

EXPLANATORY MEMORANDUM TO
The Census Order (Northern Ireland) 2020

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Executive Office 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 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 Rule directs that a census should be taken in 2021 and outlines in broad terms the content and coverage of the 2021 Census.

2. Purpose

- 2.1 The purpose of the Census Order (Northern Ireland) 2020 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 those returns; and
 - the topics upon which questions shall 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 by government and traditionally occurs every 10 years. The last census was held on 27 March 2011.
- 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 Department of Finance). The next census will take place on 21 March 2021.
- 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 The census is planned and carried out by the Northern Ireland Statistics and Research Agency (NISRA), an Executive Agency of the Department of Finance. In England and Wales, responsibility for the census lies with the Office for National Statistics (ONS) and in Scotland with the National Records of Scotland (NRS). NISRA officials work very closely with counterparts in ONS and NRS to ensure a high degree of consistency of statistics, with censuses also planned in Great Britain on 21 March 2021.
- 3.5 A census is also planned to be taken in the Republic of Ireland on 18 April 2021. NISRA officials work closely with their counterparts in the Central Statistics Office (CSO), Ireland to ensure a compatible approach and the ability to produce key North-South statistics.
- 3.6 Full coverage of the population is essential and participation in the census is a legal obligation (which is enforceable under the Census Regulations to be made in reliance on section 3 of the Census Act (NI) 1969 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. NISRA officials recognise that the public need to be confident that their personal census records will be held securely. Therefore, 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 2021 Census will be used solely for the production of statistics and statistical research. Usage will comply fully with the Census Act (Northern Ireland) 1969, the requirements of the Freedom of Information Act 2000 and the Data Protection Act 2018. There are legal penalties for the unlawful disclosure, or breaches of confidentiality, of personal information collected in the census.
- 3.8 This 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 in 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 2011 Census and subsequent consultations. The 2021 Census will differ from the 2011 Census in a small number of areas. For example given the recent introduction of legislation governing civil partnerships, the ‘Marriage (Same-sex Couples) and Civil Partnerships (Opposite-sex Couples) (Northern Ireland) Regulations 2019’, references to ‘registered same-sex civil partnerships’ have been updated to ‘civil partnerships’.
- 3.9 Three new questions are planned on (i) renewable energy systems (household level), (ii) apprenticeships (for those aged 16 or over) and (iii) sexual orientation (for those aged 16 or over). Under the Census (Return Particulars and Removal of Penalties) Act 2019 the question on sexual orientation will have no penalty for non-response.
- 3.10 In addition minor revisions are proposed to some questions that were asked in the 2011 Census, namely; household adaptations, central heating, ethnic group, ability in Irish and Ulster-Scots, nature of long-term health conditions, provision

of unpaid care and qualifications. In addition, the labour market section of the questionnaire has had minor changes to the economic activity section together with the main place of work/place of study questions.

- 3.11 Several questions asked in the 2011 Census will not be included in the 2021 Census, namely, whether households are self-contained, the number of rooms available to the household and helping with/carrying out voluntary work without pay.
- 3.12 Additionally, the communal establishment questionnaire has also been updated to record the name, sex and date of birth of all residents. This is designed to support the successful enumeration of communal establishments (e.g. nursing homes).

4. Consultation

- 4.1 The content of the 2021 Census has been informed by extensive consultation. In order to understand the needs of census data users, NISRA carried out a consultation on topics to be asked in the 2021 Census between 25 September and 17 December 2015. The consultation paper presented NISRA's initial view on the topic content of the 2021 Census questionnaire and included some new topics for consideration. The aim was to promote discussion and encourage the development of strong cases for topics to be included.
- 4.2 The consultation was issued to over 1,400 key census users which included political representatives, key advisory groups and statutory and voluntary sector bodies. Public information events were held in Omagh and Belfast in October 2015 and around 50 responses to the consultation were received. NISRA published the findings of the Topic Consultation in a report entitled '2021 Census: Topic Consultation for Northern Ireland – Assessment of the responses received' in August 2016.
- 4.3 Following the consultation, NISRA established six topic expert groups covering: housing; demography and migration; ethnic group, identity, language and religion; health; education; labour market and travel to place of work/study to inform detailed proposals for the census.
- 4.4 In addition, there has been ongoing consultation on the census through three formal groups:
- the Statistics Advisory Committee (SAC) - a statutory body which advises NISRA;
 - the Statistics Coordinating Group - an inter-departmental group with representation from all central government departments; and
 - the Demographic Statistics Advisory Group – a multi-disciplinary group of key census data users.
- 4.5 The Registrar General published proposals for the 2021 Census in April 2019 and engagement events were held across Northern Ireland to explain and discuss these proposals.

4.6 The proposals 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 Census Test conducted in Autumn 2017 and a Census Rehearsal in Autumn 2019 covering 20,000 households in Craigavon, West Fermanagh and South & East Belfast.

5. Equality Impact

5.1 The day and date proposed for the census, Sunday 21 March 2021, have been chosen to ensure that, as far as possible, the census will not clash with any planned elections, will be conducted when there is sufficient daylight for enumerators to work safely and when people are most likely to be at home.

5.2 The census is designed to maximise the response rate to ensure that the whole population is counted. A range of measures are in place to ensure that those population groups which are harder to reach are fully represented in the census. In particular, while the census will be designed to be completed online, the elderly population and those households in areas of poor broadband coverage will receive a paper questionnaire from the outset to encourage full participation. The on-line questionnaire will have a number of options including support for people who wish to respond in Irish or Ulster-Scots and options for those who are not proficient in English.

5.3 The topics have been chosen following a lengthy period of consultation, and the outputs from the census will benefit all of the population, providing statistical information on the condition of many small population groups, where the census is the sole source of information.

5.4 A screening exercise was undertaken and, in view of the arrangements that will be in place for the 2021 Census noted above, it was concluded that a full Equality Impact Assessment was not necessary for this Order.

5.5 The 2021 Census will build on the positive initiatives that were successfully deployed in the 2011 Census to ensure that the 2021 Census is equally accessible to everyone, 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, easy read and audio formats and in a range of other languages.

5.6 Special assistance will be available to anyone who has difficulty completing a census questionnaire, particularly through language difficulties or infirmity. For example:

- A language helpline will be available for people who have difficulty with, or do not speak, English;

- Field staff will have access to translation materials to assist those who have difficulty with, or cannot speak, English; and
- A text facility (NGT) will be available for those with a hearing impairment.

- 5.7 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 advertising and media campaign in the run up to and during the census operation.
- 5.8 The 2011 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 2021 Census accord with best practice. Links have been established with key stakeholder organisations such as statutory bodies and others representing minority populations and special interest groups.
- 5.9 The comprehensive and robust statistical data provided through the census will benefit all 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 is considered to be minimal as it is not the purpose of the census 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 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 many of their activities effectively.
- 6.3 The impact on the public sector of this legislation is also minimal and 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 A Regulatory Impact Assessment has been prepared for this Order.

7. Financial Implications

7.1 NISRA bids for funding for the census through the usual departmental processes. There are no additional financial implications flowing from this Order. A business case for the census has been approved by the DoF Economist.

8. Section 24 of the Northern Ireland Act 1998

8.1 It is the view of the Department that this Order is compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1 EU Regulation (EC) No 763/2008 places an obligation on Member States to provide statistical information that describes the population. Whilst legislation relating to exit from the EU revokes the application of this regulation to the United Kingdom – the UK retains international obligations through the United Nations to provide key population statistics that only a census can provide.

10. Parity or Replicatory Measure

10.1 Similar legislation is being enacted at Westminster (regarding England & Wales) and in the Scottish Parliament.

11. Additional Information

11.1 Not applicable.

March 2020