM TO**

### **Census Order (Northern Ireland) 2010**

**SR 2010 No. 195**

#### **1. Introduction**

- 1.1 This Explanatory Memorandum has been prepared by the Office of the First Minister and deputy First Minister to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under the Census Act (Northern Ireland) 1969 and is subject to the draft affirmative resolution procedure. While the Department of Finance and Personnel has central authority for the conduct of the Census, the Census Act specifies that the First Minister and deputy First Minister must first direct that a Census shall be taken. This Order directs that a Census should be taken in 2011.

#### **2. Purpose**

- 2.1 The purpose of the Census Order is to direct that a Census of the population shall be taken and to state:
  - the date of the Census;
  - the area to be covered by the Census;
  - the persons required to complete the Census returns;
  - the persons required to be included in the returns; and
  - the content of the questions to be answered.

#### **3. Background**

- 3.1 The Census Act (Northern Ireland) 1969 makes provision for the taking from time to time of a Census of Population and Housing in Northern Ireland and for otherwise collecting statistical information. The Census is the largest and most complex statistical exercise undertaken in Northern Ireland and traditionally occurs every 10 years.

- 3.2 The responsibility for the planning, conduct and reporting of the Census lies with the Registrar General for Northern Ireland (an officer of the Northern Ireland Statistics and Research Agency). Current planning and development work is being undertaken on the basis that the next Census in Northern Ireland will be conducted on 27 March 2011. This accords with developments throughout the rest of the UK.
- 3.3 The information the Census provides allows central and local government, health authorities and many other organisations to target their resources more effectively and to plan housing, education, health and transport services for years to come.
- 3.4 In Northern Ireland, the Census is planned and carried out by the Northern Ireland Statistics and Research Agency (NISRA), an Executive Agency of the Department of Finance and Personnel. Elsewhere in the UK, responsibility lies with the Office for National Statistics (ONS) and the General Register Office for Scotland (GROS). NISRA works closely with counterparts in ONS and GROS to ensure a very high degree of consistency in the three Censuses.
- 3.5 It is essential that every effort is made to include everyone and participation in the census is a legal obligation (which will be enforceable under the provisions of the Regulations to be made in reliance on section 3 of the Census Act and under section 7 of that Act). The Census is the only survey which provides a detailed picture of the entire population and is unique because it covers everyone at the same time and asks the same core questions everywhere.
- 3.6 NISRA recognises that the public need to be confident that their personal census records will be held securely. As in previous Censuses, assurances will be given to the public that all information provided will be treated in strictest confidence.
- 3.7 The information collected in the 2011 Census will be used solely for the production of statistics and research. Usage will comply fully with the Census Act (Northern Ireland) 1969, the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000. There are legal penalties for the unlawful disclosure, or breaches of confidentiality, of personal information collected in the census.

3.8 The Order provides for the Census to cover all individuals present in Northern Ireland on Census night and, in addition, usual residents who are absent on Census night. It provides for the responsibility to fill in the census questionnaires to be placed on householders and on individuals and people in charge of communal establishments, with exceptions to deal with particular circumstances. These provisions are broadly similar to those for previous Censuses, with changes to take account of the evaluation of the 2001 Census and subsequent consultations. The main changes for the 2011 Census are in the provision of new questions on: adaptations to accommodation for health conditions, type of central heating, civil partnership status, national identity, citizenship, language, nature of long-term health conditions, voluntary work, intended length of stay (for those who have arrived within the last year) and, for those who have lived outside Northern Ireland for a year or more, the date of entry into Northern Ireland and country of previous residence. Revisions have been made to some questions that were asked in the 2001 Census, namely, the general health, qualifications, hours worked and travel to place of work questions.

#### **4. Consultation**

4.1 The content of the 2011 Census has been informed by an ongoing programme of consultation to which the main political parties and Members of the Legislative Assembly (MLAs) were invited at every stage. Consultation began in December 2004 with the issue of a formal consultation paper on -“The Future Provision of Demographic Statistics in Northern Ireland - (Towards the 2011 Census)” with four subsequent public meetings held in March 2006. The consultation was designed to inform understanding of potential user requirements and played a central role in the design of the Census Test, which took place on 13 May 2007.

4.2 A further Information Day was held in June 2007 to which the main political parties and MLAs were once again invited to take part.

4.3 Meetings have also been held with individuals from the main Census users in academia, and business, statutory and voluntary sector bodies such as NICVA and the Equality Commission, to note their views on a range of Census related matters. In addition, there has been ongoing consultation on the Census through two formal groups:

- the Northern Ireland Statistics Advisory Committee (SAC) - a statutory body which advises the Northern Ireland Statistics and Research Agency (NISRA); and
- the Northern Ireland Statistics Coordinating Group - an inter departmental group with representation from all central government departments.

4.4 The proposals for the 2011 Census also take account of (i) the results of a programme of research and testing aimed at better understanding the public's comprehension and perception of Census-related concepts and (ii) tests, both small and large-scale, of Census question wording, questionnaire design and delivery methods. The research and testing have included a major Census Test carried out in the Belfast, Coleraine, Craigavon, Magherafelt and Fermanagh Local Government District areas on 13 May 2007. A Census Rehearsal was conducted on 11 October 2009 in Moy and Derriagh.

## **5. Equality Impact**

5.1 The Census Order deals with the date of the Census, those who will be enumerated and the topics that will be covered.

5.2 The day and date proposed for the Census, 27 March 2011, have been chosen to ensure that, as far as possible, the Census will not clash with the Assembly elections planned for May 2011, will be conducted when there is sufficient daylight for enumerators to work safely, and at times when people are most likely to be at home.

5.3 Those enumerated reflect the complete resident population of Northern Ireland and, additionally, those who are short-term migrants staying for at least three months. Provision is being made to ensure that, as far as possible, groups such as the very elderly and the homeless can be included.

5.4 The topics have been chosen following a lengthy period of consultation, and will benefit all members of the population, while providing statistical information on the condition of many small population groups, where the Census is the sole source of information.

5.5 A screening exercise was undertaken and, in view of the arrangements that will be in place for the 2011 Census noted above, it was concluded that an Equality Impact Assessment was not necessary for this Statutory Rule covering the date of the Census, those to be enumerated and the topics to be covered.

5.6 The subsequent Census Regulations, which detail the operation of the Census, will be taken forward by DFP and will involve additional equality screening. Overall, the approach to the 2011 Census is building on the positive initiatives that were successfully deployed in the 2001 Census to ensure that the 2011 Census is equally accessible to everyone in Northern Ireland, irrespective of their circumstances. For example, arrangements will be made to enable blind or partially sighted people and people not proficient in English to make a Census return. This includes the provision, on request, of a copy of the Census questions and the accompanying explanatory material in:

- Braille, large print and audio / visual formats, and
- A range of other language versions.

- 5.7 Special assistance will be available to anyone who has difficulty completing a Census questionnaire, particularly through language difficulties or infirmity. For example:
- A language line service will be available for people who have difficulty with, or do not speak, English;
  - Field staff will have access to translation services to assist those who have difficulty with, or cannot speak, English; and
  - A typetalk facility will be available for those with a hearing impairment.
- 5.8 The Census questionnaire and all accompanying information leaflets will make it clear to the general public how they can get help with the completion of their Census questionnaire, should they need to do so. For example, the general public will have access to a dedicated Contact Centre and will be able to speak directly to personnel specifically trained to assist them on Census matters and, if necessary, arrange for a member of the field staff to provide them with the assistance that they need at their own home. Such key messages will also be echoed through a tailored publicity and media campaign in the run up to and during the Census operation.
- 5.9 The innovative 2001 Census Community Liaison initiative is being further developed with an emphasis on active collaboration with the various agencies and community wide organisations involved to ensure that the support mechanisms put in place for the 2011 Census accord with best practice. Links have been established with key organisations such as statutory bodies (e.g. Equality Commission for Northern Ireland), the NI Council for Voluntary Action (NICVA), NI Council for Ethnic Minorities (NICEM), Age Concern, Help the Aged, the Royal National Institutes for the Blind and the Deaf, the Simon Community, the Citizen's Advice Bureau (CAB) and others representing minority populations and special interest groups.
- 5.10 The comprehensive and robust statistical data provided through the Census will benefit all members of the population through informing the development, implementation and monitoring of a wide range of policies applicable to the categories covered by Section 75 of the Northern Ireland Act 1998. No equality issues were raised regarding the content of the Census during the extensive consultation and testing work undertaken over a four year period.

## **6. Regulatory Impact**

- 6.1 The impact of this legislation on business, charities or voluntary bodies of this legislation is considered to be minimal as the purpose of the Census is not to collect business data. The only impact on business will be the requirement for persons in charge of commercial communal establishments, to make a return in respect of the establishment and of any residents or inmates residing within their premises, who are unable to make a return for themselves.
- 6.2 However, it is important to note that the statistical data gained via the Census will be beneficial to many different bodies. Commercial business, professional organisations and the public at large, all need reliable information on the number and characteristics of people and households if they are to conduct many of their activities effectively.
- 6.3 The impact on the public sector of this legislation is again minimal, although Government, local authorities, the health service, the education and academic community and other public bodies, all rely upon Census data to aid the planning of budgets, front line services and resources.
- 6.4 An Impact Assessment has been prepared for this Order.

## **7. Financial Implications**

- 7.1 NISRA bids for funds for the Census through the usual departmental processes within DFP. There are no additional financial implications flowing from this Order. A Business Case for the Census has been approved within DFP, and the Census is being subjected to the Gateway Review process.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1 There are no issues arising from compliance with this legislation, indeed the Census will be required in order to meet an EU Regulation, as detailed in section 9 below.

## **9. EU Implications**

- 9.1 EU Regulation (EC) No 763/2008 places an obligation on all member states to provide statistical information that describes the population. The information must relate to 2011, but the reference date within 2011 can be specified by the member state. The statistical information must be provided for designated small areas that in Northern Ireland equate to electoral wards. The statistical information must describe the population in terms of, among others, sex, age, marital status, address one year ago and citizenship. The Regulation does not mandate that a Census is conducted, but in Northern Ireland only a Census of Population can provide the required information. Thus, the Census is required for Northern Ireland to meet its obligations under this EU legislation.

## **10. Parity or Replicatory Measure**

- 10.1 In order that the UK can meet its requirements under the EU Regulation (see 9 above), similar legislation is being enacted at Westminster (regarding England & Wales) and in the Scottish Parliament.

## **11. Additional Information**

- 11.1 Not applicable.

# Regulatory Impact Assessment

## 1. Title of Proposal

The Census Order (Northern Ireland) 2010.

## 2. Purpose and intended effect of measure

### (i) The objective

The Census provides accurate counts of the population, households and dwellings across the country, augmented by information on population structures (for example family and household relationships) and population characteristics (for example ethnic group). Uniquely, the Census provides this information on a comparable basis for small areas across the country. In addition, the Census is often the sole source of information about small population groups.

The Census Order, made in accordance with the Census Act (Northern Ireland) 1969, prescribes for:

- the date on which the Census is to be taken;
- the persons by whom and with respect to whom, the Census returns are to be made; and
- the particulars to be stated in the returns.

### (ii) The background

The primary legislation that provides for the taking of a Census in Northern Ireland is the Census Act (Northern Ireland) 1969, which states that the First Minister and deputy First Minister acting jointly, may direct that a Census of population shall be taken. The responsibility for making the necessary arrangements for planning, conducting and reporting of the Census rests with the Registrar General for Northern Ireland.

The Census provides three broad categories of information:

- counts of population units – e.g. people, households and dwellings,
- population structures - e.g. family and households relationships, ethnic groups, and
- population and housing characteristics - e.g. health, employment.



The information provided by the Census is used extensively across the public, private and voluntary sectors and has many important applications. The following details the six broad purposes for which Census data is used:

- resource allocation;
- targeting investment;
- service planning;
- policy making and monitoring;
- academic and market research; and
- as a benchmark for other National Statistics.

The Census is the most complete source of information about the socio-economic condition of the population available. Each question on the Census questionnaire meets a demonstrated need and is suitable for a self-completed questionnaire. The questions have been extensively tested, with a large scale Census test, focus groups and Omnibus Survey testing carried out.

The Census is also the only survey which provides a detailed picture of the entire population of Northern Ireland and in addition, with the same core questions being asked across the United Kingdom (UK) at the same time, enables comparisons across different parts of the UK to be made.

### **(iii) Risk assessment**

The Census is the largest single statistical exercise undertaken by government and is the most important source of information on the size and nature of the population.

Information from the Census is used widely and underpins national and local decision making. Central government, local authorities, the health and education services, the academic community, commercial businesses, professional organisations, and the public at large all need reliable information on the number and characteristics of people and households if they are to conduct their activities efficiently.

Regulation (EC) No 763/2008 of the European Parliament and of the Council of the European Union places an obligation on member states to provide specified statistical information on the socio-economic characteristics of the population for small geographic units (electoral wards). The information must relate to 2011. In Northern Ireland, and in the rest of the United Kingdom and in Ireland, a Census of Population is required to provide the information.

The last Census took place on 29 April 2001.

Accordingly, it is judged that a Census of Population is required in 2011 to update statistical estimates of the size and characteristics of the population of Northern Ireland and to provide information to meet the requirements of the above European Regulation.

### **3. Options**

It is widely accepted that 'Census-type' information is required for the efficient provision of a range of government, wider public and private services. 'Census-type' information might be summarised as statistics relating to the number and condition of the population and their living conditions, covering the complete population providing consistent, comparable information for small areas throughout the country and for small subgroups of the population.

Such information has to date been obtained through a Census process. Since the first Census in Northern Ireland, and indeed all Censuses in the UK and Ireland, this has always been administered through a periodic Census operation whereby all persons / households are asked to provide information at one point in time to provide a snap-shot of the country. Many aspects of the Census have evolved over time but the fundamental nature of the operation has remained basically unchanged.

However, as an alternative to carrying out a traditional Census in 2011 the following options were also considered:

- Do nothing;
- Administrative Sources;
- A Rolling Census;
- Long form / Short form Census or simple head count;
- A traditional approach to the Census;
- Enhancing the traditional Census.

However, none of the options considered provided a single alternative to a full Census operation in 2011 capable of delivering all three aspects of Census data (population units, population structures and population characteristics).

Therefore, having evaluated all the options listed it was concluded that a traditional style Census should be conducted in 2011. This position is consistent with that established independently by both the ONS and GROS who have responsibility for the Census in England & Wales and Scotland respectively.

### **4. Benefits**

The potential value of the benefit of the Census can be quantified in financial terms through estimating the extent to which resources might be mis-allocated in the absence of the Census.

For example, ONS has recently estimated that if Census data were not available £82bn, allocated each year by the Department of Health to each Primary Care Trust (PCT) in England, would have to be based on data using the existing information available within the National Health Service (NHS). Detailed analysis has shown that using such lower quality data sources would

result in over £800m being misallocated per year, with some individual PCTs gaining, or losing, millions of pounds.

Although the absolute amounts of money are smaller in Northern Ireland, similar misallocation would occur in Northern Ireland. A NISRA analysis suggests that for each £1bn allocated to local government district areas, the use of rolled-forward population estimates prior to the 2001 Census would have misallocated £10.8m (1 percent), with some areas gaining and others losing millions of pounds.

Within the health area, in particular, resource allocation is heavily skewed toward elderly people with the numbers of people aged 85 or over being a key driver of resource allocation. The elderly are a difficult group to track (because of, for example, poor recording of age on death certificates). Repeating the comparison, in the previous paragraph, between using rolled-forward population estimates and Census estimates on those aged 85 and over in 2001 gives a spatial misclassification rate of 14 per cent, composed of a 7 percent gain in some areas and a corresponding loss elsewhere.

The observation that funds have been spatially misallocated does not of course mean that all the misallocated resources have been wasted; the money will have been spent on the provision of services somewhere. However, in a Northern Ireland context, DHSSPS use population estimates as key drivers in the spatial allocation of resources to the value of around £2.5 billion per year. Assuming a misallocation rate of 1 per cent from a lack of benchmarking population estimates equates to £25m being misallocated per year. (Over the decade between Censuses this misallocation would amount to £250m potentially leading to substantial differences in the services available in different areas.)

This £25m per annum is a under-estimate of the likely level of misallocation, from just one use of Census data, but the value of this single use alone (using a conservative estimate) is comparable with the expected total cost of the Census.

## **Business sectors affected**

The purpose of the Census is not to collect business data and the only impact on business will be the requirement for persons in charge of commercial communal establishments to make a return in respect of the establishment and for any residents or inmates residing within their premises who are unable to make a return for themselves.

However, it is important to note that the statistical data gained via the Census will be beneficial to many different bodies. Commercial businesses all need reliable information on the number and characteristics of people and households if they are to conduct many of their activities effectively. As part of the business case for the Census in England and Wales, ONS has estimated the value of Census data to businesses in the UK, counted over the 10-year cycle, to be in the region of £250m. A pro-rata population based allocation of this implies a value for Northern Ireland of around £7m.

## **Other impact assessments**

### **Environmental impact assessment**

NISRA will feed into the environmental management system as established by ONS. NISRA, in conjunction with ONS, proposes to undertake a carbon assessment of the Census questionnaire.

### **Equality Impact**

A screening exercise was undertaken and in view of the arrangements that are in place for the 2011 Census, it was concluded that an Equality Impact Assessment was not necessary for the Census Order.

## **5. Costs**

The total cost of the Census over the period of the current CSR is estimated to be £13.3 million. The cost profile at current (cash) prices is shown in the table below. Further funding will be required in the next CSR period from 2011/12 to 2013/14.

<b>Year</b>	08/09	09/10	10/11	CSR
<b>£ m</b>	1.786	2.162	9.312	13.260

The key elements of the Census costs in the current CSR are described in the following table.

Category of spend	Description	Cost over CSR period
NISRA specific projects	Payments to field staff make up the major element of this cost. The figures assume that a field force of around 1,700 enumerators will be required for 2011, compared to 2,590 in 2001. In addition, just over 250 staff will be required for 2011 in order to provide field management, compared to 390 in 2001. The post-out methodology, better IT processes, and the potential for internet completion, will allow a larger number of addresses to be covered by each enumerator. In addition to the Census itself, these costs cover a Census Rehearsal in 2009, as well as coverage and quality surveys in 2011 (the latter two will fall in the next CSR period).	£5.22m
Route 'A' procurement	Route A procurement will provide a service for the printing, distribution, receipting, tracking and processing of Census forms, in addition to an integrated internet return option and supporting public interface (e.g. dedicated Contact Centre and supporting web self-help facility).	£3.36m
Downstream processing	In addition to managing the Route A procurement, ONS are developing systems for the 'down-stream' processing of the data received from the Route A contractor. The 'downstream processes' will cleanse the data and make necessary statistical adjustments prior to the production of outputs. NISRA will contribute to these activities, in proportion to population share.	£0.85m
Staffing	Census Office will take on additional staff in the period leading up to Census Day; these staff numbers will then decline again after the main Census operation, and decline further after the production of the main outputs.	£1.68m (core staff). £1.34m (additional staff).
'Buying' other services	Census Office will also receive some services from other parts of NISRA, for example, Census Office will fund the	£0.18m

	Neighbourhood Statistics team within NISRA to take the lead on developing an appropriate dissemination vehicle for the 2011 Census results, integrating Census results with other official statistical sources.	
Capital expenditure	This will be IT related, for example purchasing servers for the dissemination of Census results.	£0.08m
Miscellaneous	Includes secure communication links, specialised software licences etc.	£0.6m

## 6. Small Business Impact Test

The impact on the business sector is considered to be minimal. This is because the purpose of the Census is not to collect business data. Indeed, information from the Census is used widely by small businesses in the delivery of their activities.

## 7. Enforcement and Sanctions

The importance of achieving maximum coverage in the Census necessitates that public participation should be mandatory. The statutory requirement to provide personal Census information is prescribed by the provisions of the Census Act (Northern Ireland) 1969 and in the Order and Regulations that will be made under the Act.

## 8. Monitoring and Review

In accordance with good practice the Department of Finance and Personnel will keep the operation of the legislation under review.

## 9. Consultation

The content of the 2011 Census has been informed by an ongoing programme of consultation. This began in December 2004 with the issue of a formal consultation paper on -“The Future Provision of Demographic Statistics in Northern Ireland - (Towards the 2011 Census)” with four subsequent public meetings held in March 2006. The consultation was designed to inform understanding of potential user requirements and played a central role in the design of the Census Test, which took place on 13 May 2007.

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Meetings have also been held with individuals from the main Census users in academia, and business, statutory and voluntary sector bodies such as NICVA and the Equality Commission, to note their views on a range of Census related matters. In addition, there has been ongoing consultation on the Census through two formal groups:

- the Northern Ireland Statistics Advisory Committee (SAC) - a statutory body which advises the Northern Ireland Statistics and Research Agency (NISRA); and
- the Northern Ireland Statistics Coordinating Group - an inter-departmental group with representation from all central government departments.

The proposals for the 2011 Census also take account of (i) the results of a programme of research and testing aimed at better understanding the public's comprehension and perception of Census-related concepts and (ii) tests, both small and large-scale, of Census question wording, questionnaire design and delivery methods. The research and testing have included a major Census Test carried out in the Belfast, Coleraine, Craigavon, Magherafelt and Fermanagh Local Government District areas on 13 May 2007. A Census Rehearsal was conducted on 11 October 2009.

## **10. Summary and Recommendation**

The Census is the largest single statistical exercise undertaken by Government and is the most important source of information on the size and nature of the population. The Census is typically held once every ten years.

The impact on the public and business sector of this legislation is minimal. However, commercial business, professional organisations and the public at large, all require reliable information on the number and characteristics of people and households if they are to conduct many of their activities effectively.

## **11. Declaration**

**“I have read the Regulatory Impact Assessment and I am satisfied that the benefits justify the costs.”**

**Signed** ..... (This remains blank until the legislation is to be sent to Parliament or the Assembly. It then becomes a final RIA)

**Date**

**Minister's name, title, department**

### **Contact point**

*Robert Beatty  
Head of Census  
McAuley House  
2- 14 Castle Street  
Belfast*

*Tel: 028 90 348101.*