



Equality House

7-9 Shaftesbury Square

Belfast

BT2 7DP

Tenant Participation Strategy Consultation

Social Housing Reform Programme

Ground Floor Lighthouse Building

Gasworks Business Park

Belfast

BT2 7JB

8 April 2015

Dear Colleague

We welcome the opportunity to respond to your consultation, *A Tenant Participation Strategy for Northern Ireland: 2015 to 2020*.

The Commission views housing as a priority area, as the Department will know from our [response](#) to *Facing the Future: Northern Ireland Housing Strategy 2012-2017* in December 2012, and will be publishing our updated

findings and recommendations in relation to key inequalities in housing in due course.

At this time we would remind the Department of its public sector equality and disability duties and, specifically, of the requirement in Section 75 of the Northern Ireland Act 1998 for designated public authorities such as the Department and housing associations to have due regard to the need to promote equality of opportunity in relation to the nine equality categories and to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group. The Department's or housing association's equality scheme sets out how it will comply with both of these duties.

Also, Section 49 of the Disability Discrimination Act 1995 requires designated public authorities to have due regard to the need to promote positive attitudes towards disabled persons and to the need to encourage participation by disabled persons in public life ('the disability duties'). This duty is supported by an obligation to have a disability action plan.

We welcome the reference in the draft principles of tenant participation to the need to meet the requirements of equality legislation and Section 75.

We recommend that the draft Strategy also refers to the duties on public authorities in respect of the disability duties as well as the UK Government's obligations under the UN Convention on the Rights of People with Disabilities (UNCRPD). The UNCRPD affords people with disabilities, *inter alia*, rights to full and effective participation and inclusion in society (Article 3), to be consulted with and involved in decisions on legislation and policies (Article 4) and to live independently and be included in the community (Article 19).

We remind the Department that these requirements cannot be delegated. That is, regardless of management or other arrangements, the Department or housing association remains responsible for meeting the equality and disability duties. This is set out in [Equality of Opportunity and Sustainable Development in Public Sector Procurement](#) (2008) (ECNI and DFP).

More information and guidance on meeting the requirements of the equality and disability duties can be found on the Commission's website at www.equalityni.org or by contacting the Commission.

Yours faithfully

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