

Response to the Office of the First Minister and deputy First Minister's consultation on the Social Investment Fund

December 2011

Introduction

1. The Commission welcomes the opportunity to provide a short response to the consultation on the proposed operation of the Social Investment Fund.¹ This response focuses primarily on the equality and good relations considerations which are relevant to the operation of the Fund.
2. The Commission welcomes the introduction of the Social Investment Fund², recognising its potential to have significant effect in addressing inequalities through its focus on the reduction of poverty, unemployment and physical deterioration in specific areas. The Commission recognises, too, the importance of interventions being planned and implemented in partnership with communities and in a coordinated way across various sectors. The Social Investment Fund has the potential to transform the targeted communities and contribute to bringing about a fairer and more equal society across Northern Ireland. Indeed, the Social Investment Fund is a real example of an area of public policy where the application of the Section 75 discipline can have a significant impact on the efficacy of the policy and the effectiveness of its implementation.
3. The Commission welcomes particularly the Social Investment Fund's strategic objectives – supporting communities to build pathways to

¹ The Commission's remit is set out at Annex 1

² Social Investment Fund, consultation document <http://www.ofmdfmi.gov.uk/sif-consultation-wdoc.doc>

employment, tackle the systemic issues linked to deprivation, increase community services and address dereliction and promote investment in regeneration. The key themes identified in the consultation in relation to these – covering issues such as educational underachievement of particular groups and individuals, lack of aspiration, reducing or removing barriers to employment and social mobility issues – are themes which the Commission has consistently raised as contributing to inequalities and in urgent need of attention. The Commission recognises the clear alignment of the equality and good relations duties of OFMDFM with the Social Investment Fund’s strategic objectives and **recommends** that this alignment and the consequent potential for change is made more explicit in the final document.

Equality considerations

4. The Commission welcomes the Department’s strategic level equality impact assessment of the Social Investment Fund’s objectives and agrees with its conclusions that the outworking of the Social Investment Fund has the potential to provide benefits across all the equality categories identified by Section 75 of the Northern Ireland Act 1998 and also positive benefits in respect of the good relations duties set out in Section 75 (2). Ongoing monitoring and evaluation, at all levels (strategy, strategic area plans and projects) and stages of the initiative will be important, to ensure that the programme is having impact on addressing inequalities and promoting equality. This is particularly important in a programme of this kind which is seen to have general benefit. It will allow equality assessment to avoid a focus on problems and to instead focus on actions to remove barriers.
5. The Commission welcomes the Department’s acknowledgement (page 25 of the consultation document) that the local area plans, which will be framed to deliver responses to identified local need, will

be subject to equality appraisal to ensure that the needs of groups belonging to the Section 75 categories are addressed.

6. However, the Commission would welcome greater clarity on the arrangements for carrying out the further equality screening on all of the area plans to consider more fully the potential impacts. For example, is it envisaged that the screening of area plans be undertaken by OFMDFM or a public authority designated as the lead within a Steering Group for an Investment Zone? If the latter option, it will be important to agree a transparent mechanism for so designating a lead public authority.

Other comments

7. We note that the consultation paper refers once to community planning (para 4.05) but not to the anticipated community planning duty to be placed on local government. The Commission **recommends** that the Social Investment Fund and its delivery should demonstrate awareness of this context. We have responded to the Department of the Environment's policy consultation on the way forward for the review of public administration, including community planning,³ and consider that there are opportunities for alignment of the Social Investment Fund plans with plans for community planning in local areas.
8. The Commission also **recommends** that attention be given to the relationship between central / local government generally, to ensure that the related priorities of the draft Programme for Government are reflected in the delivery of the Social Investment Fund. For example, the Programme for Government provides for education and training initiatives to improve employability and targets and actions in housing and relating to public space which will have resonance with the aspirations contained in the Social Investment Fund area plans.

³ Response to DOE Policy Proposals, March 2011
<http://www.equalityni.org/archive/word/LocalGovernmentReformECNIresponse11March2011.doc>

Implementation of the Programme for Government will also see a strategy for Cohesion, Sharing and Integration and the introduction of community planning powers in local government, as mentioned in para 8.

9. The Commission welcomes the proposal that each area plan will be assessed against a core set of criteria (para 4.07). However, we would further **recommend** that the area plan assessment process takes account of public sector procurement requirements, including through the use of the guidance *Equality of Opportunity and Sustainable Development in Public Sector Procurement*⁴.
10. We welcome the intention to integrate relevant existing and emerging programmes and initiatives (para 3.02) in the Social Investment Fund plans to be developed by the Steering Groups. The Commission **recommends** that all public authorities involved consider the impact the Social Investment Fund may have on their Section 75 action plans, maximising the potential outcomes and impact⁵.
11. The Commission **recommends** that the Social Investment Fund and its delivery are sufficiently flexible to take account of new needs in relation to demographic change, continuing economic downturn and other factors while the spread of objectives is not so wide as to dilute the impact of the available resources.

Conclusion

12. The Commission welcomes the introduction of the Social Investment Fund and is happy to provide further advice and assistance to OFMDFM to ensure that its Section 75 requirements are met and that the opportunities provided for in the Social Investment Fund and

⁴ Equality of Opportunity and Sustainable Development in Public Sector Procurement, ECNI and CPD, 2008 <http://www.equalityni.org/archive/pdf/ECNIPublicSector0508.pdf>

⁵ Realising Outcomes from the Section 75 Equality Duties
<http://www.equalityni.org/archive/pdf/RealisingOutcomes.pdf>

through the Programme for Government for a transformation of society for all are met.

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Annex 1: The Equality Commission for Northern Ireland - Remit

13. The Equality Commission for Northern Ireland (the Commission) is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for implementing the legislation on fair employment, sex discrimination and equal pay, race relations, sexual orientation, disability and age.
14. The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998 (Section 75) and to promote positive attitudes towards disabled people and encourage participation by disabled people in public life under the Disability Discrimination Act 1995.
15. The Commission's general duties include:
 - working towards the elimination of discrimination;
 - promoting equality of opportunity and encouraging good practice;
 - promoting positive / affirmative action
 - promoting good relations between people of different racial groups;
 - overseeing the implementation and effectiveness of the statutory duty on relevant public authorities;
 - keeping the legislation under review;
 - promoting good relations between people of different religious belief and / or political opinion.
16. The Commission, with the Northern Ireland Human Rights Commission, has been designated under the United Nations Convention on the rights of Persons with Disabilities (UNCRPD) as the independent mechanism tasked with promoting, protecting and monitoring implementation of UNCRPD in Northern Ireland.