

Guide to the Rural Needs Act 2018

The Rural Needs Act became a legal responsibility for Health and Social Care Trusts on the 1st June 2018. The Act was introduced to ensure that consideration of the needs of people in rural areas becomes firmly embedded within public authorities to ensure fairer and more equitable treatment of people in rural area.

From this date, we are statutorily required to have due regard to rural needs when **developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services.**

The purpose of the Act is to ensure that we **pay due regard to the social and economic needs of people in rural areas** when carrying out the aforementioned activities.

What is the duty of *Due Regard*

The duty of *due regard* means you must *consciously consider* the social and economic needs of persons in rural areas. The duty of *due regard* is fulfilled before and at the time a particular policy, strategy, plan, design and deliver of a service is under consideration. It must be exercised in substance, with rigor and with an open mind in such a way that it influences the final decision.

Social and Economic Needs

In considering the social and economic needs of people in rural areas (as they relate to a policy, strategy, plan or service) it is important to determine any potential **barriers** to the delivery of a fair outcome for people in rural areas. You will need to take into account the characteristic of rural areas and consider how any barriers can be mitigated or overcome. When considering rural needs you should also seek to ensure that a policy, strategy, plan or service does not *indirectly impact* on rural areas in ways that are likely to *disadvantage* people in rural areas compared to people in urban areas.

Examples of the type of questions which should be reflected upon when considering rural needs include:

- Could the cost of providing or accessing the service be disproportionately higher in rural areas
- Is there a need to implement a different service model in rural areas
- Is there a need to align public transport services or timetables
- Is there a role for the voluntary and community sector in helping to deliver more equitable outcomes for people in rural areas

- Is there a need to have a rural specific dimension tailored to meet the particular circumstance pertaining to rural areas
- Is an equitable proportion of the funding programme being allocated to rural areas.

The level of consideration required should be **proportionate** to the relevance of the policy, strategy, plan or service to people in rural areas and the impact it is likely to have on rural needs.

Having considered the social and economic need of people in rural areas you should consider how the rural needs identified should be taken account of in the development, adoption, implementation or revising of the policy, strategy or plan or in the design or delivery of the service. You should always seek to ensure fair and equitable treatment of people in rural areas and be aware that 'one size fits all' approach may not be appropriate.

What does the Trust need to do?

The Trust will have 2 main duties under this legislation:

1. To consider the needs (social and economic) of people in rural areas in terms of policies, proposals and plans and public services
2. To monitor our activity in this regard and report annually

Rural population

About 670,000 people live in rural areas in Northern Ireland – this equates to **37%** of the population (Census 2011). Many policies or services may have a regional impact and the impact could potentially be different for people in rural areas than for those in urban areas e.g. Geographical isolation or lower population density. So people in rural areas may have different needs in relation to the policy and we must ensure that we consider these when drafting, adopting, implementing or revising policies or when designing and delivering public services.

What constitutes Rural?

Rural can be classified by those settlements with populations of **less than 5,000 together with the open countryside**. (The default definition of “rural” used in Northern Ireland is that developed by the Inter-Departmental Urban-Rural Definition Group.)

How to complete the template?

A template and comprehensive guidance have been developed by DAERA (Department of Agriculture, Environment and Rural Affairs). The Trust has worked to develop a more succinct template. This is in the interests of expediency and reducing bureaucracy whilst ensuring that we meet all our respective legal duties.

In terms of completion of the template, it is important to consider in full the potential impact on rural needs of your proposal. It is equally important to be clear - what is a need and what is desirable – in general, 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 e.g. can the people in the rural area **access key public services such as health and social care**? Do they have the ability to access suitable employment opportunities? Are they able to enjoy a healthy lifestyle?

It is essential that this consideration and in particular recording of these considerations is done **prior** to making any decision – the Trust cannot satisfy the duty by justifying a decision after it has been taken. This consideration must be done with an open mind and with rigour and is not a tick box exercise

The legal duty is **non-delegable** – **the person who is policy lead or designing or delivering public services must themselves pay due regard to rural needs at a conceptual stage.**

Recording of these considerations facilitates transparency and openness – and will also be used as an audit trail for the process having taken place. It is imperative that completed templates are retained in line with record keeping arrangements.

Consideration of rural needs will enhance decision-making and will ensure that the services or plans are responsive and accessible to all service users, patients, carers and staff. So as well as fulfilling our legal obligation, it also makes good business sense. **Failure to undertake these legal assessments could result in Judicial Review for not following due process.**

Six Steps Process of Rural Impact Assessment	
Step 1	Define the activity
Step 2	Understand impact that the policy, strategy, plan or public service is likely to have on people in rural areas. The policy lead should consider both the direct and indirect impacts and both positive and negative impacts.
Step 3	Identifying Rural Needs
Step 4	Considering Rural Needs
Step 5	Influencing the Outcome
Step 6	Documenting and Recording

The assessment and level of detail in each template ought to be proportionate and relevant to the potential impact of the proposal/service on rural needs. The [full guidance](#) produced by DAERA gives more comprehensive guidance on how to complete the impact assessment template and this internal document is not meant to substitute it, but is an aide memoire for staff charged with undertaking the impact assessment.

All completed Rural Impact Assessment templates must be returned to the Trust's **Equality, Diversity and Inclusion Unit** to facilitate the completion of an annual report to DAERA.