



# **EQUALITY COMMISSION FOR NORTHERN IRELAND**

## **Report on the Implementation of the Section 75 Equality and Good Relations Duties by public authorities 1 January 2000 - 31 March 2002**

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## **Foreword**

The Equality Commission for Northern Ireland is proud to champion the elimination of unlawful discrimination and the promotion of equality of opportunity for all people in Northern Ireland. Section 75 of the Northern Ireland Act (1998) places significant duties on public authorities, the purpose of which is to enable mainstreaming of equality of opportunity and good relations into their work. We would like to thank the various public authorities for their co-operation in reporting their progress on the implementation of the statutory duties. For everyone involved in the production of progress reports this was a new undertaking. The Commission acknowledges the wealth of information presented in these reports and the continuing efforts made by public authorities to implement the statutory duties.

The Commission aims to reflect the breadth of individual progress reports in this full report. We have identified the work of individual public authorities on some occasions, in order to highlight good practice or lack of progress or to note where important statements have been made. The Commission intends that this first full report will be built upon in subsequent years and therefore comments are welcomed regarding its format and content.

The Commission will use the information from this full progress report to help to examine its effectiveness to date, in terms of supporting the implementation of the statutory duties, and to help to inform its future strategies and activities in relation to its statutory duty work.

The lessons learned from producing this report will be used to further improve the 'progress reporting template' provided by the Commission to public authorities. The template for the period 1 April 2002 – 31 March 2003 will seek additional information on the progress being made on Equality Impact Assessment and screening of new policies. In addition the template will enable public authorities to identify outputs and outcomes from their work on the statutory duties, and the extent of their partnership work with groups from the Section 75 categories.

I look forward to our ongoing work with public authorities to ensure the effective implementation of the statutory duties.

**Joan Harbison**  
**Chief Commissioner**  
**Equality Commission for Northern Ireland**

## **1 Introduction**

- 1.1** During the period covered by this report public authorities have made progress on awareness raising, development of procedures and stated commitment to effecting change. The individual progress reports submitted by public authorities demonstrate much innovation and creativity, particularly where there have been joined up approaches to undertaking Section 75 work. Individual reports further highlight the problems faced by public authorities - particularly in relation to: ensuring ongoing commitment to implementation of the duties; delivery of the duties by different sizes and shapes of authorities; the issue of resourcing; how to ensure effective consultation; and the differing levels of commitment to the duties. Public authorities are not a homogenous group: there are those which demonstrated a great deal of progress on implementation of the duties, and there are others in which progress has been much slower.
- 1.2** The progress being made by public authorities is, as far as this report is concerned, based only upon the information contained in individual progress reports submitted by public authorities. The Commission notes that public authorities may have undertaken other activities during the reporting period to help to implement the duties, but if these were not included in progress reports we are not able to comment on them. The Commission has not validated the accuracy of information included in individual progress reports. Nevertheless this full progress report, and its summary version, presents a composite picture of progress at the end of March 2002.
- 1.3** This full report appears some 12 months after the end of the reporting period covered. During December 2002 the Commission was still receiving progress reports from public authorities. It will be the Commission's intention to ensure that progress reports for the period 1 April 2002 – 31 March 2003 are submitted in advance of a final deadline date of 31 July 2003, so that the next overall progress report may be issued before the end of 2003.
- 1.4** The period January 2000 – March 2001 was a crucial time for the Commission in terms of developing guidance and support systems to ensure the effective implementation of the statutory duties. During this time public authorities worked mainly on: developing understanding of Section 75 duties; raising awareness among their employees and service users; developing a compliant equality scheme; and starting work on screening of their policies.
- 1.5** Between April 2001 and March 2002, more public authorities were designated and equality schemes approved. This period also offered the opportunity to address a number of concepts and processes crucial to the roll-out of equality scheme work. The public authorities and the Commission focused on Equality Impact Assessments (EQIAs); Section 75 complaints; developing communication; and an examination of progress being made. The lessons learned during the introduction and roll-out of equality schemes in both periods informed the Commission's work on the statutory duties from 2000 onwards.

## **2 Background and Progress Report Structure**

- 2.1** This report covers the period from 1 January 2000 to 31 March 2002. One hundred and fifty-three public authorities subject to Section 75 of the Northern Ireland Act 1998 submitted progress reports to the Commission.
- 2.2** All public authorities were written to on three occasions, about producing a progress report for the period ending 31 March 2002. Public authorities with approved equality schemes must report on progress to the Commission annually.
- 2.3** In June 2001 and February 2002 the Commission produced detailed guidance for public authorities on progress reporting. The Commission received advice and input on the format and content of guidance from a range of public authorities and affected groups. The progress reports received show that public authorities on the whole applied this guidance.
- 2.4** Most of the public authorities' first progress reports were submitted to the Commission by the end of August 2001. They were analysed, and the Commission's Statutory Duty Committee considered an internal report on progress in December 2001. Subsequently the Commission took soundings on the format of the progress report template for the 2001-2002 period and a modified version was sent to public authorities in February 2002. The majority of progress reports for the period ending 31 March 2002 were received by the end of September 2002, although a significant number of reports were received after this.
- 2.5** The Commission's full report is divided into 14 sections. Section 3 is an Executive Summary of the progress being made on implementation of the statutory duties. Sections 4 and 5 outline the key themes in the report plus recommended next steps. Section 6 overviews the steps taken by the Commission to promote the statutory duties. Details of the steps taken by public authorities are set out in a further seven sections. These are devoted to various sectors of government rather than individual authorities.

The report divides the sectors as follows:

- NI Government Departments;
- Education Sector;
- Further and Higher Education Sectors;
- Health and Social Services Sector;
- Local Government Sector;
- Other NI & Cross Border Public Authorities; and
- UK Public Authorities.

**2.6** In considering each sector the report introduces the relevant public authorities and then reflects the various elements of the Commission's guidance on progress reporting:

**2000-2001**

- Preparation of the draft equality scheme
- Screening Report
- Training Programme
- Information Provision and Data Collection
- Additional Information

**2001-2002**

- Preparation of the draft Equality Scheme
- Strategic Implementation
- Screening & EQIA Timetable
- Communication & Training Programme
- Information Provision, Data Collection & Analysis
- Complaints
- Timetable
- Additional Information

**2.7** Section 14 of this report includes the Commission's full conclusions concerning the effectiveness of the work by public authorities in implementing the Section 75 duties.

### **3 Executive Summary**

- 3.1** Public authorities subject to Section 75 of the Northern Ireland Act 1998 (the Act) submitted progress reports to the Equality Commission for the periods 1 January 2000 – 31 March 2001 and 1 April 2001 – 31 March 2002 (details of all designated public authorities are attached at Appendix B). To help public authorities address all of the key issues relating to both periods, the Commission produced reporting templates (see Appendices C and D). These templates were piloted before revision and distribution. The aim of the templates was to ensure consistency and completeness of progress reporting, as well as helping the authorities to ensure that all key areas were addressed. The Commission's review and analysis of progress reports indicates that public authorities are making progress on the implementation of the Section 75 duties. This full report outlines the steps taken by the Equality Commission, NI Government Departments, authorities from the education, further and higher education, health and local government sectors as well as other Northern Ireland, cross border and UK-wide public authorities, to promote the equality of opportunity and good relations duties.

#### **Equality Commission for Northern Ireland**

##### ***Progress January 2000 – March 2001***

- The Commission developed internal arrangements to ensure progress on the implementation of the statutory duties, in terms of creating decision-making mechanisms and the provision of advice and support.
- The Commission's Statutory Duty Committee was formed early in 2000 to monitor the implementation of the duties. Most significantly it developed the Commission's procedures for approving equality schemes and granting exemptions. The Committee also agreed methodologies for provision of advice, support and training, and the establishment of communication channels. The Guide to the Statutory Duties was produced and widely circulated.
- Many of the early draft equality schemes were deficient, to varying degrees, in screening methodology, consultation and monitoring arrangements, and provided only limited evidence of top level commitment.
- The Commission approved the Department of Health Social Services and Public Safety's (DHSSPS) request to initiate a two-stage screening process within the Department and this model was subsequently included in the Commission's Equality Scheme best practice template.
- The Commission enhanced the capacity of the community and voluntary sector to assist the introduction of the statutory duties to public authorities through its Advisory Support Programme.

- The Commission's staff participated in a wide range of awareness-raising events with public authorities and voluntary/community and trade union organisations, as well as attending advisory meetings with Ministers, Government Departments, the Northern Ireland Office, public sector network organisations and voluntary/community and trade union umbrella organisations.
- Detailed Commission guidance on the seven step 'Procedure for Conduct of Impact Assessment' was developed and the 'Practical Guidance on Equality Impact Assessment' was published and circulated during March and April 2001.
- By the end of March 2001 the Commission had approved 17 schemes, including the 11 Northern Ireland Government Departments. Also most public authorities had received a comprehensive assessment of their draft Equality Scheme from the Commission in the form of a 'desk audit' report.

### ***Progress April 2001 – March 2002***

- The Commission liaised with the Northern Ireland Office (NIO) to ensure that two designation Orders were passed through Parliament. As a consequence a total of 171 authorities had been designated for Section 75 purposes by the end of March 2002. The NIO provided ongoing advice on handling of deficient schemes and enforcement of the duties.
- Most public authority 'screening' reports were received by the end of July 2001 and in-house research was undertaken into these reports to assess compliance with the Guide to the Statutory Duties.
- The Commission held six EQIA training workshops for the voluntary and community sector, trade unions, Section 75 groups and public authorities.
- A training event was provided for designated UK public authorities whose functions extend to Northern Ireland, and further events were planned, particularly to provide training on screening and the EQIA process.
- The management of Section 75 complaints was addressed during the period, and an information leaflet and an in-house procedure were developed for dealing with requests for advice and information regarding complaints.
- On the good relations duty, in-house research papers were produced to help inform the Commission about ensuring the future effective implementation of this duty and the development of an implementation strategy.
- Work began on a review of the Commission's 'Guide to the Statutory Duties' and 'Practical Guidance on Equality Impact Assessment'.



- In relation to Equality Impact Assessments (EQIAs) undertaken by public authorities the Commission agreed criteria for Commission responses to EQIAs received, undertook an audit of all EQIAs undertaken by public authorities, provided EQIA training for in-house teams, and created an EQIA database.
- An in-house project team was set up to explore how the monitoring needs of public authorities could be met.
- Meetings were continued during the year with key stakeholders.
- The Commission agreed to produce a progress report for the period 1 January 2000 – 31 March 2002 (this report).
- By the end of March 2002 the Commission had approved 95% (113 of 119) of draft equality schemes of Northern Ireland authorities, and 63% (10 of 16) of the schemes of public authorities designated in July 2000.

### **NI Central Government Departments**

#### ***Progress January 2000 – March 2001***

- For the eleven NI Central Government Departments the main focus of activities during the period from 1 January 2000 to 31 March 2001 was consultation on policy screening and equality scheme development. The Office of the First Minister and Deputy First Minister (OFMDFM), as the sponsoring Department of the Commission, played a vital role in ensuring that there was effective support for the implementation of the statutory duty requirements, through advice to Ministers and support for departments. For example, OFMDFM produced a draft model equality scheme to help central government departments, and met with umbrella groups from the voluntary and community sectors to discuss draft equality schemes and equality issues. Departments' draft equality schemes were approved by departmental boards and Ministers before submission to the Commission.
- The Department of Health, Social Services and Public Safety (DHSSPS) provided input to the screening activities of other authorities in the 'health family' (e.g. Health and Social Services Boards and Trusts) and aligned its Section 75 work within one overall EQIA timetable for the public authorities within the 'health family'.
- In 2000-2001 all but two departments reported steps being taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans. In 2001-2002 this practice was reported in every department, along with quarterly consideration of detailed implementation plans by senior officials. Progress reports to Ministers also included details of progress against these plans.

- All Central Government Departments, with the exception of the Department for Employment and Learning (DEL), had finalised timetables detailing policies to be subjected to EQIA.
- An inter-departmental sub-group was established to assess training issues across the Northern Ireland Civil Service (NICS). During 2000-2001 training and awareness programmes were developed, mainly for senior and middle management personnel, across the NICS.
- A new Statistical & Research Planning and Co-ordination Group was formed and departments took significant first steps to supplement available research and statistics by participating in the Northern Ireland Statistics and Research Agency (NISRA) led audit of existing data sources.
- A variety of actions were undertaken to review current arrangements for the provision of information in accessible formats.

### ***Progress April 2001- March 2002***

- The NI Executive committed to the 'full implementation of our statutory obligations on equality of opportunity' in the Programme for Government and departments planned to progress 77 EQIAs in 2001-2002. A total of 120 EQIAs were planned for 2002-2003, including 28 rolled over from 2001-2002.
- All departments reported steps being taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans. A review of community relations policy in Northern Ireland was undertaken by OFMDFM.
- A range of reasons were given by NI Central Government departments for not subjecting some policies to an EQIA, or not proceeding with planned EQIAs. These included pressures on Ministers' time, which led to some slippage in departmental programmes of policy development and, in turn, slippage in EQIA programmes.
- Training was provided for specialist staff involved in consultation or EQIAs. Some involvement of affected groups in the design and delivery of training was reported.
- The development of monitoring systems remained a key aspect to be taken forward by all government departments. The OFMDFM Statistical and Research Planning and Co-ordinating Group evolved into the Equality and Social Needs Research and Information Group, with the Equality Commission and NICVA joining as members.
- Some reports noted a delay in the issue of OFMDFM guidance on consultation methods.

- Most departments reported some initiatives to ensure customer surveys or databases were adapted to provide more information relating to the nine equality categories.
- During 2001-2002, 15 complaints about the implementation of schemes were reported, relating to a range of policy issues; for example, recruitment and shadow board appointments, compulsory retirement age and consultation commitments.

## **Education Sector**

### ***Progress January 2000- March 2002***

- Within the education sector all equality schemes were approved between March and June 2001.
- In January 2000 the Department of Education (DE) established a DE/Non Departmental Public Bodies (NDPB) Equality Liaison Committee for authorities within the education sector. This Committee meets quarterly to share information and discuss the education sector's progress on the implementation of the equality duties.
- Most education authorities have included objectives and targets relating to the duties in their strategic and operational plans.
- Most education authorities are taking forward initiatives aimed at promoting good relations.
- The Staff Commission and the Education and Library Boards published a joint screening report in December 2001. The Council for Catholic Maintained Schools (CCMS) has published its screening report and the Northern Ireland Council for Curriculum, Examinations & Assessment (CCEA) consulted on its screening exercise. The Youth Council stated that it intended to impact assess all of its policies and has consulted on this decision.
- The education authorities have agreed to co-operate in conducting EQIAs of wider policy areas, as necessary.
- The Staff Commission, the Education and Library Boards, CCMS and the Youth Council collaborated to provide a programme of Section 75 training for staff, Commissioners, Board members and Joint Negotiating Council members.
- The Staff Commission, Education and Library Boards and the Youth Council have put arrangements in place to facilitate requests for information in alternative formats.
- With regard to data collection, the Department, the Staff Commission and the ELBs have adopted a collaborative approach and established a working group to

review the collection of monitoring data to facilitate the review/EQIA of employment policies. CCMS stated that its IT systems were being revised to collect a range of statistical data and CCEA has begun to identify areas where there is insufficient data/information to inform decision-making.

- All of the education authorities have developed a complaints procedure to deal with Section 75 complaints. Only two authorities, the Belfast Education and Library Board (BELB) and the Western Education and Library Board (WELB), have received complaints and these were dealt with under the complaints procedure. They were about closure of facilities and accessibility of Board services from persons with a disability.

## **Further and Higher Education sectors**

### **Further Education**

#### ***Progress April 2001- March 2002***

- Within the further education sector all of the public authorities involved had their equality schemes approved by November 2002.
- Each Further Education College has a designated Equality Co-ordinator and an Equality Inter-Departmental Working Group. An Equality Co-ordinators' Forum has also been established, comprising the Equality Co-ordinators from the 16 Colleges.
- Colleges stated that they intended to include equality measures in their corporate strategies and operating plans.
- Colleges have taken steps to progress the good relations duty. They have drawn up a three-year programme aimed at mainstreaming the principles and practices of equity, diversity and interdependence.
- Colleges have worked together on their screening process and their final screening report was issued in March 2002.
- The Governors and Management of the Colleges have received Section 75 training and the College Equality Co-ordinators have received training on equality issues from a number of affected groups. Consultants have been commissioned to develop an equality training strategy for all college staff and a new Equality Training Officer post is being created.
- With regard to communicating commitment to the equality duties, the Colleges indicated that they were represented on a number of external groups relating to equality, for example the Community Relations Training and Learning Consortium.
- The Association of Northern Ireland Colleges (ANIC), on behalf of the colleges, has had discussions with the Department of Finance and Personnel (DFP) in

relation to data collection and analysis and has produced a guidance document on the retrieval and interpretation of qualitative and quantitative information.

- Preliminary discussions have also taken place with some of the affected groups regarding the collection, collation and monitoring of data.
- Colleges are holding meetings to discuss the provision of information in accessible formats.
- ANIC has drawn up a complaints procedure and has produced guidance on dealing with complaints under Section 75.

## **Higher Education**

### ***Progress April 2001- March 2002***

- Five authorities make up the Higher Education sector in Northern Ireland – Queen's University, Belfast (QUB), University of Ulster (UU), Stranmillis University College, St. Mary's University College, and the Open University (OU). They were designated in April 2001. In July 2002 the Equality Commission approved equality schemes for QUB, UU, Stranmillis and St. Mary's. The Open University had not submitted a final signed scheme by the time of producing this report.
- The Department of Employment and Learning helped to fund the production of the Universities' equality schemes.
- The five Universities formed a consortium to assist with the implementation of the statutory duties and production of equality schemes, the provision of Section 75 training for senior managers, managers and supervisors, the development of a consultation strategy; and conducting a joint screening exercise.
- With regard to the development of objectives, targets and performance indicators relating to the duties, three of the Universities reported that Section 75 specific objectives have been incorporated into their human resources strategies.
- Both Queen's and the University of Ulster reported that the consortium has been tasked with conducting an internal audit of good relations within each authority.
- The consortium has had ongoing discussions with DEL and NISRA in relation to the collection and analysis of relevant information.
- All of the Universities have committed to the provision of information in accessible formats.

## **Health sector**

### ***Progress January 2000 - March 2002***

- The Health & Social Services sector comprises the DHSSPS, the four Health & Social Services Boards, the four Health & Social Services Councils and the 17 Trusts. In addition it includes the Fire Authority, Food Safety Promotion Board, Mental Health Commission, National Board for Nursing, Midwifery and Health Visiting (now the Northern Ireland Practice and Education Council for Nursing and Midwifery), Ambulance Service, the Blood Transfusion Service, Central Services Agency, Post Graduate Medical & Dental Research, Guardian Ad Litem Service, Health Promotion Agency and the Regional Medical Physics Agency.
- In February 2001 the Commission approved the first of the 37 Health & Social Services authorities' schemes, with the last scheme being approved in August 2001.
- Progress reports relating to 2000-2001 and 2001-2002 included practical results of collaborative working arrangements, e.g. in the Western Board area one overall report was submitted. Many health sector organisations have accessed Section 75 equality groups and recruited specialists to progress their equality scheme commitments.
- For the period 2000-2001 a number of reports indicated that steps have been taken to build the Section 75 statutory duties into staff plans and job descriptions, and this was more widespread in the subsequent reporting period. Progress has also been made on developing equality targets and performance indicators and integrating these into corporate and annual operating plans.
- Reported progress on the good relations duty was somewhat mixed, with many authorities reporting little activity before the outcome of a review of community relations being undertaken by OFMDFM. Some health authorities have reported more substantive progress on the good relations duty.
- Health sector authorities have progressed a collective regional screening exercise and EQIA timetable. In addition a number of health authorities outlined the progression of a programme of Good Practice Reviews, to complement the EQIA process.
- The Department has also played a lead role in information provision, data collection and analysis across the health sector. An Equality Information Steering Group was established in February 2001 comprising representatives from the Department, Boards, Trusts and Agencies, to undertake a detailed audit of equality information across the HPSS, and it is developing information provision plans to access better data of both a quantitative and qualitative nature.
- A number of health authorities did not demonstrate how "local" EQIAs of their authority specific policies would be undertaken.

- Most training undertaken during 2000-2001 centred on programmes developed at the Beeches Centre, Belfast. More substantive progress was reported in 2001-2002, both at an awareness level and specialist training for managers involved in policy development.
- Health authorities reported receipt of some complaints during 2001-2002, for example, in relation to IVF infertility treatment. All of these were being progressed or resolved.
- In the main timetables are being adhered to though several authorities had questioned if the scale of planned activities could be sustained.

## **Local Government**

### ***Progress January 2000 - March 2002***

- The Local Government sector comprises the 26 Local Councils, the Local Government Staff Commission (LGSC) and the Northern Ireland Local Government Officers Superannuation Committee (NILGOSC).
- Most authorities in this sector had used the model equality scheme developed by the LGSC in the development of their own equality schemes. The first local government sector equality schemes, including those of Belfast and Moyle Councils, were approved by the Commission at the beginning of April 2001. The last local council scheme was approved in January 2002.
- In their first progress reports a few local councils had developed corporate aims and objectives relating to equality and good relations. In 2001-2002 there was evidence of much more development of mainstreaming by the majority of Councils, in terms of incorporating objectives and targets in corporate and operational plans.
- Just over half the authorities in this sector regularly report progress internally to senior management level on a quarterly basis, including some which review progress monthly.
- A number of local government authorities had made progress in developing or establishing relationships and partnerships with other public authorities. Twenty-one authorities (including the LGSC) reported membership of the LGSC's Statutory Duty Network, and over a quarter of this sector also belonged to one of the public authority area networks.
- Progress had been made on implementing the good relations duty by a number of Councils in 2001-2002. Some authorities conducted, or were conducting, good relations audits, as a result of which good relations strategies were being developed. There were examples stated of good practice that could be used by the other local authorities.

- In 2000-2001 a sizeable minority of local authorities had not developed an EQIA timetable. None of the 28 authorities in the Local Government Sector had begun EQIAs before submitting their first annual review of progress. There was little evidence of authorities in this sector co-operating in terms of the screening of policies and the synchronisation of policies for EQIA. In 2001-2002, 14 (half) of the authorities in the sector had begun EQIAs, although none had been completed at the time of reporting.
- In both reporting periods, the activities of local authorities in planning and providing training relating to the duties were notable in terms of the strategic approach being taken. Many authorities had provided general awareness training for senior employees and, in the case of councils, to their members.
- Little progress was reported on reviewing current arrangements for the provision of information in accessible formats.
- In the majority of the authorities in this sector a wide variety of mechanisms are being developed to collect information.
- There were six complaints in total to authorities in this sector. These covered a range of issues and were handled through equality scheme complaints procedures. Two related to policies that were being subjected to EQIA.
- Most implementation timetables had fallen behind. In a small number of cases, limited action has been taken to implement Section 75 due to a reported lack of resources within authorities, but others have slipped because the EQIA process has taken longer than was first anticipated.
- Some local government authorities did not report much progress in 2001-2002, although these account for less than a quarter of the sector. A number of authorities stated that greater co-operation on screening and EQIAs would have enhanced the process, as would more guidance on areas such as screening and monitoring.

### **Other NI & Cross Border Public Authorities**

#### ***Progress January 2000 - March 2002***

- This category covers the largest number and range of designated authorities in this report, a total of 42. Included are important regional non-departmental public bodies such as the Northern Ireland Housing Executive (NIHE).
- The first of the Other NI & Cross Border Public Authorities' equality schemes was approved by the Commission in June 2001 and by the end of March 2002 a total of 33 had been approved.



- NIHE highlighted during 2000-2001 the approval of the equality scheme, development and start of the training programme and the establishment of a consultative forum on equality.
- In its report the NIO stated, in relation to consultation, 'There is also the question of whether the process provides value for money in terms of cost and the limited scale of responses.' The NIO suggested that it would be sensible to allow public authorities to target only the most relevant groups when launching a consultation exercise; to complement this by wide publicity inviting applications for the consultation document; and by posting the consultation document on the public authority's website to invite comment.
- The majority of organisations in this section reported that by the period 2001-2002, equality issues had become standard agenda items for both board and senior management meetings.
- There was a lack of information on activities to promote good relations within this sector. Some organisations cited the lack of guidance from the Commission as an impediment to progressing good relations.
- Progress in the provision of training has been inconsistent. Although, with a few exceptions, most authorities reported further development and delivery of staff training, very few organisations have availed themselves of input from Section 75 representative groups. Most organisations did report a structured developmental approach to the delivery of staff training.
- With respect to sensory impairments and language accessibility, most organisations have continued to work on the provision of accessible formats.
- Monitoring information and associated systems remains problematic. Concerns and identified impediments included the lack of guidance and the lack of agreed classification systems.
- No authority reported complaints for either the 2000-2001 or 2001-2002 period. Some authorities stated that a system to handle complaints had yet to be implemented.
- Both years' reports contained limited additional information.
- Ulster Supported Employment Ltd (USEL) has included a Corporate Objective relating to Section 75 in its Corporate Strategy. Enterprise Ulster, the Labour Relations Agency (LRA), Construction Industry Training Board (CITB) and the NI Certification Officer have not included objectives and targets relating to the duties in their Corporate or Operational Plans.
- All USEL, Enterprise Ulster and CITB staff and Board members have received equality awareness training.

- Enterprise Ulster has liaised with the Statistics and Evaluation Branch at DEL to develop its computer data capture and analysis systems.
- USEL have held meetings with groups representing people with learning disabilities and young people to assess their information needs. The LRA has carried out a review of issues relating to access to information and has taken steps to improve access. CITB also states that it will do this.

## **UK Authorities**

### ***Progress July 2000 - March 2002***

- The Secretary of State for Northern Ireland made two Section 75 designation Orders during the period of this report, in July 2000 and April 2001. These Orders included 23 UK wide public authorities, referred to as the 'UK authorities'.
- The experience of the UK authorities in developing equality schemes varies. Authorities with functions relating to Northern Ireland but with no actual offices in Northern Ireland indicated that this created difficulties in developing an equality scheme and screening policies. UK authorities' progress reports illustrated a number of creative consultation practices as well as major difficulties in this area. In overall terms UK authorities achieved a lower rate of response from affected groups and consultees.
- Steps have been taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans by many of the UK authorities. Significantly there are indications that some UK authorities have incorporated the Northern Ireland duties into national corporate strategic frameworks.
- Training associated with equality, including the Section 75 duties and the preparation of an equality scheme, is evident within the UK authorities' reports.
- Many UK authorities referred to developments on establishing systems to supplement available statistical and qualitative research being planned in this area within two years of schemes being approved. Strategic arrangements are being pursued by some UK authorities, sharing information in light of the concordat between UK Government and the devolved Northern Ireland administration.
- Limited information was provided regarding action taken to review current arrangements for the provision of information in accessible formats, though work to progress Freedom of Information Act requirements was highlighted as a means of taking this forward.

## 4 Key Themes

- 4.1 Progress reporting:** Most progress reports gave a good level of detail on the extent of implementation of the statutory duties during the period. In overall terms the Commission notes that there is a need for willingness amongst public authorities to candidly report negative as well as positive aspects of equality scheme implementation and to say if they have achieved the tasks set out in their timetables.

**Example**

A few individual health authorities reported on EQIAs that they were planning to undertake locally, in addition to their involvement in the 'health family's' regional EQIA timetable. It would also have been useful if individual health authorities had provided more detail on their input and level of involvement in the regional EQIA processes.

- 4.2 Use of Commission guidance:** The Equality Commission's Guide to the Statutory Duties has been widely used by public authorities, in terms of producing schemes, screening, consultation, undertaking of EQIAs and other key work areas.

**Example**

The education sector used the Commission's published guidance as the basis for developing internal advice on impact assessment. Following the EQIA on Electronic Libraries the Staff Commission for Education & Library Boards developed an EQIA workbook to complement the Practical Guidance.

- 4.3 Mainstreaming:** Public authorities are integrating Section 75 into corporate and business planning processes, and key activities of line management. This gives practical evidence of mainstreaming.

**Example**

In all Government Departments the implementation of equality schemes is a standard agenda item for senior management meetings. Management groupings cited included departmental management and planning groups (chaired by Permanent Secretaries), equality steering groups and, in the case of OFMDFM, scrutiny by the Committee of the Centre.

- 4.4 Resources:** Some covering letters accompanying progress reports acknowledged that Departments were not in a position to deliver many of the requirements of equality schemes. At least one Department acknowledged that it was not in a position to move forward as quickly as required. Another viewed Section 75 as 'an under resourced but inescapable priority'. Most public authorities had directed staff, or recruited new staff, to help to deliver the statutory duties. Many also committed significant resources to production and publication of schemes, screening reports and EQIAs. Within many public authorities organisational responsibility for Section 75 has been allocated to corporate or human resources fields.

**Example**

One of the education authorities indicated that it was concerned about the resource demands that the Section 75 duties were placing on smaller

public sector authorities. It stated that significant human and financial resources have had to be invested in work relating to Section 75 at the expense of other functions. The NIO also questioned whether the current method of conducting consultations provides value for money in terms of cost and the limited scale of responses.

- 4.5 Consultation:** This key area was referred to by many public authorities as one which was resource intensive. There was evidence of good practice in consultation, particularly in relation to working with affected groups and in using joined-up approaches. There was also evidence that, to some public authorities, consultation involved mainly the mass mailing of consultation documents to all groups on the consultee list. Consultation fatigue was commented on in a number of reports. The Commission notes that its guidance on managing consultation, in its guidance documents, requires consultation to be both meaningful and inclusive. Public authorities are expected to use a range of strategies and mechanisms to do this. The Commission notes that consultation exercises involving mass mailing of consultation documents has contributed to the consultation overload, being experienced by consultee groups.

**Example**

One public body stated that, 'We would like to reiterate that the entire consultation process is exceptionally time consuming and often without reward and we would appreciate more guidance on collective working in this respect.'

- 4.6 Equality Impact Assessments:** A number of organisations' EQIA timetables were provided with progress reports. Decisions to 'screen in' or 'out' policies have been taken during screening exercises but the development of new monitoring information systems and responding to Section 75 complaints may challenge some screening decisions. The process of undertaking EQIA has proved challenging for public authorities and there is evidence in reports of planned EQIA timetables being difficult to manage. Government Departments attributed some slippage to delays in the legislative timetable. The issue of screening in new policies for EQIA has added to the overall EQIA timetables of public authorities and some timetables are now behind schedule.

- 4.7 Information management and monitoring:** Some steps were taken by central government to establish systems to supplement available statistical and qualitative research. The development of monitoring systems poses a great challenge not least because of its link to the EQIA process and future assessment of adverse impact. It is notable that in other areas of reporting performance, for example Charter Mark or Best Value, little consideration has been given to the possibility of performance measurement and reporting with respect to Section 75 duties. It is also worth noting that a number of authorities were awaiting data from the 2001 Census of Population.

**Example**

Many authorities mentioned the sensitivity of obtaining some information e.g. on sexual orientation and political opinion, combined with a perceived reluctance on the part of the general public to provide personal details.

**4.8 Communication:** Many public authorities communicated with the Commission by phone, in writing, or in person, on a regular basis. Thus Commission staff are made aware of areas of progress or difficulty in relation to implementation of the duties. The ongoing review and future revision of the Commission's guidance documents should help to clarify requirements placed on public authorities. In addition the Commission is examining how it can best communicate with public authorities in the future. This will include: an overall progress report; feedback on individual progress reports received from public authorities; development and communication of guidance (e.g. monitoring and good relations); ongoing information on progress (e.g. quarterly news-sheet); face to face communication through planned meetings with groups of equality officers; and a Section 75 conference during 2003. Communication between public authorities and the affected groups is a developing area, with examples of joined up approaches to communication, to undertaking EQIAs and to direct engagement with those affected by the statutory duties. Most authorities reported the dissemination of the equality scheme and/or a summary to employees, distribution to consultees, and making it available in offices and on corporate web-sites. A very small number of reports noted that Chief Executives and other leaders explicitly expressed commitment to the Section 75 duties in public speeches and presentations when launching important corporate initiatives such as Corporate Plans and Annual Reports.

**4.9 Good Relations:** Whilst there is evidence that most focus has been on the equality duty there is also evidence of progress on the good relations duty. A number of authorities reported that work on the good relations duty was awaiting the outcome from the OFMDFM led review of Community Relations policy. Some smaller authorities cited the lack of clarity and guidance on good relations as a major impediment to the strategic implementation of this duty. Unsurprisingly, positive engagement with good relations issues prior to the introduction of the statutory duty was a factor in making progress. This is especially the case in local government and education.

**Example**

Belfast City Council will set up a Good Relations Unit and plans to appoint two Good Relations Officers. In addition to work specifically on good relations, 14 other Councils report taking the good relations duty forward through their community relations strategies and plans. A three-year programme aimed at mainstreaming the principles and practices of equity, diversity and interdependence has been drawn up by the further education colleges and ANIC. It is also evident that among designated UK authorities, a number are progressing good relations within the context of wider equality and diversity initiatives, especially those mandated under recent race legislation. In particular, the activities of the Inland Revenue and Community Fund are exemplary.

The Commission has undertaken a separate audit of progress on good relations and identification of pathfinder initiatives and organisations which will inform the development of the Commission's strategy to ensure future effective implementation of the duty.

**4.10 Training:** With few exceptions, most reports re-stated the commitment to the seven training objectives specified in their approved equality schemes. Most organisations reported a structured and developmental approach to staff training, many with a particular emphasis on board members and senior staff. Few organisations have included training input from Section 75 representative groups. Taken in their totality the reports indicate a wealth of training providers across the public sector, including the Equality Commission, various networks, individual public authorities, private sector consultants and the voluntary, community and trades union sector. Many public authorities have put a great deal of thought into the content of proposed training and considered the specialist training which will be required by staff dealing with issues such as EQIAs, screening, monitoring and complaints. On evaluation of training, with few exceptions, little information was provided in progress reports. Likewise, there was little evidence of consideration given to the business case for Section 75 training. Consistent with the categorisation of groups under Section 75, this training will increase staff awareness of individual customer needs and give staff the skills base to meet those needs. An overall audit and evaluation of the training provided would be a worthwhile exercise, to identify best practice and share models.

**Example**

NIO reported that, in 2001-2002, Disability Action had input into the design and delivery of its training programmes. The Northern Ireland Court Service articulated the business case for Section 75 related training and a programme of customer service training for all 'front-line' staff was planned.

**4.11 Good practice:** Many examples of good practice are to be found across the public sector, particularly in relation to sharing resources, well planned and joined up approaches to implementation, development of consultation processes and relationships, developing ways to engage with those most marginalised in society, the development of alternative formats for written communication, development of information management/IT systems, effective complaint handling and regular/ongoing monitoring of the implementation of the duties.

**4.12 Poor practice:** Based on information in the progress reports the Commission has noted that some public authorities are not embracing their statutory responsibilities in a way that meets the spirit of Section 75. This is evidenced through a lack of resourcing and lack of progress on implementation. The Commission will continue to engage such public authorities to ensure effective future implementation of the statutory duties.

**4.13 Partnership approaches involving Section 75 groups:** While some public authorities have involved Section 75 groups as more than consultees, there is a lack of evidence of a true partnership approach with such groups. Increased partnership working in this sector could offer the potential to more closely engage directly with those affected by the statutory duties, the opportunity to use skills, expertise and understanding, and the potential to utilise already

developed communication channels e.g. for consultation purposes and improvements in training design and delivery.

**4.14 Innovation and creativity:** There has been a healthy divergence in how various sectors have taken forward the statutory duties. Collaborative approaches through partnerships are being noted by the Commission and good practice identified, as other parts of the public sector could benefit from the lessons learned.

**Example**

The education sector establishment of a DE/NDPB Liaison Group provides a forum to assist with the resolution of Section 75 issues. Also the collaborative approach used by ANIC to facilitate Section 75 work by the further education colleges is commendable, as is the consortium approach used by the universities. A number of partnership initiatives have developed within the local government sector. For example, twenty councils are members of the LGSC's Statutory Duty Network. Councils also report working in a number of 'area' networks. In the NDPBs, which government departments are responsible for, there is evidence of joined up thinking and collaborative work, especially with respect to training and EQIAs. UK authorities cite a number of collaborative initiatives. These authorities also commented very favourably on joint events sponsored by the Commission.

## **5. Equality Commission Next Steps and Recommendations for Public Authorities**

### **Equality Commission Next Steps**

The next steps detailed below are based on a combination of current and future planned activity and on the findings from individual progress reports.

#### ***Progress reporting***

Revise Progress Reporting template for use by public authorities for period April 2002 – March 2003, this template to obtain more information regarding outputs and outcomes from Section 75 work.

Sample test progress reporting template with a number of public authorities, and forward, electronically and on paper, to public authorities at end of March 2003.

#### ***Use of Commission Guidance***

Commission to take account of information in the full progress report 2000 - 2002, in the current review of its guidance documentation.

#### ***Mainstreaming***

Commission to continue to monitor the extent of mainstreaming of Section 75 duties into EQIAs and policy proposals, and to communicate with public authorities in relation to the effectiveness of their mainstreaming, by means of feedback on EQIAs and annual progress reports.

#### ***Resources***

Commission to continue to focus on key strategic aspects of development and implementation of Section 75 duties, whilst ensuring the ongoing development of communication with public authorities and affected groups.

Commission to monitor resourcing of Section 75 by public authorities to confirm that necessary resourcing is allocated, and that benefits of economies of scale and joined up approaches are being fully exploited e.g. joined up approaches to undertaking EQIA, and consultation exercises.

#### ***Consultation***

Commission to ensure that it is consulted on all EQIAs, as a statutory consultee and as the authority with legislative remit to oversee the effectiveness of the duties.

Commission to continue to respond to a range of EQIAs and policy consultation documents, commenting in particular on the effectiveness of implementation of Section 75 duties.



Commission to include best practice examples of consultation processes in its revised guidance documentation.

### ***Equality Impact Assessments***

Commission to include EQIA best practice in revised guidance documentation.

Commission to continue to monitor EQIA work undertaken by public authorities to ensure adherence to timetables and that the Practical Guidance on EQIA is being effectively used.

### ***Monitoring and Information Management***

Commission to continue to obtain information about overall Section 75 progress and progress on EQIA timetables/EQIAs, as well as other information relating to implementation of Section 75 by public authorities.

Commission to make available information on best practice, EQIA timetables etc. on its website. Commission also to forward a quarterly newsletter to public authorities and affected groups, detailing progress on Section 75 implementation.

Commission to continue to liaise with OFMDFM in relation to information needs of public authorities and how these can be developed to assist implementation of Section 75.

### ***Communication***

The Commission to further develop its communication strategy for public authorities and affected groups, to ensure the provision of timely and accurate information.

### ***Good Relations***

Commission to continue to develop its strategy to ensure effective implementation of the good relations duty.

Commission to develop baseline guidance on implementation of the good relations duty and make this available to public authorities, affected groups and the general public.

### ***Training***

The Commission to build on its earlier training provision on Section 75 awareness and undertaking EQIA and to ensure involvement of groups representing the Section 75 constituencies.

The Commission to work closely with UK public authorities in relation to ensuring a coherent and cohesive approach to meeting their Section 75 training needs.

### ***Good practice***

Commission to identify examples of good practice and make these available to public authorities in a number of ways, including in revised guidance documentation.

### ***Poor practice***

The Commission to note those authorities which have not adhered to EQIA timetables, failed to undertake EQIA work in a way which meets the Commission's guidance, or generally fallen behind in terms of implementation of the Section 75 duties. The Commission to take necessary action on lack of implementation, in accordance with its remit. The Commission will ensure that all authorities meet their requirements under Section 75, through identification of under-performance, examination of problem issues, continuing to help and advise authorities and reporting on lack of compliance.

### ***Innovation and creativity***

Commission to note innovative/creative approaches by the Commission, public authorities and affected groups and to share such information.

Commission, in its business planning, to address the developmental nature of Section 75 work and to ensure the use of innovation and flexibility within its legislative remit.

### **Recommendations for Public Authorities**

Many of the points listed below are requirements already placed on public authorities, and progress may be being made already in relation to some of these areas during the period April 2002 – March 2003.

### ***Progress reporting***

Public authorities to submit completed progress reports electronically and on paper, to the Commission by the end of July 2003, in order that the next full progress report can be produced and made available in Autumn 2003.

### ***Use of Commission Guidance***

All public authorities to adhere to Commission guidance in undertaking their Section 75 work, particularly in relation to screening of new policies and adhering to EQIA timetables.

### ***Mainstreaming***

Public authorities to ensure that Section 75 duties are considered at all relevant stages of policy development and that the duties are effectively integrated into corporate and business planning processes.

## ***Resources***

Public authorities are required to allocate necessary resources to deliver their Equality Schemes and EQIA timetables, as per approved equality schemes and the Commission's Guide to the Statutory Duties.

Public authorities should build on collaborative approaches already begun, in order to make best use of available resources and to share experiences and best practice examples.

Public authorities should continue to develop and build relationships with groups representative of the Section 75 constituencies. This work could utilise existing expertise and communication channels developed by such groups.

## ***Consultation***

Public authorities to build on best practice examples of consultation, particularly relating to joined-up approaches, use of a range of face to face consultation mechanisms and reducing dependence on mass mailing of documents to affected groups.

Public authorities to inform consult on outcomes from screening of new/proposed policies.

## ***Equality Impact Assessments***

Public authorities to ensure that EQIAs are undertaken in accordance with EQIA timetables agreed.

Public authorities to involve the Commission in all EQIA consultation exercises, as required by the Guide to the Statutory Duties, and to forward copies of all EQIA reports to the Commission.

## ***Monitoring and Information Management***

Public authorities to develop effective information management and monitoring systems, aligned to the ongoing work of OFMDFM and the Commission in this area.

## ***Communication***

Public authorities to ensure a response to the Commission, in relation to requests for information e.g. progress reports, surveys or consultation on revised guidance documentation.

Public authorities to mainstream communication on their Section 75 work into their corporate communication processes - both internal and external.

### ***Good Relations***

Public authorities to continue to develop good relations policies and strategies and ensure effective implementation of same.

Public authorities to build upon work of pathfinder organisations in this area in order to identify best practice mechanisms and to develop their own approaches to implementation of the duty. The Commission will provide examples of best practice to public authorities, as part of its good relations strategy.

### ***Training***

Sectoral groups and/or public authorities should ensure audit and evaluation of the training provided and continue to identify and meet training needs in relation to Section 75. Best practice models and materials could be shared across the public sector.

### ***Good practice***

Public authorities to note good practice examples from other public sector authorities and organisations representative of affected groups through EQIA exercises, reports from the Commission and public authorities, guidance from the Commission, research exercises etc.

### ***Poor practice***

All designated public authorities must embrace their statutory responsibilities in a way that meets the requirements of Section 75, the Guide to the Statutory Duties and commitments in approved equality schemes.

### ***Innovation and creativity***

Public authorities to identify the innovative and, often, joined up approaches by other public authorities/sectors, utilising similar approaches where possible. This would particularly assist in best use of resources and avoidance of consultation fatigue.

## **6. Equality Commission Activities**

### **Equality Commission Activities 2000-01**

- 6.1** From the beginning of January 2000 to the end of March 2001 significant steps were taken by the Equality Commission to ensure mainstreaming of equality considerations into public policy decision-making. This began with the major commitment by public authorities to the development of draft Equality Schemes. Encouragingly, 118 of the 119 public authorities initially subject to Section 75 in January 2000 submitted draft schemes to enable the Commission to begin the process of approval, and one exemption from the requirement to produce a scheme was granted. Fifteen of the 16 public authorities in the Secretary of State's first designation order submitted draft schemes to the Commission by early 2001, with another exemption being granted to the other authority.
- 6.2** During this period the Commission developed internal arrangements to ensure progress on the implementation of the statutory duties, in terms of creating decision-making mechanisms and the provision, on an ongoing basis, of advice and support.
- 6.3** The Commission's Statutory Duty Committee was formed early in 2000 and held regular meetings to develop and agree the Commission's procedure for approval of Equality Schemes, agree methodologies for provision of advice, support and training, establish and maintain communication channels and monitor the implementation of the duties. The procedure for approval included development of a detailed checklist/desk audit to assess compliance with the Commission's Guide to the Statutory Duties. The next stage involved the Commission developing a procedure to undertake consultation audits with consultees, to assess how public authorities had consulted on their draft Schemes and to use this information as one mechanism to measure the effectiveness of consultation processes. A Consultation Audit Random Sampling Model was developed to ensure that telephone surveys were equitably distributed across consultees. The Commission also produced a Best Practice Template to assist public authorities in production of equality schemes. This template built on the Guide to the Statutory Duties and was distributed to designated public authorities. It was agreed at the outset that a high standard for approval of schemes was needed and that this standard would be maintained throughout the approvals process, to ensure that schemes would be compliant and that all public authorities would be engaged with in a consistent fashion.
- 6.4** The Commission considered a number of requests for exemption from the need to produce an equality scheme from local councils in relation to Committees and Sub-Committees, and agreed, following advice, that such committees would be subject to each Council's approved equality scheme. A process was drawn up by the Commission for use in relation to requests for exemption from the requirement to produce a scheme and to appeal against Commission decisions not to grant an exemption.

- 6.5** It was recognised that the timeframe for production and submission of schemes to the Commission was challenging and that many public authorities were 'in good faith' working to produce schemes. Under legislative requirements the first draft schemes were to be with the Commission by 30 June 2000; however, arrangements were made to deal with requests for extensions where public authorities had not yet completed their draft schemes.
- 6.6** Many of the early draft equality schemes virtually repeated the wording in the Guide, as opposed to applying the Guide to produce a scheme, or were deficient, to varying degrees, in relation to screening methodology, consultation and monitoring arrangements, or provided limited evidence of top level commitment.
- 6.7** The Commission considered the DHSSPS request to initiate a two-stage screening process by the Department and authorities within the 'health family'. This was agreed and the model further utilised across all designated public authorities, with the approval of the Commission.
- 6.8** During 2000-2001 the Commission sought to enhance the capacity of the community and voluntary sector to assist the introduction of the statutory duties to public authorities. Through the Commission's 'Advisory Support Programme,' £90,000 was awarded to 12 voluntary/community sector organisations. This funding supported awareness raising programmes and production of supporting materials for future use. The support programme recognised the key role of affected groups and organisations in the effective implementation of the new duties and in mainstreaming of equality into public policy decision making. The programme sought to ensure that all nine Section 75 groups were represented by the various projects approved.
- 6.9** Throughout the year the Equality Commission's Statutory Duty Team participated in 45 'Section 75' awareness-raising events with a range of public authorities and voluntary/community and trade union organisations. Commission staff also held advisory meetings with Ministers, the main Government Departments, the Northern Ireland Office, key public sector network organisations together with a range of voluntary/community and trade union umbrella organisations. At these meetings advice was given on the implementation timetable and the importance of the new legislation in mainstreaming Section 75 duties into public sector decision making, as well as progress being made.
- 6.10** During the period further guidance on the seven step 'Procedure for Conduct of Impact Assessment' was developed. This was produced through the work of an EQIA Advisory Group, of representatives from the Commission, OFMDFM, NISRA, public authorities and the voluntary/ community/trades union sector. A practical workshop, attended by 80 voluntary/community, trade union and public sector representatives, was held to test the draft 'Practical Guidance on Equality Impact Assessment'. In March 2001 the Commission took steps to ensure the finalised practical guidance was available and widely distributed,

with a summary leaflet to the main document also being produced for wide circulation. A media launch was organised for April 2001.

- 6.11** By the end of March 2001 the Commission had approved 17 Schemes. This included all of the 11 Northern Ireland Government Departments. In addition over four-fifths of public authorities had received a comprehensive assessment of their draft Equality Scheme from the Commission in the form of a desk audit. The Commission also agreed a protocol for the referral of non-approved Equality Schemes to the Secretary of State. Details of approved schemes were placed on the Commission's website.

### **Equality Commission Activities 2001-02**

- 6.12** The Commission continued working to deliver its responsibilities during this period. Work in relation to the statutory duties was closely aligned to the Commission's Corporate Plan objective 'To ensure effective implementation of equality schemes'. The Corporate Plan target set was 'To have achieved effective implementation (of the statutory duties) by at least 90% of public authorities by March 2003'.
- 6.13** The Commission liaised with the Northern Ireland Office (NIO) to ensure that two designation orders were passed through Parliament. As a consequence a total of 171 authorities had been designated for Section 75 purposes by the end of March 2002. The NIO provided advice on handling deficient schemes and enforcement of the duties.
- 6.14** To assist newly designated public authorities, the Commission shared its Equality Scheme Best Practice template with these authorities.
- 6.15** The Commission received the majority of public policy screening reports, from those designated authorities with approved equality schemes, by the end of July 2001. In relation to screening, ongoing advice was provided to a range of authorities in relation to the need to prioritise policies for EQIA. In-house research was undertaken into the screening exercises undertaken by public authorities. This provided the opportunity to assess compliance with the Guide to the Statutory Duties, and to identify if any policies with significant impact for equality of opportunity had not been screened in for EQIA purposes.
- 6.16** A key method of mainstreaming equality is through EQIAs. To support this the Commission held six EQIA training workshops for the voluntary and community sector, trade unionists, Section 75 groups and public authorities. A total of 70 participants came from the consultee sector, whilst public authority participants numbered eighty-three. Feedback from participants confirmed that, for public authorities, the training provided methodologies and materials to support them through the challenging new process of undertaking EQIAs. For participants from the consultee sector the training was useful in communicating understanding of the challenges facing public authorities whilst it also identified how the consultee sector could best engage in the process. An overall

evaluation of the training programme was undertaken, to help facilitate identification of future training needs and provision.

- 6.17** A second specific event was provided for those UK public authorities whose functions extended to Northern Ireland and which therefore had to produce equality schemes. This event enabled the Commission to raise awareness of Section 75 issues and provide training on implementing equality schemes particularly in relation to screening of policies. Further events were planned, particularly to provide training on the EQIA process.
- 6.18** The management of Section 75 complaints was addressed as a key issue during the year. An information leaflet on Section 75 complaints was produced, and an in-house procedure developed for dealing with requests for advice and information regarding complaints. In addition plans were made to develop an Investigations Strategy regarding public authority compliance with Section 75 duties.
- 6.19** Particular attention was paid to the good relations duty during the period. A number of in-house research papers were produced to help inform the Commission on future effective implementation of this duty by public authorities. The template for progress reports provided to public authorities was revised to ensure that public authorities could enter additional information about progress being made in implementing this duty, for the period ended March 2002. In addition the need to develop mechanisms to assist public authorities in implementing the duty was identified and work planned on developing a strategy to ensure the future effective implementation of the good relations duty.
- 6.20** As the Commission was committed to review its Guide to the Statutory Duties and Practical Guidance on Equality Impact Assessment the process for undertaking this work was commenced, in terms of producing an overall project plan and timetable. It was further agreed that an Advisory Group be created, to include representatives of public authorities, the consultee sector, OFMDFM and the Equality Commission, to help progress the work.
- 6.21** In relation to Commission responsibilities with regard to EQIAs undertaken by public authorities a number of structures were put in place. These included the agreement of criteria for Commission response to EQIAs, an audit of all EQIAs undertaken by public authorities and creation of an EQIA database within the Commission. These arrangements enabled the Commission to obtain an overall picture of EQIA work being undertaken by public authorities, ascertain the extent of compliance with EQIA timetables and ensure a response to a range of EQIAs. Training on EQIA processes was delivered to a number of Commission teams, to help ensure understanding and particularly to facilitate expert input to responses to EQIAs received from public authorities.
- 6.22** The issue of monitoring was considered during the period, in order to identify how the information needs of public authorities were being met in relation to this crucial aspect of management of implementation of the statutory duties. A



project team was set up to examine the monitoring needs of public authorities in relation to all areas of equality, with a view to producing a consultation document on the matter during the next financial year.

- 6.23** All Commission decisions in relation to Section 75 matters, including legal opinions, were consolidated in order to identify precedents to further enhance the consistency of advice being give to public authorities and those affected by Section 75.
- 6.24** Meetings were held during the year with key stakeholders, including OFMDFM, a number of individual public authorities, the Equality Coalition and individual sectoral interest groups.
- 6.25** The Commission requested equality scheme progress reports from all designated public authorities for the period ended March 2001. The first annual progress report on the implementation of Section 75 duties by public authorities during the period 2000-2001 was completed and submitted to Commissioners for analysis and comment. Commissioners were generally pleased with the progress reported in terms of scheme approval, progress on screening exercises and Section 75 training. In addition some public authorities had taken steps to mainstream equality into corporate plans, strategies and policymaking processes. The Commission agreed to produce a full composite report on progress being made by public authorities, for the period 1 January 2000 – 31 March 2002, and to forward this to the Secretary of State, OFMDFM, public authorities and organisations in the consultee sector.
- 6.26** An analysis of public authority progress reports, for period ended March 2002, received by end of September 2002, was utilised to help to measure the extent of implementation of the good relations duty, as well as identifying pathfinder organisations and models of good practice. The development of a Commission strategy for ensuring the effective implementation of the good relations duty was identified as a key objective for the incoming year.
- 6.27** By the end of March 2002 the Commission had approved 97% (113 of 118) of draft equality schemes of Northern Ireland authorities, and 67% (10 of 15) of the public authorities designated by the Secretary of State in July 2000 had their draft schemes approved. The Commission continued to discuss with the other authorities the issues still to be addressed in order that all other draft schemes could be approved by the Commission.

### **Comparison of progress between 2000/01 – 20001/02**

- 6.28** The period January 2000 – March 2001 was a crucial time for developing guidance and support systems to ensure the effective implementation of the statutory duties. This period witnessed the creation of the Statutory Duty Committee and the Statutory Duty team to enable the Commission to focus on assisting public authorities to produce equality schemes compliant with legislative requirements and Commission guidance. The initial designation of the majority of public authorities in Northern Ireland meant that there was not a

phased approach to timetabling of the production of equality schemes. Rather public authorities worked to develop understanding of Section 75 duties, to raise awareness across their employees and service users, to develop a compliant equality scheme and to commence work on screening of their policies. The main thrust of Commission work during the period was on ensuring provision of guidance, written and other, to ensure production of compliant equality schemes.

- 6.29** April 2001 - March 2002 enabled further designations of public authorities and approval of equality schemes, but also offered the opportunity to address a number of concepts and processes crucial to the roll-out of equality scheme work. Thus this year enabled more focus on EQIA work, in terms of provision of guidance and training and of ensuring effective implementation of the seven step EQIA process. Key areas for development included management of Section 75 complaints, developing communication and relationships (with public authorities and consultees) and an examination of progress being made by public authorities on implementation of the duties. The lessons learned in relation to the introduction and roll-out of equality schemes in both periods provided much of the information on which to produce the Statutory Duty Team's business plan for 2002/03.

## 7 NI Central Government Departments

### **Introduction**

This section of the report covers the 11 Northern Ireland Central Government Departments established following the devolution of power to the Northern Ireland Assembly on 2 December 1999. Work on progressing the new statutory duties should be viewed in the context of the development of new structures within devolved government and those disruptions arising from an unpredictable political environment.

### **Progress Reported 2000–2001**

### **Preparation of the draft Equality Scheme**

The approval timetable for these authorities was as follows:

**Table 1 Approval of Central Government Equality Schemes**

Department of Education	8 February 2001
Department for Employment & Learning	8 February 2001
Department of the Environment	8 February 2001*
Department of Health, Social Services & Public Safety	8 February 2001*
Department of Enterprise, Trade & Investment	15 February 2001
Department of Finance & Personnel	15 February 2001
Department for Regional Development	15 February 2001
Department of Agriculture and Rural Development	15 March 2001*
Department of Culture, Arts and Leisure	15 March 2001*
Department for Social Development	15 March 2001
Office of the First Minister and Deputy First Minister	15 March 2001*

*\* Indicates that the Commission issued a letter of deficiencies prior to approval.*

- 7.1** In their progress reports all 11 Central Government Departments outlined in various ways the measures taken to develop their draft equality schemes, including consultation. In the DoE's case a notable inclusion was consultation with its Assembly Committee.
- 7.2** For these 11 Departments the main focus of activities during the period from 1 January 2000 to 31 March 2001 was invariably consultation on policy screening and equality scheme development. The nature and scale of consultation included, for example, the Department of Culture, Arts & Leisure (DCAL) contacting 400 consultees, the DE consulting 450 authorities and the DHSSPS consulting more than 500 groups. In general these activities resulted in an overall response rate of approximately 10%.

- 7.3** OFMDFM played a significant role in bringing forward schemes through its production of a Model Equality Scheme for central government guidance. During consultation on draft schemes different approaches to the screening of policies and development of EQIA timetables emerged. Most notably DHSSPS refined the general screening into what became known as 'Two Stage Screening'. The Department of Enterprise, Training & Investment (DETI) highlighted in its report steps taken to work with Non-Departmental Public Bodies on scheme development and screening.
- 7.4** All but two Departments reported steps being taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans. In the main only high level information was provided by Departments in their reports with no performance indicators cited. Regular quarterly reporting of progress was noted by DHSSPS and the Department for Social Development (DSD). OFMDFM reported that roles and responsibilities relating to the statutory duties were reflected in the personal performance plans of the officials involved.
- 7.5** All reports reflected on the formal consideration given to draft equality schemes. This included the process of revision prior to submission of final schemes for Commission approval. Details concerning the processes for each Department are unique but it is worth highlighting the DoE report that refers to Ministerial discussions on revisions to its scheme. In its report the DFP underlined the inclusion of the Northern Ireland Statistics & Research Agency (NISRA), Government Purchasing Agency (GPA) and Rate Collection Agency (RCA) in its equality scheme, as a result of consultee input. None of these agencies were individually designated as public authorities for the purposes of Section 75. A further important development highlighted in the DHSSPS report is the decision to bring together the EQIA programmes of the various Health Boards, Trusts and Agencies in the 'health family'. The implications and outcomes of this are discussed in Section 10 of this report.
- 7.6** Half of all Government Departments reflected on areas of their schemes being implemented prior to Commission approval. For example new dedicated equality units and working groups were established to oversee and co-ordinate implementation in the Department for Regional Development (DRD). DE, DETI and the DoE outlined activity on staff training, establishing working groups, devising action plans, reviewing the monitoring and accessibility of services, and preliminary work on year 1 EQIAs. DSD also outlined in this section of its report a commitment to undertake EQIA of all social policies irrespective of their status as 'reserved matters' for the Westminster Parliament.

### **Screening Report**

- 7.7** At the time of submitting progress reports for period 2000-2001 all Central Government Departments, with the exception of DEL, had finalised timetables detailing policies to be subject to EQIA. The majority of progress reports included this important information. However, the DHSSPS referred to a separate report previously submitted to the Commission, and DoE, DETI and

DRD referred to information within their approved Schemes. The Commission's guidance on progress reporting included a section to enable public authorities to set out their EQIA timetables.

- 7.8** In order to develop an overview of EQIA timetables the Commission collated information on planned EQIAs, which is set out in table 2.

**Table 2 Overview of Central Government EQIA Timetables**

Department	Length of Time-table*	No. of Policies
Department of Agriculture and Rural Development	3 years	16
Department of Culture, Arts & Leisure	3 years	29
Department of Education	3 years	18
Department for Employment & Learning	Screening planned 2001 - 2002	
Department of Enterprise, Trade & Investment	3 years	All policies
*Department of Environment	3 years	31
Department of Finance & Personnel	3 years	17
Department of Health, Social Services & Public Safety	2 years	28
Department for Regional Development	5 years	14
Department for Social Development	5 years	19
OFMDFM	1 year	7 existing & 7 new

\* As indicated by Equality Scheme information or directions in 2000-2001 Progress Report

- 7.9** Among the various reasons given in the first progress report by public authorities for not subjecting policies to an EQIA were:
- perceived constraints by EU legislation and/or public health & hygiene requirements;
  - lack of latitude to introduce additional criteria; and
  - the perception that certain programmes are 'open to people of any category'.

- 7.10** Within Central Government Departments there were a variety of approaches to policy identification and screening, e.g. at the macro or operational level. Few commitments were evident in progress reports regarding co-operation with other departments in which relevant policies originate. For example, few Departments noted collaborative work with DFP regarding personnel related policies.

**7.11** Central Government Departments had the opportunity to outline any concerns about, or opportunities to enhance, the process of policy screening. The Department of Agriculture and Regional Development (DARD) expressed concern at the Commission imposing time constraints. DE indicated that it intended to commence an EQIA of the Schools Common Funding Formula, thus extending the use of EQIA to strategic review exercises. DFP highlighted its intention to address information gaps for all Central Government Departments as a result of an information audit carried out by NISRA.

### **Training Programme**

**7.12** Central Government Departments adopted an incremental approach to the provision of training associated with the Section 75 duties and the preparation of Equality Schemes.

**7.13** In the period 2000-2001 training and awareness programmes were developed primarily for senior and middle management. This resulted in steps taken to train specialist staff involved in scheme development and/or implementation. In addition, departments reported an 'ongoing focus' on introductory general awareness raising for all staff. DARD, DE, and OFMDFM note in their report the distribution of correspondence from the Head of the NICS to staff. Similar correspondence from the DHSSPS Permanent Secretary outlined the new duties to all staff during October 1999. Various progress reports noted staff attendance at awareness seminars and conferences, including those organised by OFMDFM.

**7.14** Attention is drawn to the following aspects of progress reports, which reflect the development of training provision:

- **Partnership:** DCAL, in its report, highlighted assistance from DRD training unit to develop training and from OFMDFM through its hosting of awareness workshops in the autumn of 2000. DETI provided information on its plans to work with its associated NDPBs in delivering a training programme and to provide awareness training for new staff. Furthermore DETI outlined its intention to take forward staff briefings in the first six months of 2001;
- **Exploiting Existing Systems:** DoE reported that awareness training for management staff was 50% complete with 384 staff trained up to the end of March 2001. Use was also made of this Department's team briefing system, Departmental staff magazine and information circulars. DoE also point out plans to issue a copy of the approved scheme to all staff and that arrangements were being made to train staff on consultation and undertaking EQIAs; and
- **In-House Delivery:** DFP, in its progress report, focused attention on the role of the departmental Training and Development Unit in taking forward training provision. Information was provided on the use of cascade training and an intention to undertake a training needs analysis of senior managers.

**7.15** There was a variety of information reported on training evaluations carried out by Departments. Given the variety in reporting methodologies and style it is difficult to attempt to reflect on the scale, level and effectiveness of staff training and awareness raising. Clearly various models of delivering training and awareness raising were being employed, including the use of training consultants. In its report DETI outlined input given to the development of a public service contract specification. This resulted in seven firms being identified to deliver training to address the learning needs of the Department. During this time OFMDFM highlight the establishment of a sub-group to address Section 75 training issues across the NICS.

### **Information Provision and Data Collection**

**7.16** Central Government Departments reported significant first steps to supplement available research and statistics. In their reports all Departments underlined their participation in the NISRA led audit of existing data sources. The results of this exercise have been published in Appendix IV - pages 41 to 49 of the Commission's Practical Guidance on EQIA. The Appendix provides an overview on the scale of data sources currently available covering the Section 75 groups, and indicates the various gaps to be addressed if equality scheme monitoring is to be effectively progressed.

**7.17** In their progress reports Departments also set out their expectations of the continuing work of the interdepartmental Statistical & Research Planning & Co-ordination Group, in further enhancing data across the various sectors of Government in a co-ordinated fashion. In addition the DHSSPS referred to the work of its Equality Information Steering Group to agree and oversee a programme to secure data requirements within the DHSSPS family.

**7.18** A variety of actions were taken by Central Government Departments to review current arrangements for the provision of information in accessible formats. Many progress reports noted the low level of interest and/or uptake of information and schemes in alternative formats. Rather than maintaining arrangements put in place around the time of consultation on their draft schemes, Departments have made efforts to take these issues forward. DoE outlined its expectation of guidance from OFMDFM on this issue.

**7.19** DARD asked respondents for their views on alternative provision when consulting on its scheme. DE noted the establishment of an Inter-Education & Library Boards Working Group to prepare guidance on providing information to young people and those with learning disabilities. DEL highlighted the use of specialist web-site software to identify changes to access and information provision. In another reflection of mainstreaming DEL established information provision systems through its marketing unit. During the reporting period DSD began to consult affected groups about information provision arrangements. Having undertaken a review of information provision DETI formulated proposals to develop its communication strategy within the reporting period.

**7.20** Given the range of reporting formats it is difficult to attempt to quantify the uptake of alternative formats or comment on any related effectiveness issues at this time. The various approaches adopted by the Departments during the first year show that there is a lot of scope for initiatives to be taken in relation to information provision and data collection.

**7.21** Five reports contained details of steps taken to develop monitoring systems regarding access to information and services to ensure equality of opportunity. From these reports it appears Departments viewed this issue as integral to the establishment of systems to supplement available statistical and qualitative research. DEL, in its progress report, indicated that it intended to obtain the views of the public on its monitoring process by way of an ongoing social omnibus survey.

### **Additional Information**

**7.22** In the final part of progress reports all public authorities were asked to indicate any EQIAs commenced or completed and proposed legislation for which an assessment was undertaken on the implications for the Section 75 duties. The resulting information is set out in the following table:

**Table 3: EQIAs commenced & Assessments of Legislation Undertaken During 2001-2002**

<b>Department</b>	<b>EQIAs</b>	<b>Legislation</b>
Department of Agriculture and Rural Development	Sea Fisheries and Conservation	
Dept of Culture, Arts and Leisure	No information provided	
Dept of Education	No information provided	
Dept of Employment and Learning	Student Finance Review	
Dept of Enterprise, Trade & Investment	Commenced work on 5 EQIAs in Year 1 of Programme	Legislation to establish a new development agency
Dept of the Environment	6 policies listed	
Dept of Finance and Personnel	Location of Civil Service Jobs Rating Policy Resource allocation Quinquennial review of RCA	Marriage law Physical Punishment of Children



**Table 3: EQIAs commenced & Assessments of Legislation Undertaken During 2001-2002 (cont'd)**

<b>Department</b>	<b>EQIAs</b>	<b>Legislation</b>
Dept of Health, Social Services & Public Safety	Revised Capitation formula for allocating funds to HSSB's Pilot EQIA of Oral Health Strategy and policy on general dental services	
Department for Regional Development	Review of Concessionary fares Rural transport fund Fares pricing policy Antrim/Knockmore line Infrastructure charges	Railway Safety Bill
Department for Social Development	Information provision Compact between Government and Voluntary sector Private housing grants Accommodation for Travellers Belfast Urban Regeneration Town centre reinvigoration	Child Support Pensions & Social Security Bill
OFMDFM	Programme for Government Equality Disability NI Order Equal Pay Proposals Regulation of Investment Powers Act Corporate Strategic Framework for delivering government services electronically	

**7.23** Various other matters considered relevant to the implementation of the Section 75 duties were reported. DoE noted the 'screening out' of a new policy covering Local Government Best Value Proposals. DHSSPS indicated that one complaint had been received in the period covered by the report. DFP documented its decision to screen out the Rate Collection Agencies policy on the 'non-payment of rates when individuals are in care'. DETI highlighted discussions with Department of Trade & Industry officials that led to plans being made to allow both Departments to work closely on future mainstreaming work.

## **Progress Reported 2001-2002**

### **Strategic Implementation of the Section 75 Equality Duties**

**7.24** Many Departments' reports for 2001 – 2002 outlined the equality objectives and targets included in corporate and annual plans, and those of relevant Agencies.

In terms of specific implementation initiatives a number of Departments reported further strategic developments. DFP highlighted the inclusion of a Section 75 perspective in performance management initiatives such as Investors in People. DE and OFMDFM made reference to pursuing Section 75 targets set out in the Programme for Government.

- 7.25** All reports indicated that the ongoing implementation of equality schemes was a standard agenda item for senior management. Management groupings cited included departmental Management & Planning Groups, chaired by Permanent Secretaries, Equality Steering Groups and, in OFMDFM, scrutiny by the Committee of the Centre.
- 7.26** Reports also indicated steps taken to work with other public authorities and partners in progressing the implementation of the duties. There was substantial reporting on the work of inter-departmental groups. These included the OFMDFM led Equality & Social Needs Steering Group (ESNSG), Equality and Social Needs Research and Information Group (ENSRIG) and the Equality Practitioners Group (EPG). In the ongoing development of partnerships DCAL and DSD highlighted the interdepartmental Voluntary and Community Sector Forum. DFP and DHSSPS highlighted plans to commence an annual progress evaluation meeting with consultees.
- 7.27** DE reported the results of a joint conference with the NIHRC regarding consequences for the Education Sector of human rights and equality law for policy development. The department also set up a DE/NDPB Equality Liaison Group, which also involved DCAL; this group meets three times a year. In November 2001 DE held a Racial Equality in Education conference in conjunction with the Commission, with the conference report launched in February 2002 and work commenced on an action plan and objectives for taking forward issues arising.
- 7.28** DETI indicated it proposed to develop an Equality Forum in early 2003. OFMDFM reported being involved in an inter-sectoral practitioners group with local government, housing, health and education authorities as well as the Equality Commission funded Diversity Matters project pilot initiative. The DOE reported offering in writing to discuss equality issues of mutual concern with all local government authorities. The DHSSPS reported progress in setting up a Regional Equality Liaison Panel. DSD reported training arrangement links with staff from NDPBs.
- 7.29** In terms of reporting steps to implement the good relations duty most Departments stated little activity and indicated they were awaiting the outcome of the review of community relations policy led by OFMDFM. OFMDFM and DSD cited participation in the North Belfast Community Action Project, which aimed to build community capacity where it was weak and maintain it where it was active and working well. DSD also highlighted its support during the year for the Churches' Community Work Alliance project the objective of which was to develop partnerships with other faith based groups on community development issues.

**7.30** Several departmental initiatives were reported. DE indicated it had instituted a joint DE/NDPB Working group partnership approach to education provision for Asylum Seekers' children as part of its PSI initiative. DHSSPS was a key partner in developing the draft Racial Equality in Health and Social Care Good Practice Guide, published for consultation in March 2002. Under the heading of good relations DEL referred to the work of its regional operations in tackling social exclusion, citing the contribution of the Job Centre Network programme and services. These included a number of outreach facilities in Belfast and the regions, provided in conjunction with local groups and communities. DEL also reported its work in forming a cultural diversity working group advisory committee on promoting community relations in tertiary education. The DoE stated that all its EQIAs addressed the implications of policies for good relations.

### **Factors that enhance or impede the process of Strategic Implementation**

**7.31** Factors that *enhanced* the process were:

- responsibility for equality agreed and clearly designated to all parts of Department;
- having a dedicated Equality & Diversity Unit, and working group of officials;
- advice from OFMDFM Equality Unit, which ensures consistency across NICS;
- quarterly reports for Executive Team - a useful tool for monitoring progress;
- personal endorsement of Permanent Secretaries as evidenced by their consideration of all policies and rationale for screening decisions; and
- quarterly progress reports to Minister and senior officers - an opportunity to focus attention and chart progress.

**7.32** Factors that *impeded* the process were:

- need for better resourcing of consultee organisations;
- lack of clear guidance on screening of policies and legislation;
- impact of Foot & Mouth disease and having to direct staff resources to disease control measures;
- lack of dedicated Equality Unit within Departments;
- consultation fatigue;
- slippage in legislative programme impacting on EQIA timetables; and
- difficulties in establishing methods to conduct meaningful EQIAs in the wider context of equality, human rights, New TSN and rural proofing considerations.

### **Screening & Equality Impact Assessments**

**7.33** Following the previous year's development of EQIA timetables there was widespread reporting of progress on steps to achieve the timetables during 2001-2002. Information was submitted by Departments in the matrix format requested and details of policies subject to EQIA during 2001-2002 are set out in Table 4.

**Table 4: Overview of NI Dept EQIA Timetables 2001-2002**

<b>Department</b>	<b>2001 - EQIAs Planned v Actual</b>		<b>2002 Policies Screened</b>	<b>2002-2003 EQIAs Planned</b>
Department of Agriculture & Rural Development	<b>4</b>	4 of which: 1 - Stage 3 1 - Stage 4 2 - Stage 5	See Note 1	5
Department of Culture, Arts & Leisure	<b>11</b>	None Reported	Re-screening	4
Department of Education	<b>7</b>	7 of which: 3 – Stage 1 3 – Stage 3 1 – Stage 5	Additional Screening Undertaken	8
Department for Employment & Learning	<b>2</b>	Not Reported	Screening Undertaken	9
Department of Enterprise, Trade & Investment	<b>5</b>	6 of which: 3 – Stage 3 2 – Stage 4 1 – Stage 7	None Reported	4 policy areas
Department of Environment	<b>12</b>	5 of which 1 – Stage 4 2 – Stage 5 2 – Stage 7	25 – 0 subject to EQIA	17 including 5 carried over from Year 1
Department of Finance & Personnel	<b>6</b>	7 of which 4 – Stage 4 3 – Stage 5+ (2 Stage 7)	3 policies - 0 subject to EQIA	3 policies
Department of Health, Social Services & Public Safety	<b>15</b>	15 of which 5 – Stage 2 7 – Stage 4 3 – Stage 6	18 Subject to EQIA	14 plus 9 rolled forward and 18 additional
Department for Regional Development	<b>4</b>	8 of which 1 – Stage 1 2 - Stage 2 3 – Stage 4 2 – Stage 6	6	7 plus 5 to be completed
Department for Social Development	<b>5</b>	5 of which 1 – Stage 3 2 – Stage 4 2 – Stage 6	Re- screening undertaken	7
OFMDFM	<b>13</b>	9 of which 2 – Stage 5 7 – Stage 6	None Reported	10 (+9 carried forward from 2001)

- 7.34** In total 97 EQIAs were identified for progressing during 2001-2002 (including 28 from the DHSSPS). By the end of March 2002, of the 65 EQIAs which reports show were commenced, 28 had reached stage 5 (decision making) of the EQIA process. Reports indicated that Departments plan to progress 120 EQIAs in 2002-2003, including 28 rolled over from 2001-2002.
- 7.35** As a result of screening and other decision making during 2001-2002 a variety of reasons for not subjecting policies to an EQIA were identified. These included DRD Winter Gritting, Grass cutting, Railway Safety Bill (policy only affects railway companies and will benefit all groups, no formal comments were received during consultation), harbours legislation, Strategic Planning Bill (no evidence that legislation will advantage or disadvantage any Section 75 group). DSD did not identify, in its progress report, any significant equality implications in relation to the Retirement Pension Teleclaim Service, Remaining Provisions of the Housing Bill, Warm Homes Scheme (noted focus on age, disability and dependants but this was justified and so no significant implications for equality requiring EQIA), Victoria Square Redevelopment, Licensing of large indoor arenas, Housing Support Services Bill and Social Security Fraud Bill.
- 7.36** DARD reported continuing efforts to develop policies in areas screened out during the initial screening exercise. These policies mainly related to animal health and issues such as BSE related measures. DCAL reported that planned EQIAs would follow the development of policy or reviews. The DoE report indicated amendment of the 4<sup>th</sup> screening criteria to *“Have consultations in the past indicated...”*.
- 7.37** OFMDFM and DE had prepared a new policy screening pro-forma to assist staff in screening policies. DEL only included the highest level of policy over which the department had a reasonable degree of control. DRD abandoned EQIAs of Operational Transport Planning and Operation & Delivery of Business and Rail Services as the equality issues had largely been addressed in the assessment of Regional Transportation Strategy, which was subject to extensive consultation. DSD, while undertaking an EQIA on Private Sector Housing Grants, concluded that adverse impact could only be determined by NIHE if and when it changed its targeting policy as a result of the grants scheme moving from a mandatory to a discretionary scheme as proposed under the Housing Bill.
- 7.38** DEL highlighted its use of 'preliminary EQIA' in assessing the potential adverse impacts of proposed policy initiatives. During the year a number of areas were assessed including New Job Clubs Provision, Training for Work, Essential Skills Strategy and Working Time (Amendments) Regulations (NI) 2002. However, the progress report did not indicate if adverse impact had been identified by the Department or consultees during the preliminary EQIA. It was also unclear if Vocational Training for Disabled People and Higher Education Outreach had been screened. The Commission plans to discuss with DEL the effectiveness of its preliminary EQIA process, in terms of ensuring compliance with the Guide to the Statutory Duties.

- 7.39** Departments were asked to report changes to practice and/or policy arising from an EQIA. No Department reported changes to policy, either to mitigate identified adverse impact or to better promote equality of opportunity, as an outcome of the EQIA process. However, a range of changes in practice were outlined by Departments. DFP highlighted the Office of Law Reform initiative on consulting young people. In addition DFP's Rate Collection Agency decided not to initiate legal recovery action against ratepayers who had submitted a claim for Housing Benefit. Several Departments, including DARD, reported the provision of a textphone and steps to develop new screening templates were highlighted by DCAL.
- 7.40** DE outlined its work with the Education & Library Boards (ELBs) and Staff Commission which, as part of regional consultation meetings, included an event for parents of children from the Chinese community - with information translated prior to and during the event. DHSSPS highlighted the development of Good Practice reviews, described as short, focused, action-orientated exercises geared to practical outcomes. During the year work commenced on four areas - including Information, Complaints Procedures, User Involvement and Promoting Positive Staff Attitudes to Diversity. DHSSPS also reported the publication of the LEAD report "A Fair Chance" which gives guidance on consulting people with learning disabilities. DSD indicated that it had proceeded with steps to issue a summary consultation document to all consultees on its list, to allow the consultees to determine if they wished to be involved a particular consultation exercise and, therefore, to obtain the full consultation document.
- 7.41** DE developed an EQIA workbook to complement the Practical Guidance. The workbook was developed following the conduct of an EQIA on Electronic Libraries for NI. DE also contributed to the preparation of guidance on how best to communicate information to young people and those with learning disabilities. A conference held in June 2001 led to the production of a report on this matter which the department plans to issue for consultation.

### **Communication & Training Provision**

- 7.42** All Departments provided information on a range of training and communication activities. In terms of progress reporting of training provision and evaluation many Departments reported general statements though at the time of reporting evaluation feedback was awaited from many training providers. DFP reported their success in being awarded a Gold standard, for an overall score of 90%, in the 'Opportunity Now' gender equality/diversity benchmarking exercise – which had involved private, public and education sectors.
- 7.43** Individual training provision included:
- DETI - 443 staff attended a half day general awareness session, 98 a one day session on EQIAs and 26 a one day session on consultation techniques;

- DARD - 394 staff received awareness training, and 75 received specific EQIA training including staff from NDPBs;
- DCAL - 125 staff received awareness raising, 108 deaf awareness, and 24 religious diversity training;
- DE - each project team which was established to undertake an EQIA received training before commencing;
- OFMDFM - 396 (92%) of the Department's staff received training, 24 new entrants received Section 75 awareness as part of their induction, 312 staff had received scheme awareness training and 60 staff received EQIA training;
- DoE - 109 staff received scheme awareness, 111 staff were trained on EQIA and 61 on consultation techniques. In addition, s75 awareness was included in the management development programme to be rolled out across DOE, DRD and DCAL on a 5 year basis;
- DHSSPS - introductory training session for 172 staff (with 91% indicating the training met its aims and 90% that the training was of value to them), 40 staff received EQIA training (96% stated it met their aims) and 20 staff received consultation skills training (100% said it met their aims with 80% indicating the course had been of value to them);
- DRD - 1057 staff received half day general awareness training, 89 staff participated in EQIA training and 13 staff in consultation training; and
- DSD - 100 staff received EQIA training, 100 staff were trained in screening (mainly staff involved in policy and legislation development) and 941 staff attended half day events re awareness of disability, ethnic minority, visual impairment and adult literacy issues. Refresher training on anti-discrimination legislation and the NICS Equal Opportunities Policy was undertaken.

**7.44** Details of how affected groups were involved in training development or delivery was reported as follows:

- DCAL and DETI reported involvement of disability related groups;
- DCAL provided RNID deaf awareness training for staff;
- OFMDFM reported that to date it had not been considered necessary to involve affected groups. OFMDFM arranged and quality assured training for all Departments including 55 full day sessions reaching 825 officials; from January 2002 departments are free to arrange their own training;
- DE reported work by Education and Library Boards and the Staff Commission with Focus Consultancy regarding the design of consultation skills training packages;
- DoE and DRD reported partnerships with Disability Action for EQIA and consultation training, use of RNID for deaf awareness training and training staff on use of textphone; and
- DSD highlighted involvement with NICEM, Disability Action, the Blind Centre and Basic Skills Unit in the development and delivery of specialist training for staff interfacing with public.

**7.45** Details of internal and external communication of the Departments' commitment to the statutory duties, such as training provision or promotion of equality objectives in public statements, were reported. Departments reported making copies of schemes available to staff and articles in various staff magazines. DoE highlighted reference to Section 75 at public meetings connected to Planning Service Development Plans. OFMDFM outlined communication of the duties at speaking engagements by its Director and Head of Statutory Duty Unit. DRD indicated commitments to Section 75 were included in European Grant Applications.

**7.44** Several Departments highlighted delays in meeting scheme commitments and in the expansion and enhancement of information systems. Delays were reportedly due to the need for consistency and consideration of the NI Executives Communications Strategy principles, which was to be published as guidance during 2002.

### **Information Provision, Data Collection and Analysis**

**7.45** Departments continued to report the implementation of scheme commitments regarding making information and services available in alternative formats. Departments have consistently highlighted the impact of the 'Better Service Initiative' audit, conducted in March 2001, as the main step taken to review and develop arrangements for the provision and use of information in accessible formats. This audit and strategy development work, which is led by OFMDFM, will lead to the issue of a good practice guide for Departments.

**7.46** Besides general reporting of availability of Braille, audio cassette, Urdu and Chinese and alternative formats on all consultation documents, a range of initiatives were reported including:

- DARD - sought views on improving provision of information in accessible formats but had a poor response. During the year no one requested the scheme in an alternative format and there was one request for a consultation document in large print during the year;
- DE - during its two-stage consultation process requests for assistance were received for transportation, translation, alternative formats, dietary requests crèche and interpreter and signer. DE also reported links with DCAL regarding a translation and interpreter service; and
- DRD – held focused pre-consultation with key respondent groups.

**7.47** The issue of the ongoing development of monitoring systems has been cited by some Departments, particularly the initiative led by the OFMDFM's Equality & Social Needs Research Information Group to develop a NICS wide strategy. Departments referred to planned work on a draft strategy and highlighted the role of the NI Statistics and Research Agency in managing and providing Section 75 relevant information. No information was provided on the scale of improvements likely to accrue from this strategy and its impact on Departments, divisions and agencies in terms of their screening and EQIA activities.



OFMDFM reported that the overall aim of this group was to advise on the strategic priorities for research and statistical work.

**7.48** The issue of developing data collection and analysis has also been reported in terms of a number of Departmental exercises:

- DARD - Farm Household survey covered seven of the nine Section 75 groups (omitting political opinion and sexual orientation). Their monitoring form was redesigned after the AgriFood Survey, and they piloted an information management system in relation to the People Development Programme;
- DFP - A new central database in the European Division was developed, and the scope of NICS workforce monitoring extended;
- DETI – Information on religion and gender is gathered via monitoring returns, quarterly Employment Surveys and census of employment; Labour Force Survey data is used for other categories. The department initiated a pilot of enhanced monitoring of client companies covering new employees' gender, disability and community background;
- DE - Debated the development of its main data sources, including the Annual School Census and Post Primary School Leavers' Survey;
- DoE - Used information on first preference votes in Local Government election results for the in house development of political opinion data; DVTa and DVLNI examined how to tailor regular customer surveys to maximise Section 75 data;
- DEL - Published Labour Market Bulletin information with details of Section 75 categories for the first time In November 2001. It also attempted to gauge public opinion on the collection of political opinion and sexual orientation data via the Social Omnibus Survey; the department also participates in a cross-departmental research group;
- DHSSPS - Northern Ireland Health & Social Well Being Surveys included analysis by age, gender and religion with some data on dependants and sexual orientation;
- DSD – the Social Security Agency Customer Satisfaction Survey was Section 75 compliant with data collected under equality headings “for the first time”. DSD reported that the extension of the Family Resource Survey to NI in 2002 will help to assess uptake of services and access to information. The Social Security Agency put in place a framework for managing customer research which will place emphasis on capturing data under equality categories; and
- DHSSPS - Outlined statistical and research issues on the equality duty and New TSN in health care and statistics in terms of improving the infrastructure. The Equality Information Steering Group undertook a detailed audit of equality information and found that while there was a wide range of information relating to age and gender, data was rare to non-existent in relation to the remaining categories.

## **Complaints**

**7.49** A number of Section 75 complaints were reported and related policy issues were highlighted by Departments, as set out in the following table.

**Table 5 Section 75 Complaints Reports and related Policy Issues**

<b>Department</b>	<b>No of Complaints received &amp; resolved</b>	<b>Related Policy Area/Issue</b>
Department of Agriculture & Rural Development	0/0	-
Department of Culture, Arts & Leisure	1/*	NK
Department of Education	0/0	-
Department for Employment & Learning	3/2	Not Disclosed 1 complaint treated as a non s75 complaint
Department of Enterprise, Trade & Investment	1/ Tribunal	Appointment to Shadow INI
*Department of Environment	1/NK	Prohibition of insulin-dependent diabetics receiving taxi-driver licences.
Department of Finance & Personnel	2/NK	Compulsory retirement age form NICS Compassionate transfer from GB to NI Civil Service
Department of Health, Social Services & Public Safety	5/1	4 related to Sub Fertility treatment, Access to Social Education Centre.
Department for Regional Development	3/3	Failure to adhere to consultation commitments. Conference arrangements did not comply with commitments. Difficulties with Senior smart pass application process.
Department for Social Development	0/0	
OFMDFM	0/0	

\* DCAL initially registered a Section 75 complaint and then decided it did not relate to any of the nine equality categories.

DEL included procedural guidelines for investigating a complaint in its report. The guidelines include a strong emphasis on identifying potential breaches of the scheme.

## **Timetables**

**7.50** All approved schemes include a timetable for measures proposed in each scheme. Guidance requested Departments to provide an update of the timetable of measures 'as contained within your equality scheme, for 2001-2002'. Information was forthcoming on a range of issues and it is clear that timetables have slipped to varying degrees.

## **Additional Information**

**7.51** In the final part of progress reports public authorities were asked to indicate proposed legislation for which an assessment was undertaken on the implications for the Section 75 duties. The resulting information is set out in the following table:

**Table 6 Assessments of Legislation Undertaken During 2001-2002**

<b>Department</b>	<b>Legislation</b>
Department of Agriculture & Rural Development	50+ regulations and orders (some jointly made) were assessed as not having implications for any of the s75 duties.
Department of Culture, Arts & Leisure	No detail noted
Department of Education	No detail noted
Department for Employment & Learning	13 EQIAs carried out including Maternity/Parental leave, fixed term leave and TUPE.
Department of Enterprise, Trade & Investment	4 Bills – Limited Liability Partnerships Bill, Company Directors' Disqualification Bill, Open-ended Investment Companies Bill, Insolvency Bill.
Department of Environment	Various regulations were subject to screening and no equality implications were identified
Department of Finance & Personnel	No detail noted
Department of Health, Social Services & Public Safety	No detail noted
Department for Regional Development	Railway Safety Bill, Belfast/L'Derry/Warrenpoint Harbours Orders, Short Harbours Bill, Strategic Planning Bill
Department for Social Development	Legislative Programme outlined
OFMDFM	3 items - Regulation of Investment Powers Act, The Equality (Disability etc) NI Order 2002 (Time Regulation), Burden of Proof Directive.

**7.52** Various other matters considered relevant to the authorities' implementation of the Section 75 duties were reported:

- DETI reported consulting on strategies including Renewable Energy, Energy and NI Consumer Strategy at the draft stage;
- DCAL welcomed the Commission's plans to review and develop Section 75 guidance;
- DEL highlighted self service touch-screens in 10 job centres - Job Centre Online (vacancy information) and Jobpoints - in relation to the accessibility of both initiatives to those clients with special needs;
- DoE advised that Planning Service Development Plans pose particular problems in that the statutory consultation period for such a plan is six weeks, as opposed to the eight-week consultation required for EQIA. Also, the department had engaged consultants to assist with its programme of EQIAs, but "the benefits have been less than expected due to the need for close involvement and engagement of service providers in the EQIA process";
- DRD indicated it would welcome more direct feedback from Commission on EQIAs in particular.

## **Conclusions & Comparison between 2000/01 - 2001/02**

**7.53** The Commission acknowledges and welcomes the progress made to date by Government Departments and the ongoing commitment to the implementation of the Section 75 duties. A number of the projects, such as ENSRIG, should contribute to advancing the implementation of the statutory duties throughout the public sector in Northern Ireland.

**7.54** High level objectives and targets were reflected in Departments' corporate and business plans, with detailed aims and targets monitored separately under Section 75 implementation plans. Details of progress were being reported to Ministers and senior officers and two Departments were establishing annual review mechanisms with affected groups.

**7.55** Much effort was expended during the year in establishing structures/groups between and within Departments, to share experience and ensure consistency. Contacts have been made with other groups and some interesting inter-sectoral groupings have started to develop. The benefits of this departmental activity is not clear but there is certainly more scope to identify issues and highlight themes than in the previous year.

**7.56** In overall terms there is little evidence of work to progress the good relations duty, although a number of examples of race, disability and geographic initiatives were recorded. Many Departments stated that they were waiting for further guidance from the Commission and the outcome of the Harbison report on Community Relations.

**7.57** Whilst departments took a broadly similar approach to the preparation of equality schemes, the subsequent development of screening pro-formas and

approaches to consultee input varied greatly. Whilst a few changes in practice were noted, no outcomes were reported in terms of whether policies were changed as a result of assessment or the benefits for the Section 75 groups. There were a large number of EQIAs undertaken in 2001-2002 that have yet to reach stages 5 to 7 of the process.

- 7.58** More information was reported in 2001-2002 on communication and training, particularly on the range and uptake of training, although limited involvement of affected groups in training development and delivery is evident. An increase in the evaluation of training has also been reported and a number of training initiatives noted very positive levels of staff feedback. OFMDFM played a major role in establishing a central contract and ensuring the quality of training. It would appear that internal communication mechanisms, as per scheme commitments, have increased.
- 7.59** Commitments to develop information provision, data collection and analysis have not progressed as first year progress reports intended. Delays in the development of systems in light of a NICS wide strategy were noted and little information was reported regarding the enhancement of existing community networks and/or establishing new equality fora.
- 7.60** In terms of data sources and monitoring, the work of ENSRIG was quoted extensively within the progress reports and there has been greater reporting of departmental initiatives to develop Section 75 related data in specific areas. This is a welcome development though it is restricted, largely, to quantitative information.
- 7.61** There have been a number of Section 75 complaints in relation to range of issues and affected categories. The resolution of these through EQIA rather than investigation is an innovative move by Departments.
- 7.62** Timetables detail varying levels of success but all included measures that were not met. In a range of areas Departments have reported progress that, when analysed in comparison to their previous report, shows little progressing of the underlying issue of effectively mainstreaming equality of opportunity. Some Departments have taken two years to develop a scheme and screen their policies. Nevertheless plans have been made to complete EQIA programmes, some including all existing functions, in the next three years.
- 7.63** There is evidence of progress in making equality considerations part of the policy development process in Departments. Developments such as Good Practice reviews may provide a mechanism to bring forward outcomes and thematic approaches.

## **8 Education Sector**

### **Introduction**

The Education sector comprises the five Education & Library Boards (ELBs), the Council for Catholic Maintained Schools (CCMS), the NI Council for the Curriculum, Examinations and Assessment (CCEA), the Staff Commission for Education and Library Boards (SCELB) and the Youth Council for Northern Ireland.

### ***Progress Reported January 2000 – March 2001***

### **Preparation of the draft Equality Scheme**

- 8.1** In their progress reports the nine education authorities outlined the process of submitting their draft schemes to the Equality Commission, the Commission carrying out desk audits of the schemes and proposing amendments, and the authorities subsequently making the recommended amendments to the schemes. All of the education authorities' schemes were approved by the Commission between March and June 2001.
- 8.2** The SCELB, the five ELBs and the Youth Council referred in their progress reports to consulting with the Section 75 groups on their draft schemes and to making amendments to the schemes based on consultee responses.
- 8.3** With regard to the development of objectives, targets and performance indicators relating to the duties, one of the nine education authorities stated that it had included objectives relating to the equality scheme in its Strategic Plan (2001-2004) and its Business Plan (2001-2002). None of the other education authorities detailed any steps taken to build objectives, targets or performance indicators into corporate and annual operating plans. It is worth noting that for schemes to be approved by the Commission, commitments were required from public authorities on integrating equality scheme objectives and targets into their corporate and business plans. This will be a key area for future progress reporting.

### **Screening Report**

- 8.4** None of the nine education authorities included a screening report in their progress reports, although one of the authorities attached a draft of the screening report it intended to issue to consultees. This draft screening report contained an explanation of the screening process, a list of the authority's policies and an indication of the policies it intended to screen in for EQIA, with a proposed timetable. A list of policies screened out and the justification for such was also included.
- 8.5** All of the nine education authorities indicated that they adopted a two-stage approach to screening. The SCELB and the five ELBs outlined the operation of this process and their joint work on screening. In particular this included the issuing of a list of their respective policies, with a summary explanation, to

consultees. Feedback was invited on any policy where problems with respect to equality had been encountered or where, in the opinion of consultees, equality of opportunity could be improved. In January/February 2001, the Staff Commission and five ELBs reviewed the screening assumptions, taking into account feedback from consultees. These six authorities then agreed that a report on the outcome of the screening exercises would be compiled on an inter-Board basis and furthermore agreed to co-join and co-operate with DE on a number of EQIAs.

### **Training Programme**

- 8.6** Staff from the five ELBs and the Staff Commission attended a number of training events related to the statutory duties, including general awareness and screening training during 2000-2001. In addition, the five Boards, in partnership with other public authorities within the respective Board areas, organised a number of conferences on consultation. The conferences offered the opportunity for discussion between sectors and the Section 75 groups. An independent consultant was appointed to evaluate the conferences. The five Boards' progress reports contain evaluations of the screening workshops, but they do not contain information on the evaluations of the consultation conferences.
- 8.7** The Youth Council's progress report outlined that Council members and staff attended awareness training on the statutory duties, linking the implications of the duties to the Council's strategic and business plans. The Council further stated that a more comprehensive training programme, consistent with the objectives outlined in its equality scheme, would be delivered in Autumn 2001. No information was provided in relation to the evaluation of training. The remaining two education authorities' progress reports did not provide any information regarding training provision associated with the statutory duties or the evaluation of such training.

### **Information Provision and Data Collection**

- 8.8** With regard to action taken to review arrangements for the provision of information in accessible formats, the Staff Commission and the five Boards reported the establishment of an inter-Board Working Group to prepare guidance on how best to consult with young people and people with learning disabilities. The remit of the Working Group was to identify the consultation and participation needs of:
- pupils in mainstream education;
  - pupils receiving education other than at school;
  - persons who are hearing impaired/ visually impaired, persons with dependants, members of racial/ethnic minority groups; and
  - persons who have moderate learning disabilities; severe learning disabilities; physical or medical problems; communication problems; specific learning disabilities.

- 8.9** During the reporting period the Youth Council published a document entitled '*Seen and Heard? - Consulting and Involving Young People within the Public Sector.*' The Council reported that during this time it was working with OFMDFM and a voluntary sector youth group to design a poster that would convey the key elements of an equality scheme, in a manner appropriate for young people. The Council also stated that work to address the consultation and participation needs of other Section 75 groups, such as those with learning disabilities and ethnic minorities, had been undertaken. The Commission would have welcomed more details of this initiative.
- 8.10** None of the nine education authorities referred to the development of any systems to supplement available statistical and qualitative research, or to monitoring systems to ascertain access to information and the provision of services. One of the authorities, however, stated that in its EQIA programme it would co-operate with the DE, in order to develop an appropriate information base. The authority also recognised that separate systems would have to be put in place to ensure effective monitoring and implementation of the equality scheme.

#### **Additional information**

- 8.11** In January 2000 the DE established a DE /NDPB Equality Liaison Committee to provide a forum for the discussion of equality issues. The remit of the group was to assist with the resolution of mutual difficulties/problems relating to the statutory duties and to agree a common approach to meet the legal requirements of Section 75.
- 8.12** With regard to EQIAs all of the education authorities have agreed to work together and to co-ordinate their EQIA timetables.
- 8.13** In March 2001 the Department of Culture, Arts & Leisure commenced an impact assessment of a new policy on Electronic Libraries for Northern Ireland, and the Staff Commission and ELBs were involved in the impact assessment process. CCMS stated that in 2001 it would co-operate in the review of the Admissions Policy being undertaken by DE. The Youth Council outlined that it intended to impact assess all of its policies, beginning with a set of policies referred to as 'Youth Work Policies'. CCEA stated that it intended to join with the DE in carrying out an equality impact assessment of the new Curriculum and Assessment proposals arising from the Review of the Curriculum. CCEA however did not provide any information regarding its screening process and whether it had consulted on it.
- 8.14** During this period one of the ELBs drew up a draft comments/complaints policy which included a leaflet entitled '*Speak Out*', to be used by people to comment on the ELBs and their services. The leaflet was 'Plain English' approved.
- 8.15** One of the education authorities indicated that it was concerned about the resource demands that the Section 75 duties were placing on smaller public sector authorities. It stated that significant human and financial resources have



had to be invested in work relating to Section 75, at the expense of other functions of the authorities.

### ***Progress Reported April 2001 – March 2002***

#### **Preparation of a Draft Equality Scheme**

- 8.16** Five equality schemes from the education sector were approved by the Commission before the end of March 2001. The remaining authorities, the South Eastern Education and Library Board, the Youth Council, CCMS and CCEA had their schemes approved by the Commission between April 2001 and June 2001.

#### **Strategic Implementation of the Section 75 Equality Duties**

- 8.17** With regard to the strategic implementation of the Section 75 duties, the education authorities indicated that they had adopted a partnership approach to implementing the duties. The DE established a DE/NDPB Equality Liaison Committee comprising the Department, the Education and Library Boards and the other NDPBs within the education sector. This Committee meets quarterly to share information and discuss progress on the implementation of the duties. All of the education authorities referred in their progress reports to having participated in the meetings of the Committee. In addition, the Staff Commission and the five Education and Library Boards established an Inter-Board/Staff Commission Statutory Duty Co-ordinating Group to take forward the work on the implementation of equality schemes on an inter-Board basis. This group met on eight occasions between April 2001 and March 2002. CCEA has established its own Statutory Duty Co-ordinating Group to ensure effective implementation of its equality scheme, comprising senior staff from all functional areas within the organisation. The group had its first meeting in December 2001. The SEELB has also established its own multi-disciplinary Equality/TSN Group, which has met on three occasions during the year.
- 8.18** Eight of the nine education authorities stated that they had begun to mainstream the equality duties by including objectives and targets relating to the duties in their strategic and operational plans. Only one education authority did not indicate whether objectives and targets relating to the duties had been, or will be, included in its strategic or operational plans.
- 8.19** Seven of the education authorities indicated that equality is a standard item on the agenda of senior management meetings. The Education and Library Boards stated that implementation of their equality schemes is a standard agenda item at Chief Administrative Officer's Inter-Board Monthly meetings, Executive Committee meetings and Joint Negotiating Council meetings. CCMS stated that its senior management team is updated regularly on progress on the implementation of its equality scheme and that it was considering establishing equality as a regular agenda item at Joint Officers' Meetings.

**8.20** From the progress reports it was apparent that the majority of the education authorities are taking forward a number of initiatives aimed at promoting good relations. The Education and Library Boards, in particular, outlined a number of initiatives that they were involved in. For example, the Schools' Community Relations Programme, the Youth Education Social Inclusion Partnership, the DE/NDPB Asylum Seekers and Refugees Forum, DE/Inter-Board Policy on Social Inclusion & New TSN and the Joined in Equity, Diversity and Interdependence (JEDI) initiative. The Boards also stated that following a presentation from the Community Relations Council, they were considering options regarding a strategic framework for good relations. The Youth Council stated that as part of the JEDI project it had conducted an audit of its operations against the three principles of equity, diversity and interdependence and was now in the process of developing action plans to address some of the issues raised in the audit. The Council also stated that it would join with the ELBs on the EQIA of community relations policy. CCMS and CCEA did not make any reference in their progress reports to steps taken to progress the good relations duty.

### **Screening and Equality Impact Assessment**

**8.21** The Staff Commission and ELBs stated that they adopted a two-stage approach to the screening process. They began the process in September 2001 by issuing a list of the Commission's/Boards' policies to consultees. Following two stages of open consultation the Staff Commission/Boards published their screening report in December 2001. The report was launched in February 2002 by Martin McGuinness, then Minister for Education, and the Chief Executives of the Staff Commission and ELBs. CCMS outlined that it has consulted on its screening report. The Youth Council stated that it intended to impact assess all of its policies and it has consulted on this decision. Both the Youth Council and CCMS have agreed to join/co-operate with the Department, the ELBs and other NDPBs within the education sector in conducting EQIAs of wider policy areas, as necessary. CCEA outlined that it issued its screening report for consultation in July 2002 and the closing date for consultee comments was October 2002.

**8.22** With regard to EQIAs, within the education sector only one EQIA, on the Electronic Libraries' policy, had been completed by March 2002. The Staff Commission and ELBs were represented on the project team appointed to conduct the EQIA and it was completed in November 2001. The Staff Commission and ELBs listed eight other EQIAs that they were involved in, at various stages, in partnership with other public authorities. The Youth Council, CCMS or CCEA had yet to complete an EQIA. CCMS was involved in three EQIAs being conducted by DE. The Youth Council was represented on the Working Group established by DE, to impact assess the policy to Promote Personal and Social Development of Young People. CCEA stated that it was joining with the Department to carry out an EQIA on the Review of the Curriculum.

**8.23** The Staff Commission and ELBs' EQIA timetable was outlined in their screening report. The Youth Council stated that the child protection legislation, which was being amended, would have a direct bearing on the Council's policies in this area and that it would not be appropriate therefore to commence an EQIA until the new legislation has been agreed. According to CCEA's EQIA timetable, in Year 1 it would be involved in one EQIA, in Year 2 it would be involved in three, and in Year 3 it would be involved in four EQIAs. Only three of the policies CCEA listed for EQIA are CCEA's own policies; the remaining five would involve CCEA co-joining with Departments in their EQIAs.

### **Communication & Training Provision**

**8.24** The Staff Commission, the Education and Library Boards, CCMS and the Youth Council collaborated to provide a programme of Section 75 training for staff, Commissioners/Board members and Joint Negotiating Council members. The Statutory Duty Co-ordinating Group established a Working Group to design and produce equality awareness training materials. External consultants were invited to facilitate the pilot training sessions in October 2001. Between December 2001 and March 2002 all staff, Commissioners/Board members and JNC members had received equality awareness training. In addition, the Staff Commission organised a series of inter-Board workshops for Board officers, aimed at providing guidance on screening. The Staff Commission/Boards reported that the feedback from staff regarding this training was very positive, with 95% of staff stating that the aim of the course was 'well/very well' met.

**8.25** Given the DE/NDPB's decision to co-join in conducting EQIAs, it was agreed that training linked to each EQIA would be conducted in an integrated way. The Statutory Duty Unit of OFMDFM made arrangements with the Government Purchasing Agency for the establishment of a call-off contract for consultants, to provide EQIA training. The ELBs indicated that Board officers involved in the following EQIAs had participated in this EQIA training:

- Promotion of personal and social development of young people;
- Promotion of inclusion of children with special educational needs;
- Selective structure of post primary; and
- English as an additional language.

**8.26** In addition, the Staff Commission provided EQIA training for Board officers involved in the Best Value review of special education and the EQIA of the Code of Employment and Promotion Procedures. An EQIA workbook was developed to assist with the EQIA process.

**8.27** Board officers involved in the consultation on the Electronic Libraries EQIA participated in a workshop on consultation skills, organised by the EQIA Project Team. In addition, the Boards/Staff Commission, in partnership with Focus Consultancy, were working on the design of a Consultation Skills Training Package, which will be used to train officers involved in consultation.

- 8.28** The Senior Management Team, Business Managers, Senior and Professional Staff and the Statutory Co-ordinating Group of CCEA received equality awareness and screening training between December 2001 and April 2002. In addition, members of the Senior Management Team, the Statutory Duty Group and staff involved in the Review of the Curriculum received EQIA training.
- 8.29** CCEA stated that it planned to roll out an equality awareness and Section 75 training programme to its entire staff over an 18-month period, commencing autumn 2002. It did not make clear whether its Board members would receive Section 75 training.
- 8.30** By way of communicating their commitment to the statutory duties, the Staff Commission and Boards' Chief Executives were involved in a media launch of their Screening Report at Parliament Buildings, Stormont. In addition, senior officers from the ELBs had participated in regional and local consultation events. The Staff Commission indicated that its commitment to the duties was communicated internally by including equality as a standard item on the agenda of staff meetings and by featuring it in all staff bulletins. The Youth Council stated that its public commitment to the promotion of equality and good relations was exemplified in its commitment to the JEDI project. CCMS referred to its Chief Executive's chairing of a conference on developing the equality agenda, as an indication of its public commitment to the duties.

### **Information Provision, Data Collection & Analysis**

- 8.31** With regard to steps taken to allow for the provision of information in alternative formats the Staff Commission and the ELBs outlined that they had established a Working Group, in February 2001, to develop guidance on consulting with and providing information for young people and those with learning difficulties. This guidance has been issued for consultation. In addition to producing this guidance, the Staff Commission and Boards have made arrangements to facilitate requests for information on disk or audiocassette, in Braille or by the provision of translation/interpreter services. The Youth Council stated that it had compiled and published guidance on consulting with and providing information for young people. It also stated that it had an arrangement with a translation service to deal with requests for information in alternative formats. CCEA and CCMS did not outline in their reports any measures put in place to ensure the provision of information in alternative formats.
- 8.32** With regard to data collection, the Department, Staff Commission and the ELBs appear to have adopted a collaborative approach. The main data sources they have utilised are the NISRA data sets, the Annual Schools Census and the Post Primary School Leavers Survey. A Working Group was established to review the collection of monitoring data to facilitate the review/EQIA of employment policies. An interim report, which included a recommendation for a more comprehensive Equal Opportunities Monitoring Form, has been produced. The only reference the Youth Council made regarding data collection is that it co-joined with the DE on its EQIA of youth policy and is collecting

information on the membership, staffing and organisational characteristics of youth service organisations funded by the Department. The Council did not refer in its report to any external data (for example Census, workforce profiles, customer surveys, focus groups) that it has used to inform policy development, nor did it refer to any systems put in place to monitor access to information and services. CCMS stated that its IT systems were being revised to collect a range of statistical data, although it did not provide any further details. It also stated that through its participation in the DE/NDPB Equality Liaison Committee it had contributed to the review of existing quantitative and qualitative information. CCEA stated that it had begun to identify areas where there is insufficient data/information to inform decision-making and that questionnaires which are sent out to schools have been modified to gather information on additional categories.

### **Complaints**

- 8.33** All of the education authorities stated that they had developed a Section 75 complaints procedure in accordance with the arrangements outlined in their equality schemes. Of all the authorities, only two, the Belfast Education and Library Board (BELB) and the Western Education and Library Board (WELB), had received complaints arising from a failure to comply with their schemes. BELB did not specify the nature of the complaint that it received, but stated that the complaint has been referred to the Equality Commission. WELB stated that the complaint it received was from a person with a disability, but did not provide any further details.

### **Conclusions & Comparison between reporting periods**

- 8.34** The education sector's progress reports show a considerable amount of working in partnership to progress the implementation of Section 75 duties, particularly between the Staff Commission and the Education and Library Boards. The DE/NDPB Equality Liaison Committee, comprising the Department, the Education and Library Boards and the other NDPBs in the education sector, has been meeting quarterly since early 2000. A Staff Commission/Inter-Board Statutory Duty Working Group also meets to progress the equality duties on an inter-Board basis. Whilst the reports detail a lot of activities which were being undertaken, and working groups which have been established by the education authorities to progress the equality duties, there is limited information included on outcomes achieved for the Section 75 groups.
- 8.35** Good progress has been made since the previous reporting period with regard to mainstreaming the equality duties. All but one of the education authorities has now included objectives and targets relating to the duties in their strategic and operational plans.
- 8.36** The majority of education authorities listed initiatives which they were taking forward to progress the good relations duties, for example, the Schools Community Relations Programme and the Youth Education Social Inclusion Partnership. A number of these initiatives, however, were also community

relations/New TSN initiatives that pre-date the Section 75 legislation. A number of the education authorities had met with the Community Relations Council and were considering developing strategic frameworks for good relations.

- 8.37** Since the last reporting period the majority of the education authorities had completed their screening process. The Staff Commission and the Education and Library Boards worked together on their screening exercises and produced a joint screening report and EQIA timetable. Only one of the education authorities has yet to complete its screening report. The education authorities had agreed to join/co-operate with lead Departments on a number of EQIAs. Since the previous reporting period the education sector had completed one EQIA, although the education authorities were involved, at various stages, in a further twelve EQIAs.
- 8.38** Much Section 75 training had been undertaken by the education authorities since the previous reporting period. The authorities had collaborated to provide much of this training. The Staff Commission/Board Statutory Duty Co-ordinating Group had established a Working Group to design equality awareness training materials for the sector. External consultants had also been used to deliver some training. Staff, Commissioners, Board members and Joint Negotiating Council members had received Section 75 training.
- 8.39** Since the previous reporting period the majority of education authorities have put arrangements in place to facilitate requests for information in alternative formats. Both the Staff Commission and the Youth Council had published guidance on consulting with and providing information to young people and those with learning disabilities. With regard to data collection, most of the education authorities were working together to identify relevant data sources and a working group has been established to review the collection of monitoring data.
- 8.40** All of the education authorities stated that they had put in place procedures to deal with Section 75 complaints. Only two education authorities had received Section 75 complaints and these have been dealt with under their complaints procedures.

## **9 Further and Higher Education Sector**

### **Introduction**

The Further and Higher Education sector comprises all of the education related public authorities whose parent department is the Department for Employment and Learning (DEL). These include the Colleges of Further Education and Universities listed below. Progress reported in relation to this sector relates only to the period 1 April 2001 – 31 March 2002, as these authorities were designated for Section 75 purposes in April 2001. During 2001-2002 the Northern Ireland Hotel and Catering College became an integral part of the University of Ulster from 1 August 2002.

**Colleges:** Armagh College of Further & Higher Education  
Belfast Institute of Further and Higher Education  
Castlereagh College of Further and Higher Education  
Causeway Institute of Further and Higher Education  
East Antrim Institute of Further and Higher Education  
East Down Institute of Further and Higher Education  
East Tyrone College of Further & Higher Education  
Fermanagh College  
Limavady College of Further Education  
Lisburn Institute of Further and Higher Education  
Newry and Kilkeel Institute of Further and Higher Education  
North Down and Ards Institute of Further and Higher Education  
North East Institute of Further and Higher Education  
North West Institute of Further and Higher Education  
Omagh College of Further Education  
Upper Bann Institute of Further and Higher Education

**Universities:** Queen's University, Belfast (QUB)  
University of Ulster (UU)  
Stranmillis University College  
St. Mary's University College  
Open University (OU)

### ***Progress Reported April 2001 – March 2002***

### **Preparation of Draft Equality Schemes**

**9.1** The Further Education Colleges designated in April 2001 worked together to develop their equality schemes and this work was co-ordinated by the Association of Northern Ireland Colleges (ANIC). Between June and August 2001 a common draft equality scheme for the colleges was developed. Consultation on the draft schemes extended from August 2001 to February 2002 and included issuing copies of the schemes to consultees, placing advertisements in regional and local papers and holding face-to-face meetings with those organisations and individuals who expressed an interest in the draft schemes. Final versions of the Colleges' schemes were submitted to the

Equality Commission in mid-2002 and they all were approved by the Commission before the end of the year.

- 9.2** The five Universities formed a consortium and appointed two research officers, on one-year contracts, to assist with the implementation of the duties for all of the Universities. The consortium produced equality schemes for each University and provided training for senior managers (including Pro-Vice-Chancellors, Deans and Heads of Schools), managers and supervisors. In their progress reports the five Universities outlined the process of consulting on their draft schemes and submitting them to the Equality Commission. Each of the Universities had consulted between 60 and 160 consultees, and had received around 10 responses. The schemes were amended to reflect the responses received.

### **Strategic Implementation of the Section 75 Equality Duties**

- 9.3** With regard to strategic implementation of the equality duties, each of the Colleges has a designated Equality Co-ordinator who has operational responsibility for the implementation of their College's scheme. Each College has also established an Equality Inter-Departmental Working Group, made up of a cross-section of College staff. In addition, an Equality Co-ordinators' Forum, made up of the Equality Co-ordinators from the 16 Colleges, has been established and meets on a monthly basis. Each College also has an External Equality Group, comprising representatives from the private, public, voluntary and community sectors, which works in partnership with the Colleges and advises them with respect to the implementation of their equality duties.
- 9.4** Each of the Universities, in addition to establishing the consortium, has made its own internal arrangements for ensuring the implementation of the Section 75 duties. Queen's University has established a Central Equality Committee that reports to Senate via the Policy and Finance Committee. The University of Ulster stated that a steering group of senior officers had been established to oversee the implementation of the scheme, which is chaired by the Pro-Vice-Chancellor (Quality Assurance and Enhancement) and will meet bi-monthly. Stranmillis University College has established an Equality Committee and St. Mary's an Equality Working Group, both of which are chaired by the Principals and report to the Board of Governors. In the Open University responsibility lies with the Regional Director. In addition to working with the other universities in the consortium, the universities stated that they also work in partnership with the Department of Employment and Learning, with NUS-USI and with ANIC.
- 9.5** The Colleges stated that targets and indicators relating to the equality duties for 2002 would be informed by EQIA timetables and the recommendations arising from EQIAs. They also stated that they intended to include equality measures in their Corporate Strategies and Operating Plans. Three of the Universities reported that Section 75 objectives had been incorporated into their Human Resources Strategies.



- 9.6** With regard to good relations, it was apparent from the Colleges' progress reports that they had taken steps to progress the good relations duty. A three-year programme aimed at mainstreaming the principles and practices of equity, diversity and interdependence within the Colleges has been drawn up by ANIC and the Colleges, in conjunction with Trademark. The Colleges were also involved in a conference on racism in further education, hosted by ANIC and featuring input from the Commission for Black Staff in Further and Higher Education. In addition, a Good Relations Reference Group and a Sectoral Section 75 Stakeholders Development Group have been established. The former comprises representatives from the community and voluntary sectors who provide input to ANIC with regard to good relations. The latter is made up of nominated stakeholders from various Working Groups and Boards within the sector that feed into the Colleges' good relations strategic process.
- 9.7** Queen's University and the University of Ulster reported that the consortium has been tasked with conducting an internal audit of good relations within each university and that this will be repeated after a year to assess the impact of any action taken as a result of the audit.

### **Screening and Equality Impact Assessments**

- 9.8** The Colleges outlined that they have worked together on their screening process. They adopted a two-stage approach to screening, and began by issuing a list of their policies to consultees for comment. Taking consultee comments into account, the Colleges screened their policies and produced a generic screening report, outlining the policies screened in and out and a rationale for the prioritisation of policies for impact assessment. This report was issued for consultation in November 2001. To facilitate consultation a response pro-forma was developed and consultation meetings were offered to consultees. A number of meetings with affected groups and individuals were held to discuss the screening report. The Colleges' final screening report, issued in March 2002 and scheduled the following EQIAs up to 2008 (see table 7 below):

**Table 7 EQIAs Planned by Further Education Bodies**

Year	Number of EQIAs
2002-2003	1
2003-2004	4
2004-2005	2
2005-2006	1
2006-2007	0
2007-2008	3

- 9.9** The screening report also listed 14 policies for Policy Review. The Colleges stated that Policy Reviews, not EQIAs, would be carried out for policies which are implemented by the Colleges, but where responsibility for any fundamental

change to the policy lies with the lead body. The Colleges outlined that Policy Reviews will,

*'highlight problems encountered in terms of the equality duty for its devolved practice, for the Institute, and these will be circulated to the decision-makers dealing with the policy in other public authorities'.*

**9.10** The process of 'Policy Review', therefore, indicates that the Colleges will join with the lead body responsible for the policy in undertaking its EQIA of the policy. It would have been useful if the Colleges had clarified in their Progress Reports which lead body would be conducting the EQIAs of the policies listed for Policy Review.

**9.11** The Universities' consortium intends to conduct a joint screening exercise. At the time of submitting their progress reports work had not been completed on the screening of policies for EQIA, although there had been some progress on the identification of policies in each of the Universities. It has been agreed that, although other policies may be identified for EQIA, policies on staff recruitment and on the admission of students will be reviewed in the first year. The Universities' consortium is developing a consultation strategy, including internal consultative fora, to assist with consultation on EQIAs.

### **Communication & Training Provision**

**9.12** The Colleges outlined that Governors and Management had received Section 75 training from ANIC. The Colleges Equality Co-ordinators' Forum had also received training on equality issues from a number of affected groups. The Colleges stated that evaluations of the training have, for the most part, been positive. In addition, ANIC has commissioned consultants to develop an equality training strategy for all College staff. ANIC had also put forward a proposal to its Board of Directors to recruit an Equality Training Officer, on a two-year contract, to be responsible for the strategic development and management of equality training and communication within the sector.

**9.13** With regard to communicating commitment to the equality duties, the Colleges indicated that they are represented on a number of external groups relating to equality, for example the Community Relations Training and Learning Consortium, the Cultural Diversity Working Group and the Good Relations Reference Group. In addition, the Colleges have been involved in a number of external training events relating to the equality duties.

### **Information Provision, Data Collection & Analysis**

**9.14** ANIC, on behalf of the Colleges, has had discussions with DFP in relation to data collection and analysis and it has produced a guidance document on the retrieval and interpretation of qualitative and quantitative information. In addition, templates relating to the detailed collection of information are being developed. ANIC also held preliminary discussions with some of the affected groups, for example CoSO, NICEM, Skill NI and MCRC, regarding the

collection, collation and monitoring of data. With regard to the arrangements for the provision of information in accessible formats, the Colleges outlined that they were discussing this in a number of committees and panels.

- 9.15** The Universities' consortium has had, and continues to have, discussions with the Department and with NISRA in relation to the collection and analysis of relevant information. It is anticipated that this area will be progressed in the coming year. All of the universities have committed to providing information in accessible formats.

### **Complaints**

- 9.16** ANIC, on behalf of all the Colleges, has produced a Section 75 complaints procedure and guidance on dealing with complaints under Section 75. The Colleges outlined that they have received a number of initial complaints and, although their schemes were not approved by the Commission at the time of reporting, the Colleges had taken steps to deal with the complaints. Progress reports did not identify the nature of the initial complaints received or the steps taken to resolve them.

## **10 Health and Social Services Sector**

### **Introduction**

The Health & Social Services sector comprises the Department of Health, Social Services and Public Safety (DHSSPS); four Health & Social Services Boards; four Health & Social Services Councils; and 17 Trusts. In addition the following agencies are included: Fire Authority; Food Safety Promotion Board; Mental Health Commission; National Board for Nursing, Midwifery and Health; Ambulance Service; the Blood Transfusion Service; Central Services Agency; Post Graduate Medical & Dental Research; Guardian Ad Litem Service; Health Promotion Agency; and Regional Medical Physics Agency.

Progress reports from the health and social services sector reflected individual and collaborative working arrangements which authorities have entered into. Collaborative arrangements have allowed joined up progress reporting in some Board areas. In the Western Board area, one overall report was submitted as a result of the creation of the Western Equality and Human Rights Forum, which brings together health authorities to focus on the strengths of collaboration in ensuring joint learning, a consistent approach, sharing expertise, and developing relationships with consultees. In the Southern Board area health authorities worked from a shared reporting template.

### ***Progress Reported January 2000 – March 2001***

#### **Preparation of the draft Equality Scheme**

- 10.1** Each of the health and social services authorities reported fully on the process of preparing their draft scheme including first draft, consultation, submission to the Commission, desk audit, amendment, re-submission and approval. Several reports specifically commented on the relationships developed with the Commission during this work.
- 10.2** A number of reports made references to good practice in consultation including the role of facilitation by a community or voluntary sector group. Other beneficial approaches included addressing the equality agenda at pre-arranged meetings and/or avoiding closed agenda headings so that groups could voice generic concerns and explore issues through discussion and feedback.
- 10.3** The majority of health sector authorities had accessed Section 75 equality groups and recruited specialist staff, some shared between organisations, to progress their equality scheme commitments. A number of reports also indicated that steps have been taken to build the Section 75 statutory duties into staff plans and job descriptions. However, only two health sector authorities referred to the good relations duty in their reports. One health sector report gave examples of equality scheme targets and performance indicators while another reported that core competencies had been included in individual staff objectives.

**10.4** None of the health sector authorities' draft schemes were approved by the end of March 2001, though the DHSSPS scheme had been approved. Progress reports outlined additional work to that described above, that reflected the authorities having established fora, developed relationships and screening prior to Commission approval.

### **Screening Report**

**10.5** In their progress reports each of the health and social services authorities provided individual information on a collective screening timetable and referred the Commission to the collective regional report on screening, developed by the DHSSPS and submitted to the Commission on 29 June 2001. A number of health authorities referred to their development of a programme of Good Practice Reviews, to complement the EQIA process.

**10.6** Few of the health sector authorities reported any separate EQIAs that they were intending to undertake on their own. One Trust expressed confidence that the DHSSPS family approach would meet its local needs. Another Trust highlighted the joined-up screening process as a useful way of partnership building within the sector.

### **Training Programme**

**10.7** The majority of the training undertaken centred on programmes developed at the Beeches Centre, Belfast, with additional programmes provided by NICEM and Disability Action. In the main the training undertaken focused on high level issues. High satisfaction levels were recorded where feedback monitoring took place, but overall little evaluation information was set out in the health sector reports. It is worth noting that the health authorities, which in the main employ large numbers of staff, had ambitions to begin, in autumn 2001, Section 75 training for all staff. The scale of this was underlined by one Trust which reported that its induction training, including Section 75 awareness raising, reached 215 staff between January and March 2001. In this sector training has been supplemented by provision of information packs and leaflets.

### **Information provision and data collection**

**10.8** All of the health sector authorities made reference to the regional work on information provision and collection, in relation to the development of monitoring systems. Reports outlined current information provision and recording mechanisms such as Personnel Computerised Information Systems, Human Resources Management Systems and policy databases. In a number of reports health authorities reported that they are reviewing their policy on accessible information.

## **Additional information**

- 10.9** The bulk of additional information focused on policy reviews and EQIA programmes. This information highlighted:
- Health and Social Services Councils planned to review their relations with the community and voluntary sector;
  - Eastern Health & Social Services Council was involved in the regional EQIA on Oral Health and Dental Services and Tobacco Control;
  - Southern Health & Social Services Council EQIAs on Centralised Maternity Services, Acute Hospital Review, Cardiac Services Review, and a Good Practice Review on Health & Personal Social Services complaints;
  - Southern Board Area EQIA of Services from South Tyrone Hospital;
  - Craigavon and Banbridge Health and Social Services Trust EQIA of Proposal for a New Children's Home; and
  - Royal Group of Hospitals EQIA on catering provision, and plans for good practice reviews of procurement, care of adolescents, consent, non-resuscitation, and the use of interpreters.

## ***Progress Reported April 2001 – March 2002***

### **Introduction**

This reporting period represents the health sector's first year of progress since approval of schemes. All health service draft equality schemes were approved between March and August 2001.

### **Strategic Implementation of the Section 75 Equality Duties**

- 10.10** During the year the Health and Social Services sector progress reports outlined evidence of improvements in developing and integrating equality objectives and targets in Corporate and Annual Operating Plans. Authorities reported that "where appropriate" officials have equality-related targets incorporated into their personal objectives subject to annual appraisal. All reports indicate that the implementation of equality schemes was a standard agenda item for senior management.
- 10.11** In respect of the good relations duty many authorities, including the DHSSPS, reported little activity and indicated that they were awaiting the outcome of the Review of Community Relations Policy led by OFMDFM. Nevertheless a good relations steering group had been established at regional level, to represent a diversity of views, opinions and backgrounds. The steering group was led by the Futureways Group, University of Ulster. It was envisaged that this group would report on its work in January 2003.
- 10.12** Good examples of progress on implementation featured in a number of reports. The United Hospitals Trust had updated its employment contracts to include commitments to equality of opportunity and good relations, and "toleration of diversity", while Armagh and Dungannon Health and Social

Services Trust had made the good relations duty a central tenet of its Equality of Opportunity Policy Statement.

- 10.13** The various health authorities had collaborated in a joint Audit of Good Relations. During the year Craigavon and Banbridge Health and Social Services Trust hosted a multi-cultural health fair, focusing on the health and social needs of the ethnic minority population living within the Craigavon and Banbridge Area, particularly South Asian, Chinese, Portuguese and the Traveller Community. Some health authorities had reviewed the "Equity, Diversity and Interdependence Framework" as a possible model for promoting good relations. Authorities in the Western Health Area had also developed a good relations starter paper identifying initiatives within each to promote good relations.
- 10.14** The Mater Hospital Trust included the management of diversity and the good relations duty in its equality training programme. It also established a Promoting Racial Equality Forum, comprised of Trust staff and representatives of minority ethnic groups, to develop a policy for the promotion of Racial Equality. The Trust also took the initial steps in drafting a Good Relations Strategy. The Eastern Health Area's Best Practice Forum had undertaken a Diversity Information Project.
- 10.15** Authorities that served areas which had been particularly affected by sectarianism, such as the North and West Belfast Health and Social Services Trust, highlighted in their reports difficulties in formally auditing good relations amongst staff. The Northern Ireland Ambulance Service reported that, as a result of the attacks that have taken place on its staff, it had taken a pro-active role in working within the community to build relationships, to communicate the importance of its work, and to highlight the potential impact on the community if such attacks were to persist.
- 10.16** Many health authorities reported that they had undertaken a good relations audit in conjunction with such groups as the Community Relations Council, Counteract, Northern Ireland Interfaith Forum, and Diversity 21 from which they intended to develop Good Relations Action Plans. The Health Service Agencies have jointly engaged in an Audit of Good Relations involving the analysis of policies, training delivered, and gathering the views of staff within the organisations. The findings of this audit will inform a good relations Action Plan to be consulted upon in late 2002. The agencies had also collaborated on a joint EQIA on flexible working arrangements.
- 10.17** Progress reports from the sector reflected a high level of partnership arrangements and collaboration at regional, area and local level. It is clear that the DHSSPS is leading a collaborative approach within the health sector, reporting the establishment of a HSSPS Equality Steering Group comprising senior staff from within the Department, each of the HSS Boards, four Trusts drawn from the four Board areas and the Central Services Agency. This group is primarily responsible for the conduct of Regional EQIAs to ensure that they

are reviewed at regional, area and local level by all the relevant HSSPS authorities.

**10.18** Regional and Area Equality Liaison Panels have also been established to develop links with the group representatives of the nine equality categories. The DHSSPS has developed arrangements to communicate with people requiring special attention. For example it has collaborated with the Northern Ireland Coalition on Learning Disability to facilitate consultation meetings aimed specifically at people with a learning disability.

**10.19** A high level of collaboration was also reported at area and local level, and between related groups such as the Agencies. This had led to joint consultation events, collaboration in the conduct of EQIAs and Good Practice Reviews, the pooling of expertise and resources, the development and provision of equality training, and other specific initiatives including:

- Southern Area authorities developed an inter-agency arrangement to provide interpreter services for the Asian and Chinese Communities;
- Eastern Area authorities established a joint Best Practice Forum which has undertaken a Diversity Information Project to gather information about the Section 75 groups and reproduce it in a format easily accessed by staff to improve equality of access to services;
- Western Area authorities again collaborated to submit a joint annual progress report. The report highlights that such collaboration has facilitated joint learning, shared expertise, achieved economies of scale, and ensured a consistent approach to the implementation of the equality duties; and
- Northern Area Health authorities which collaborate through the Northern Area Equality Best Practice Forum report similar advantages. These authorities collaborated with the Antrim Chinese Association in the production of a CD Rom Package for the Chinese Community. This aims to teach Chinese people basic English language via the use of an interactive CD Rom computer package. It is hoped that the package can be adapted for other non-English speaking people. The Northern Area authorities are also collaborating on a joint Good Practice Review on promoting positive staff attitudes to diversity. It is anticipated that this Review will lead to changes in the practice and attitude of HSSPS staff toward patients and clients.

**10.20** Collaborative approaches also operated at the Board levels through the establishment of a 'four Board' Equality Managers meeting. Similarly the four Health Councils intended to jointly undertake a formal EQIA on liaison with the voluntary and community sector.

**10.21** Many health authorities identified a lack of resources and consultation fatigue as being the main obstacles hindering their progression of the Section 75 duties.



## **Screening & Equality Impact Assessments**

- 10.22** Health sector authorities have continued to collaborate on a region-wide two-stage screening process, led by the DHSSPS to produce a region-wide EQIA Programme up to 2004. This approach aimed to pool resources/expertise across the service, ease the consultation "burden" on the Section 75 groups and ensure that the impact of policies are identified/assessed at regional, area, and local level. The overall objective was to ensure that each policy or grouping of policies would incorporate a Section 75 perspective for all relevant policies at Departmental, Board, Trust and Agency level.
- 10.23** The DHSSPS reported separately on its two-stage screening report and a report of the Annual Review of the region-wide EQIA programme for 2002-04. However it was not apparent from this whether during the year any policies were actually screened out.
- 10.24** The various health authorities confirmed that all new policies would be subject to screening as per the criteria set out in the Practical Guide to the Statutory Duties and that consultation was an integral part of the screening process.
- 10.25** The DHSSPS referred to its practice of conducting Good Practice Reviews to address crosscutting equality implications identified during the Stage 1 exercise. No explanation was provided as to why a full EQIA was not being undertaken at this stage.
- 10.26** Good Practice Reviews are underway within each of the four Health Boards covering:
- Complaints procedure - Southern Board;
  - Access to information - Eastern Board;
  - User involvement - Western Board; and
  - Promoting positive staff attitudes to diversity - Northern Board.
- 10.27** The Royal Group of Hospitals reported plans to progress Good Practice Reviews of:
- Care of Adolescent Policy;
  - Consent Policy; and
  - Use of interpreters.
- 10.28** The suggestion by Green Park Healthcare Trust, that some form of "mini EQIA" process would be useful to consider for highly specific policies, is noted. The Commission will consider this suggestion in relation to any future improvement of EQIA processes.
- 10.29** Progress reports from the individual health authorities reflect their participation in these collaborative working arrangements. As in the previous year few authorities reported any separate or local EQIAs that they were intending to undertake. It would be very helpful if individual health authorities provided (in future progress reports) more detail of their precise input into the Regional

EQIA programme, to ensure that they are suitably involved in the process and are individually accountable for the implementation of policies being subject to such EQIA. In addition, it would be helpful if authorities provided, on an annual basis, details of their own screening exercises, and clarify their plans to conduct local EQIAs.

A summary of the EQIAs undertaken by the health sector during 2001-2002 is set out in tables 8 to 11 as follows.

**Table 8 Section 1 - Regional EQIA Programme 2001-2002**

<b>Title of EQIA</b>	<b>Lead Public Authority</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>
1. Investing for Health	DHSSPS	7 - Completed and results published	
2. Mental Health promotion Strategy; Prevention of Suicide	DHSSPS	4-5	Trusts
3. Oral Health Strategy; General Dental Services	DHSSPS	4	
4. Children's Strategy	DHSSPS	3-4	
5. Strategic Review of Cardiac Services	DHSSPS	3-4	
6. Tobacco Control	DHSSPS	3-4	
7. Acute Care - Acute Hospital Review	DHSSPS	2-3	
8. Sub-fertility Treatment	DHSSPS	2	Department, Boards, Trusts and EHSSC
9. Renal Services Review	DHSSPS	1-2	
10. New Central Maternity Unit	DHSSPS	1-2	
11. Community Care	DHSSPS	1	Inter-departmental
12 Teenage Parenthood	DHSSPS	5-6	
13. Strategic review-Ambulance Service	DHSSPS	5-6	Ambulance Service
14 ICT Strategy	DHSSPS	3-4	
15. Sure Start	DHSSPS	7	

## **Section 2 Western Health and Social Services Region**

The Western Equality and Human Rights Forum members:

- Western Health and Social Services Board;
- Western Health and Social Services Council;
- Altnagelvin Hospital Trust;
- Foyle Health and Social Services Trust; and
- Sperrin Lakeland Health and Social Care Trust.

The Forum did not indicate any plans to conduct local EQIAs, but stated that it was 'fully committed to and involved in the development of the region wide Impact Assessment Programme'. No evidence is presented on the level of input and participation in this programme, other than reporting that two members of Western Equality and Human Rights Programme sit on the Regional Equality Steering Group.

**Table 9 Section 3 – Eastern Health and Social Services EQIA Programme 2001 – 2002**

<b>Title of EQIA</b>	<b>Lead Public Authority</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>
1. Provision of Respite Care Services	EHSSB	4	Board and Green Park Hospital Trust
2. Employment Policies	South & East Belfast Trust, Mater Hospital Trust, North and West Belfast Trust	1	Collaborative approach between South and East Belfast Trust, Mater Hospital Trust and North and West Belfast Trust
3. 'Do not attempt to Resuscitate Policy'	Mater Hospital Trust	1	
4. Cook Chill	Down and Lisburn Trust	7	
5. Best Value	Down and Lisburn Trust		
6. Resource Allocation at Patch Level	Down and Lisburn Trust	1	
7. Trends in Clinical Activity	Royal Hospital Trust	6	
8. Care of Adolescent Policy	Royal Hospital Trust	1	
9. Consent Policy	Royal Hospital Trust	1	
10. Use of Interpreters	Royal Hospital Trust	1	
11. Regional Acquired Brain Injury Unit	Green Park Hospital Trust	6	

## Section 4 Northern Region

The Northern Region authorities include:

- Northern Health and Social Services Board,
- Northern Health and Social Services Council,
- Causeway Health and Social Service Trust,
- Homefirst Community Trust,
- United Hospital Trust.

These authorities did not report any plans to conduct any 'local' EQIAs. All of these authorities indicated that they were playing a full part in the region wide EQIA Programme. No evidence was presented to demonstrate their input and participation in this programme.

**Table 10 Section 5 - Southern Region EQIA Programme 2001-2002**

<b>Title of EQIA</b>	<b>Lead Public Authority</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>
1. Temporary Service Transfers	SHSSB	7	Board, Armagh and Dungannon Trust, Craigavon and Banbridge Trust, Craigavon Area Hospital Group
2. New Targeting Social Need	Armagh & Dungannon Trust, Craigavon & Banbridge Trust & Craigavon Area Hospital Group	7	Armagh & Dungannon Trust, Craigavon and Banbridge Trust and Craigavon Area Hospital Group
3. New Children's Home	Armagh & Dungannon Trust	1	
4. Review of Support Services	Armagh & Dungannon Trust, Craigavon & Banbridge Trust & Craigavon Area Hospital	1	Armagh & Dungannon Trust, Craigavon and Banbridge Trust and Craigavon Area Hospital
5. Challenging Behaviour Unit	Armagh & Dungannon Trust	1	

**Table 11 Section 6 - Regional Health Agencies EQIA Programme 2001-2002**

<b>Title of EQIA</b>	<b>Lead Public Authority</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>
1. Flexible Working Policies	Joint HPSS Agencies EQIA	2	CSA, NIBTS, Guardian Ad Litem, Medical Physics Agency, Health Promotion Agency, NICPMDE
2. Access to Family Practitioner Services	Central Services Agency	2	CSA, NIBTS, Guardian Ad Litem, Medical Physics Agency, Health Promotion Agency, NICPMDE
3. Implementation of Strategic Review on Ambulance Service	NI Ambulance Service (NIAS)	1	NIAS/DHSSPS
4. Blood Donor Selection	NI Blood Transfusion Service	2	
5. Donor Services Policies	NI Blood Transfusion Service	2	
6. Children Services (Guardian ad Litem)	Guardian Ad Litem Agency	2	
7. Employee Resourcing and entry standards for the Fire Service	Fire Authority for NI	1	
8. Public Health Information Campaign	Health Promotion Agency	2	
9. Access to Vocational Training Opportunities	NI Council for Postgraduate Medical & Dental Education	2	
10. Access to General Training	NI Council for Postgraduate Medical & Dental Education		

## **Communication & Training Provision**

- 10.30** The health sector authorities reported good progress on training provision in the reporting period, both at an awareness level, and specialist training for senior officers involved in policy development. Training covered Human Rights, Equality Introductory Briefings, EQIA training, and undertaking effective consultation.
- 10.31** Generally these authorities availed of opportunities to demonstrate their commitment to equality of opportunity, both externally and internally.
- 10.32** Little information was provided in respect of how affected groups were involved in the development of equality training. The Northern Ireland Blood Transfusion Service referred to links it developed with the Coalition on Sexual Orientation (CoSO) in this connection, but did not elaborate on how such contacts had been utilised in terms of the development of equality training. Authorities such as Homefirst Community Trust and the Northern Ireland Ambulance Service reported that officers had attended training organised by the Section 75 groups and this learning had been incorporated into their own training initiatives.
- 10.33** North and West Belfast Health and Social Services Trust indicated that it would use representatives of the Section 75 groups to deliver in-depth training. Similarly the Northern Board reported the involvement of Section 75 representatives in the delivery of training and added that contact with such groups had informed/influenced training packages.
- 10.34** The various Agencies have collaborated on a joint training initiative and reported that the development of this training agenda was aided by the input of representatives from voluntary organisations from Section 75 groups, particularly through the operation of an Equality Consultative panel instituted by the Central Services Agency.
- 10.35** As in the previous reporting period several health authorities did not provide evaluation information. High satisfaction was reported when feedback monitoring had taken place.

## **Information Provision, Data Collection and Analysis**

- 10.36** An Equality Information Steering Group (EISG) was established in February 2001, comprising representatives from the DHSSPS, Boards, Trusts and Agencies to:
- address equality information needs; and
  - develop an audit of information requirements, data availability, quality and deficits.

**10.37** During the year EISG undertook a detailed audit of equality information across HSSPS systems. The major findings were:

- good quality information available across a wide range of systems for age/gender;
- information is 'sparse' for marital status, religion, racial group and disability; and
- information is 'almost non-existent' for dependants, political opinion and sexual orientation.

**10.38** A revised EISG work-plan has been drafted, which outlines plans to:

- develop access to existing equality data;
- develop data sources to fill identified gaps at three levels;
- collect more/better equality information on HSSPS systems;
- monitor the collection of equality information through surveys, research consultation; and
- cross-departmental initiatives.

**10.39** The health sector thus presents evidence of examining the issue of data collection from both a qualitative and quantitative perspective.

**10.40** The Equality Information Steering Group has developed links with the DHSSPS Information and Analysis Unit, producing statistics and data including breakdowns of the equality groups within electoral wards or Local Government Districts, to assist equality analysis on a geographic basis supporting a number of EQIAs.

**10.41** The DHSSPS also plans to establish a monitoring system in respect of inequalities in deprived areas on the utilisation of and access to health and social services.

**10.42** Most of the health service authorities reported their involvement in region wide collaborative approaches. Greater details on precise input would have been helpful. For example authorities in the Eastern Region reported on how they collaborated within that region, through the Eastern Area Best Practice Forum, to gather information on the Section 75 groups and reproduce it in a format which could be easily understood and accessed by staff to improve equality of access to services.

**10.43** Good progress was reported across the health service in respect of the development of arrangements to provide information in accessible formats. Most authorities reported that internal mechanisms had been developed to provide information in alternative formats, it generally being available on request. More information would have been useful, particularly in relation to the dissemination of information on the services provided.



**10.44** During the year the Eastern Area Equality Best Practice Forum commenced a Good Practice review on Access to Information, to produce recommendations on 'how we can ensure that the right information goes to the right people at the right time and in the right format'. The initial task of auditing existing standards had been completed. This would lead to a list of 'appropriate standards' to be discussed with representatives of the Section 75 groups.

**10.45** Progress was reported in respect of the enhancement of the health sector's links with Community Networks. For example Homefirst Community Health and Social Services Trust had implemented a community development strategy for mainstreaming community development approaches, whilst Armagh and Dungannon Health and Social Services Trust had established a number of community partnership arrangements at both regional and local level.

**10.46** Information was lacking about steps taken to ensure that the affected groups were aware of information disseminated and services provided, and arrangements developed to monitor such access. Many authorities reported that they 'do monitor access to information and services', without providing specific detail as to what arrangements have been put in place to do this.

**10.47** A Good Practice Review on user involvement and access to information is being undertaken by the Eastern Best Practice Forum. Following on from it, the four Health and Social Services Councils will commence a formal EQIA in liaison with the voluntary and community sector.

## **Complaints**

**10.48** Few complaints had been received by the health service authorities during the 2001-2 reporting period. Those complaints that were received were dealt with in accordance with the complaints procedures set out in approved schemes. These included:

- Five complaints were received by the DHSSPS, four of which concerned sub-fertility services including the provision of an interim service established in December 2001. This matter was referred to the Equality Commission. The other complaint related to access to a Social Education Centre;
- A number of complaints received by Belfast City Hospital Trust concerning its parking arrangements for persons with disabilities; and
- Two complaints received by the Causeway Trust, both of which were internally resolved.

**10.49** Several health authorities that had not been in receipt of any complaints during the course of the reporting year nevertheless reported that appropriate monitoring arrangements had been put in place to ensure that equality issues arising could be identified.

## **Timetables**

- 10.50** 'Steady progress' has been reported in terms of the year 1 EQIAs and Good Practice Reviews. In respect of those EQIAs that had been scheduled to be completed by March 2002 as part of the DHSSPS Region Wide Programme, one had been completed by July 2002, and five further reports were expected in the near future. Local EQIAs had also been undertaken by a number of authorities.
- 10.51** Whilst reporting that its timetable is in line with its equality scheme, the Department acknowledged that there was a need to realistically look at how the EQIA Programme is to be progressed. It intended to review its EQIA Programme during 2002-3, and may 're-allocate' EQIAs over future years.
- 10.52** In this context, the Eastern Health and Social Services Board has reported that 'a reluctance to screen anything out continues to cause difficulties for HPSS organisations' and that, 'the size of the EQIA Programme to date has been over-ambitious in the timescales identified'.

## **Additional Information**

- 10.53** The DHSSPS concludes that good progress has been made by the health sector in progressing its equality duties, pointing in particular to the establishment of key structures such as the HSSPS Equality Steering Group and the Regional Liaison Panel. It reported that work was 'well under way' in respect of the Region-wide Impact Assessment Programme. It also referred to significant progress in addressing the key issues of information and data availability. However detail is somewhat lacking in respect of the health service authorities' individual input into these developments.

## **Conclusions & Comparison between reporting periods**

- 10.54** Health authorities have, in 2001-2, reported the integration of equality and good relations objectives and performance indicators into corporate and annual operating plans, along with quarterly consideration of detailed implementation plans by senior officials.
- 10.55** Reported progress in terms of the health sector's promotion of the good relations duty was somewhat mixed. Many authorities, including the Department, reported little activity and indicated that they were awaiting the outcome of the current Review of Community Relations policy, led by OFMDFM. The Commission would anticipate a much greater level of detail by such authorities in terms of the steps taken to promote good relations in future progress reports.
- 10.56** More detailed progress on good relations featured in a number of reports and included:

- Update of employment contracts and equal opportunities policies to include commitment to good relations;
- Good relations audits;
- The holding of a multi-cultural health fair;
- The development of 'models', policies, action plans and Good Relations Strategies to promote good relations;
- Specific training on diversity/good relations issues;
- Diversity Information Projects; and
- Development of information systems including interpreter services and alternative formats.

**10.57** A very high level of partnership arrangements and collaboration both between public authorities and with other partners has been reported by the health sector at regional, area and local level. This has also been the case at a functional level, with collaboration reported between the four Boards, the four Councils, and the health sector agencies.

**10.58** Many health authorities identified a lack of resources and consultation fatigue as being the main obstacles hindering their progression of the equality duty during both periods.

**10.59** During 2001-02 the DHSSPS continued to play a key role in formulating and developing the sector's region-wide EQIA Programme.

**10.60** The health authorities confirmed that all new policies will be subject to screening as per the criteria set out in the Practical Guide to the Statutory Duties and that consultation is an integral part of the screening process.

**10.61** The DHSSPS continues to play the lead role in respect of information provision, data collection and analysis across the health sector. An Equality Information Steering Group was established in February 2001 comprising representatives from the DHSSPS, Boards, Trusts and Agencies to undertake a detailed audit of equality information across the HPSS systems, and is presently developing information provision plans to access better data, of both a quantitative and qualitative nature.

**10.62** Individual progress reports received from the health sector authorities reported a high level of collaboration in regional developments, and a great many partnership and collaborative arrangements at area and local level.

**10.63** The Commission acknowledges the benefits of collaborative arrangements in ensuring a consistent approach to the promotion of equality of opportunity and good relations, pooling and sharing resources and expertise, creating economies of scale, and easing the burden created on the voluntary and community sector in terms of consultation. However, the Commission also has some concerns in respect of the practical application of this approach, and the extent to which some health authorities are participating in it. This is particularly the case in respect of the following:

- Progress reports from each individual health authority reported participation in both the region-wide programme of EQIA and the work of the regional Equality Information Steering Group, but many of these lacked specific detail in respect of their precise input into these developments;
- Details are generally not provided on the screening of local/area policies particular to individual organisations, and the results of such screening; and
- Two of the four health sector regions do not appear to have any plans to undertake local EQIAs.

**10.64** The health sector authorities reported good progress in training provision across both reporting periods, both at an awareness level, and specialist training for senior officers involved in policy development. Training covered human rights, Equality Introductory Briefings, EQIA training and effective consultation. Generally authorities availed of opportunities to demonstrate their commitment to equality of opportunity, both externally and internally. Little information was provided in respect of how affected groups were involved in the development of equality training.

**10.65** A number of complaints were received by health authorities during the period, mostly during 2001-2002.

## **11. Local Government Sector**

### **Introduction**

The Local Government sector comprises the 26 Local Councils, the Local Government Staff Commission (LGSC) and the Northern Ireland Local Government Officers Superannuation Committee (NILGOSC).

It is worth noting that the first of the Local Government sector authorities' equality schemes (including Belfast and Moyle Councils, the largest and the smallest councils in Northern Ireland) were approved by the Commission in April 2001. The last local government scheme to be approved was in January 2002.

### **Progress Reported April 2000 - March 2001**

#### **Preparation of the draft Equality Scheme**

- 11.1** A significant majority of the 28 authorities in the Local Government sector stated that they had used the model equality scheme developed by the LGSC, in the development of their own equality schemes.
- 11.2** Most of these authorities briefly outlined the steps they had taken between the time of their designation and formal approval of their equality schemes by the Commission. They detailed how they had taken the views of consultees on board when revising their draft schemes and outlined the comments they did not take on board and their reasons for not doing so.
- 11.3** In relation to the development of targets, objectives and performance indicators relating to the duties, most public authorities simply repeated, in their progress reports, the commitments made in their approved schemes. These related to the setting of targets and objectives relating to the Section 75 statutory duties in corporate and annual operating plans. Few local government authorities provided confirmation that objectives and targets had already been implemented.
- 11.4** Some local authorities had developed corporate aims and objectives relating to equality but not specifically in relation to the Section 75 duties. The LGSC stated that it had built targets and objectives relating to both the equality and good relations duties into the annual corporate planning process and these targets are reflected at all strategic levels within the Commission. Belfast City Council stated that a corporate objective had been developed in relation to both duties and on this basis targets had then been fed into annual service plans. In 2002 this Council committed to developing performance indicators relating to the targets. However the vast majority of local authorities appear not to have set targets and objectives in respect of the good relations duty.

## **Screening Report**

**11.5** A sizeable minority of the local authority sector progress reports reviewed by the Commission did not include a timetable of policies to be impact assessed. The table below details those public authorities in this sector that had or had not included an EQIA timetable in their annual report to the Commission:

**Table 12 Local Government EQIA Timetables (as at end June 2001).**

<b>Organisation</b>	<b>Inclusion of EQIA timetable in Annual Report</b>
Antrim Borough Council	Yes
Armagh City and District Council	Yes
Belfast City Council	Yes
Banbridge District Council	Yes
Ballymena Borough Council	Yes
Carrickfergus Borough Council	Yes
Coleraine Borough Council	Yes
Cookstown District Council	Yes
Craigavon Borough Council	Yes
Derry City Council	Yes
Down District Council	Yes
Fermanagh District Council	Yes
Limavady Borough Council	Yes
Lisburn Borough Council	Yes
Local Government Staff Commission	Yes
Magherafelt District Council	Yes
Moyle District Council	Yes
Newry and Mourne District Council	Yes
Newtownabbey District Council	Yes
NILGOSC	Yes
North Down Borough Council	Yes
Strabane District Council	Yes
Ards Borough Council	No
Ballymoney Borough Council	No
Castlereagh Borough Council	No
Dungannon and South Tyrone District Council	No
Larne Borough Council	No
Omagh District Council	No

**11.6** The Commission had concerns in relation to some screening reports. In a number of cases policies relating to employment and procurement were 'screened out'. In other cases, policies on Travellers, play areas for children, economic development and community development were 'screened in' but would not be impact assessed until years 3 and 4 of the relevant EQIA programme. To an extent such action taken by local government authorities may have been due to the lack of challenges by consultees to these decisions.

- 11.7** In addition some local authorities had not identified policies for inclusion in the screening exercise. In some screening reports, which list policies screened in and those screened out, no direct reference has been made to a range of policies relating to employment, procurement, Travellers, flags and emblems, access to buildings, access to information and nominations of councillors to boards, committees or Local Strategic Partnerships.
- 11.8** The review of progress reports found little evidence of authorities in this sector co-operating in terms of the screening of policies and the synchronisation of policies for EQIA. However, there was evidence that some were attempting to incorporate activities relating to Section 75 into existing performance and better governance initiatives such as Best Value.

### **Training Programme**

- 11.9** The activities of public authorities in this sector, as regards the planning and provision of training relating to the duties were good in terms of the strategic approach being taken to training. Most authorities had put a great deal of thought into the content of proposed training and considered the specialist training which will be required by staff dealing with issues such as EQIAs, screening, monitoring and complaints.
- 11.10** Many authorities had already provided general awareness training to senior employees and in the case of Councils to their members. Much of this training has been based on the general awareness training programme which was developed by the LGSC in conjunction with the NI Housing Executive and the Equality Commission.
- 11.11** Very little information was provided in local government progress reports in relation to the evaluation of training undertaken. The Commission believes it is imperative that evaluation methodologies are adopted by all public authorities to ensure that those involved in mainstreaming equality considerations are aware of the operation of the Section 75 Statutory Duties.
- 11.12** A significant majority of public authorities have restated their commitment to the seven training objectives outlined in their approved equality schemes. These were as follows:
- To provide a detailed training plan for all authority staff over the five-year period to which the scheme refers, which will aim to achieve the objectives listed below;
    - Raise awareness of current anti-discrimination legislation in Northern Ireland, including the provisions of Section 75, Section 76, and Schedule 9 of the NI Act 1998;
    - Provide those employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively;
    - Provide those employees involved in the EQIA of policies with the necessary skills and knowledge to do this work effectively;

- Provide those employees who deal with complaints in relation to the implementation of the authority's scheme, with the necessary skills and knowledge to do this work effectively;
- Provide those employees involved in the consultation process with the necessary skills and knowledge to do this work effectively;
- Provide those employees involved in the implementation and monitoring of the effective implementation of the authority's scheme with the necessary skills and knowledge to do this work effectively; and
- Provide those employees involved in dealing with complaints with the necessary skills and knowledge to do this work effectively.

### **Information provision and data collection**

**11.13** In terms of the development of systems to supplement available statistical and qualitative research, progress within the local government sector regarding this issue has been disappointing. Several authorities had established local consultative fora, similar to those adopted by some of the public authorities in the health sector. These fora should assist public authorities in the collection of qualitative and quantitative data, which in turn will assist them in complying with all aspects of the Section 75 duties. Ballymena Council for example had established a local Community Forum to help in the collection of data. The LGSC indicated in its annual report that it was currently working with NISRA, OFMDFM and Councils to examine current provision and to examine ways of supplementing current statistical and qualitative data.

**11.14** In reporting on this issue most local government authorities simply reaffirmed the commitment contained in their equality schemes to equality impact assess policies relating to information provision and data collection. Others stated that they had taken no action in relation to this area of work and some indicated they were awaiting advice from the Equality Commission in terms of the way forward.

**11.15** As regards action taken to review the current arrangements for the provision of information in accessible formats, again little progress was reported. In the majority of cases the commitment given in virtually all of the approved schemes was repeated i.e. that there would be a review of the current arrangements for the provision of information in accessible formats in the first year of the relevant scheme.

**11.16** In relation to the development of systems to monitor access to information and the provision of services, in the majority of reports this issue was not addressed. The remainder of the annual reports stated that future EQIAs would determine the course of action to be followed on the development of systems to monitor for adverse impact.



### **Additional Information**

**11.17** None of the 28 authorities in the local government sector had begun EQIAs prior to submission of their progress reports to the Equality Commission. Several authorities including Belfast City Council, Coleraine Borough Council and Strabane District Council stated that they had planned to commence EQIAs shortly after submission of their annual review of progress to the Equality Commission.

**11.18** Various other issues which local government authorities considered relevant to their implementation of the Section 75 duties were listed in the reports including:

- the importance of partnership between public authorities in ensuring the effective implementation of Section 75;
- an expectation that the Equality Commission would respond to screening exercises;
- concern at the capacity of the community and voluntary sector to respond to the consultation process relating to the Section 75 duties;
- NILGOSC stated that it intended developing and publishing a Good Relations strategy; and
- LGSC stated that it wanted to encourage partnership between authorities in the local government sector in order to ensure compliance with the duties.

### ***Progress Reported April 2001- March 2002***

#### **Preparation of the draft Equality Scheme**

**11.19** The majority of the local government sector equality schemes were approved in April and May 2001, with most of the remainder approved between June and September. The final local government scheme was approved in January 2002. Reporting on the preparation of draft equality schemes was included in the progress reports for 2000-1, and this was often summarised in the 2001-2002 progress reports. Pre-approval activity in the second reporting period consisted mainly of discussions with the Equality Commission to ensure that draft schemes were produced in line with the Guide to the Statutory Duties.

#### **Strategic Implementation of the Statutory Duties**

**11.20** In relation to the development of targets, objectives and performance indicators relating to the duties, six Councils, the LGSC and NILGOSC had included objectives specific to Section 75, the two duties or the implementation of the equality scheme in corporate or strategic plans. Evidence was given of how high level objectives were cascaded into core values, annual operating plans or action plans, right down to setting Section 75 objectives in personal performance plans or in appraisal systems. A further 11 Councils had included objectives and targets in corporate and annual operating plans which strongly reflected the duties, often referring to equality, fairness, managing diversity active citizenship, community development, social inclusion etc. One Council

noted that the statutory duties 'are taken account of' in all annual and operating plans. Six Councils stated that they had not incorporated objectives as yet, whilst two did not report on developing Section 75 objectives at all.

**11.21** Nine Councils, including several of those which did not report incorporating specific Section 75 objectives in operating plans, mentioned that the equality duties formed an integral part of Best Value reviews and resulting performance improvement plans.

**11.22** In relation to considering progress on the implementation of the duties as a standard agenda item at Senior Management Team (SMT) level, three Councils did not report regular internal reporting. Of these, Ballymena did not include this information, Carrickfergus stated that progress would be a standard agenda item for all Board and senior management meetings from November 2002, and Castlereagh reported that the Management Team is updated 'as necessary, from time to time'. Sixteen authorities (including NILGOSC) stated that progress on implementation is reported as a standard agenda item at least quarterly and at least at SMT level – many stated that reporting was more frequent, for example, monthly, and that relevant Council Sub-Committees and full Council are updated. Nine others said they reported progress internally but did not specify how often or said that this occurred 'as appropriate'.

**11.23** In relation to developing partnerships, 20 Councils (and the LGSC) reported membership of the LGSC's Statutory Duty Network. This group included representatives from other Councils and the NIHE, and it meets on a regular basis. The forum allows for discussion on equality and good relations issues and for the exchange of information and good practice techniques. The Network also examined ways in which Councils can work together to facilitate the process for voluntary and community groups.

**11.24** Nine Councils reported participation in 'area' networks, such as the North Eastern Equality Officers' Forum, the Greater Craigavon Equality Officers' Network and the Southern Area Network. These are intended to enable shared learning and experience, and consist of various public authorities located in a particular area, such as health trusts and education and library boards. The LGSC reported membership of the Public Authority Network (PAN), which is hosted by Belfast City Council and includes a number of Health Trusts, the SCELb, the NIHE and OFMDFM, and the purpose of which is 'to discuss good practice, share experience and plan joint events together.' Some of these networks also held joint consultation events, which were reportedly well received by the community and voluntary groups attending. However, Lisburn Council stated "there may be scope for a more structured forum of public representatives to enable more networking and less duplication of work... Lisburn Council would look to the Equality Commission and the LGSC for guidance and leadership in this matter".

**11.25** Coleraine, Cookstown and Down Councils mentioned their Local Strategy Partnerships as examples of partnership working. Five local government

authorities did not report on partnerships, but Carrickfergus and Magherafelt Council stated that the identification of appropriate partnerships was ongoing.

- 11.26** Other partnerships mentioned were with Counteract and Futureways, NICEM, NIHE, Trusts, ELBs, the Employer's Forum on Disability, Investing for Health, Sports Development, and with other Councils.
- 11.27** With regard to implementing the good relations duty, NILGOSC, Ballymena and Belfast Councils had carried out good relations audits. Ballymena and Belfast Councils had subsequently developed good relations strategies, while NILGOSC had produced a Community Relations Policy. Belfast Council has applied to the Community Relations Unit of OFMDFM for funding to establish a Good Relations Unit and to appoint two Good Relations Officers. The LGSC was undertaking a community relations audit and developing a good relations strategy. Lisburn Council was conducting a community relations audit and Newtownabbey and Castlereagh Councils were planning to conduct community relations audits.
- 11.28** Fourteen other Councils (Armagh, Banbridge, Cookstown, Craigavon, Derry, Down, Dungannon, Fermanagh, Larne, Magherafelt, Moyle, North Down, Omagh, Strabane) gave details of implementing the good relations duty through their Community Relations plans, programmes or strategies. Many examples of community relations work relevant to the good relations duty were included in progress reports. A few examples were; an Islamic Community Conference, participation in a Multi-Cultural Health Fair, Derry City Shadow Council for Young People, North-West Community Network, the establishment and development of the Causeway Chinese Society, the development of a video to examine issues of expression of identity and human rights as pertaining to the rural community. Omagh Council stated that good relations issues were also highlighted and progressed internally within Council, with discussion taking place on the possibility of setting up a Good Relations Forum. Ballymoney Council was also considering setting up a Good Relations Forum.
- 11.29** Coleraine and Newry & Mourne Councils were both implementing 'Equity, Diversity and Interdependence' (EDI) projects, the aim of which was to 'identify barriers to good relations and inclusion in relation to Council's responsibilities.' These Councils are now developing action plans for staff and members to overcome the barriers identified, including in Newry, a Leadership Development Programme and a Councillor Seminar Programme.
- 11.30** Four Councils had very little to report in terms of progressing the good relations duty although they said they were addressing it, whilst one Council reported that no progress had been made because "no budget...has been allocated for carrying out equality work...".
- 11.31** Eleven local government authorities reported that they have provided, or will provide, specific good relations or community relations training: NILGOSC, Ballymena, Belfast, Coleraine, Cookstown, Derry, Magherafelt, Moyle, Newry & Mourne, Newtownabbey and Strabane Councils.

- 11.32** In relation to factors which enhance the strategic implementation of the statutory duties, a number of Councils have established internal Equality Steering or Working Groups comprising senior managers, departmental managers, policy makers and the Equality Officer or equivalent, which meet regularly to discuss current issues, developments and problems. This maintains a focus on Section 75 and its implementation.
- 11.33** A number of Councils reported that the appointment of, or the identification of, an existing member of staff whose role is wholly or mainly to implement or co-ordinate the implementation of the duties has enhanced that authority's ability to do so. Several other Councils advised that they have re-positioned the role of the person mainly responsible for the daily implementation of the equality scheme. For example, Ballymena Borough Council's Good Relations Strategy included changing the role of the Community Relations Officer and repositioning the Community Relations function from within the Economic Development Unit to the Equality Unit. In Belfast City Council the Equality Officer is based in the Policy Services Section of the Chief Executive's Department and is in a position to influence other significant Council policies and strategies e.g. Best Value reviews and consultations. Lisburn Council stated that, 'In order to further the equality mainstreaming process, the Community Relations Officer is now in the Chief Executive's Office along with the post of Equality Officer'.
- 11.34** Ballymena and Moyle Councils mentioned more focused targeting of grants – Moyle had reviewed its Community Relations grants scheme 'to ensure no hidden deterrents prevent community groups from applying', while Ballymena Council will target projects which address the eight issues identified in its Good Relations Strategy.
- 11.35** In relation to factors which have impeded progress, Cookstown Council commented that, 'the progress of implementation has fallen behind due both to Council workload and the generally poor response to consultation.' It also noted, 'Many groups still want single-identity support from community relations and may not want cross-community contact.' Down Council commented that the definition of good relations was proving problematic. It also felt that progress on implementation had been impeded by an internal organisational review. Consultation fatigue/overload was mentioned by Ards, Belfast, Coleraine, Newry & Mourne and North Down Councils. Castlereagh, Cookstown, Ards and North Down Council stated that they experienced resources problems, whilst Dungannon and Castlereagh Councils had recruited additional clerical support. Derry Council felt impeded by the speed of Council decision-making and Magherafelt Council stated the need for training on implementing the good relations duty.

### **Screening and Equality Impact Assessments**

- 11.36** Fourteen Councils reported that their screening reports had been forwarded to the Commission. Two Councils, Castlereagh and Larne, reported that not all

policies have been screened as yet. In both cases, this was due to resourcing problems – key staff responsible for certain policy areas had not been available. Ballymoney and Fermanagh Councils advised that their screening exercises concluded very near to the end of the reporting period, and Newry & Mourne Council enclosed its screening report with its progress report.

**11.37** Five Councils (Ards, Belfast, Craigavon, Down, Dungannon and Omagh) advised that they were re-screening their policies. Belfast Council stated the need to ensure that the screening process was relevant and effective. Down Council was also reviewing its screening methodology in relation to new policies. Craigavon Council explained that as a result of its first main screening exercise 90 policies were identified for EQIA - this would require conducting 18 EQIAs per year over five years, and as the result of their first year's experience, they were of the view that the maximum number of EQIAs that could be carried out in a year was five. The Council stated, 'This would seem to indicate some flaws in the initial screening exercise, exacerbated no doubt by inexperience with Section 75 in 2001.' Craigavon Council stated that re-screening would be subject to consultation.

**11.38** Thirteen Councils had referred to the screening of new policies, and most of these outlined the systems that have been developed to do so. It is not clear, however, whether the screening procedures for new policies include consultation as standard. Derry Council stated that four new policies were screened in the reporting period – Grant Aid Policy, Policy on Domestic Violence and Managers' Guidelines, Local Agenda 21, and Community Relations Strategy Plan.

**11.39** In relation to conducting EQIAs, none of the local government authorities had completed any at the time of reporting. Fourteen Councils, NILGOSC and the LGSC reported commencing at least one EQIA during the year. Not all of these used the reporting matrix suggested in the Review of Progress Guidance, but it was clear that none of the EQIAs commenced has progressed beyond Stage 4 (formal consultation) of the Procedure. Belfast had commenced 10 EQIAs during the 2001-2002 year, while Lisburn had started on five, and Strabane four.

**11.40** Fifteen Councils included an EQIA timetable or revised EQIA timetable with their progress reports. Carrickfergus has used its Best Value timetable and reported that consultation did not result in any suggestions for changes to this. Craigavon, Lisburn and Antrim advised that the timetable given in the report is to be reviewed, while Castlereagh and Larne will need to revise their EQIA timetables when screening is completed.

**11.41** Some of the factors which enhanced or impeded the EQIA process cited in progress reports were as follows:

- Belfast Council noted that there has been considerable duplication of resources because local government authorities have not joined together in 'family groups' to impact assess policies which affect all authorities, as have other public sectors;

- Belfast Council also noted that consultants were appointed to lead EQIAs in Year 1, 'and this experience will build internal staff capacity and be incorporated into future EQIAs';
- Coleraine Council noted that the initiation of the EQIA programme was delayed until the relevant managers could be trained on implementation of the Practical Guidance. However, Coleraine Council identified several benefits of EQIAs, in that they provided markers for other areas of work, and the rationale of developing policy aims (relating those aims to policy and operational practices, consulting and then assessing impact in one field of activity has read-across implications for other activities). This was noted as the Council's equality scheme operating in its broadest sense;
- Cookstown and Craigavon Councils noted that the lack of information in relation to the nine categories impeded the EQIA process, but that the 2001 Census data would help. Some useful material was available from groups representing the nine categories, but this was limited;
- In order to facilitate an effective, standardised, cross-departmental and mainstreamed approach to screening and EQIA, Derry Council developed three questionnaires. These provided a structured approach to screening and impact assessment. Completed questionnaires were to be published on the Council's website as part of screening and EQIA reports;
- Magherafelt Council stated that a significant limiting factor was the amount of effort required to secure feedback from consultees; and
- Newry & Mourne Council noted that increased workloads and lack of understanding of equality issues had led to resistance to screening and EQIA activity.

**11.42** While the progress report guidance asked for information on good practice reviews or changes in practice or policy as a result of EQIAs, only Newry & Mourne Council provided examples. These included an access audit which led to the development of a programme of work, a review of working patterns and work-life balance options as the result of an employee survey and Open Spaces consultation event, and the integration of equality into Best Value reviews. It is to be hoped that change will be more obvious next year when a number of EQIAs in this sector will have been completed.

### **Communication and Training Provision**

**11.43** Most of the authorities in the local government sector reported good progress on training provision. Almost all authorities reported Section 75 awareness training for all staff. A considerable number had also provided general equality awareness, anti-discrimination, anti-harassment and human rights training for all staff. In early 2001, Belfast City Council held 58 'roadshows' to inform employees of the Council's corporate strategies and the inclusion of Good Relations as the fourth Corporate Objective. 1,700 staff attended from a total workforce of 2,200. The Council also organised a major equality scheme training event in the City Hall to which all Section 75 groups were invited.

- 11.44**A significant number of Councils had provided 'Section 75 group' specific training, for example in gender, race and/or disability awareness, and in relation to communicating with young people. This was usually provided to front-line staff, such as receptionists and others who are in direct contact with the public. Where EQIA training had taken place, it had been provided either to all managers or to those who are or will be involved in conducting impact assessments.
- 11.45**Moyle District Council held a Good Relations and Civic Responsibility Conference in March 2002, which was attended by Councillors and managers. The Council has agreed to a continuation of this work in the form of regular training to look at working practices and how they may be improved internally and externally. Fermanagh Council reported that Councillors, along with those from other Councils in the western area, participated in a similar civic leadership programme.
- 11.46**Nineteen Councils reported that training had been provided for elected members, including residential courses in some cases, although none reported full attendance or take-up. Further training for elected members will be advanced by the National Association of Councillors.
- 11.47**Both the LGSC and Belfast City Council had produced training packs, which were widely used throughout the local government sector. Belfast's Equality training pack has been very well received and has been bought by the LGSC for issue as a model of good practice to all other Councils. This pack was particularly mentioned by a number of other Councils as being useful.
- 11.48**The Local Government Training Group hosted five seminars on conducting EQIAs for the District Councils and the NIHE. Section 75 awareness and EQIA training were reported as being delivered to a significant proportion of Councils by external consultants, but there was also evidence of training delivery by Equality/Section 75 Officers and of involvement by Chief Executives and senior and departmental managers. Counteract and Futureways had delivered training in good relations to a number of authorities in the local government sector, and the Community Relations Council was also referred to in this regard.
- 11.49**Most local government authorities reported the inclusion of Section 75 awareness in induction training for new employees, and also for elected members.
- 11.50**Details of how affected groups were involved in training development or delivery were reported as follows:
- Armagh City & District Council consulted affected groups in collaboration with the Southern Area Equality Network to find out what they would like to see included in training. Belfast City Council also consulted Section 75 groups on its Training Strategy and Consultation Guidelines, and held employee focus groups. Unfortunately, the progress report does not contain information on the outcome of this exercise;

- Religious diversity training was reported by a number of Councils – in most cases this was delivered by the NI Interfaith Forum. Disability Action, the Out and About project. NICEM and CoSO have provided training for many of the local government authorities;
- Banbridge Council developed a Diversity Awareness Programme called 'Building Good Relations between People' for all staff and elected members. This began in Spring 2002 and will be completed in the Autumn, when the course will also be evaluated; and
- Derry Council advised that 20 local consultees have expressed an interest in providing or delivering training, and that it is hoped to finalise a training programme by Section 75 groups in the current year.

**11.51** Two Councils - Ards and Dungannon - reported no training activity in the 2001-2002 year. Ards Council reported it was agreeing a training programme with an external consultant and training was due to commence in September 2002, and Dungannon Council noted that it would commence a comprehensive programme of training in 2002-2003.

**11.52** In relation to the evaluation of training undertaken, 11 Councils and the LGSC and NILGOSC reported that training had been evaluated, whilst two others advised that training would be evaluated when it was completed. All those who reported said that feedback on training had been positive and that it had been well received and informative. Lisburn Council reported that many staff had expressed an interest in further Section 75 and human rights training.

**11.53** Activity in relation to external communication was more limited. Most authorities reported the dissemination of the equality scheme and/or a summary to employees, distribution to consultees, and making it available in Council offices and on the website. A few Councils reported that Mayors or Chief Executives expressed commitment to the Section 75 duties in speeches and presentations and in the introduction to publications such as corporate plans and annual reports etc. Armagh Council stated that the Mayor promoted the needs of some Section 75 groups through hosting civic functions for young people, older people and people with disabilities. Most of the authorities in this sector also reported the communication of Section 75 activities to the public through their ratepayer magazines or newsletters.

**11.54** A number of Councils reported the provision of external training to community and voluntary groups, with the aim of capacity building. For example, after an attempt to hold workshops (on political discussion, history and identity, and mediation) which were poorly attended, Banbridge Council now facilitates community development in association with the Banbridge Community Network.

**11.55** In Moyle Council, training was delivered to the community sector through the Speak Easy programme. This course was designed to build the capacity of this sector in areas such as public speaking and presentation skills, to encourage effective dialogue between Council and Community, 'It is hoped that



consultation will thereby be more effective and become a two-way process, where areas of concern can be identified early and managed promptly.'

**11.56** Omagh Council facilitated training for Equality 2000, a group from Dungannon made up of representatives with a range of different disabilities. The training involved developing the group until they reached the stage where they could become an effective disability forum able to consult with statutory authorities on issues such as equality schemes.

### **Information provision, Data Collection and Analysis**

**11.57** Considerable progress had been made since the last reporting period, particularly in relation to the collection of data in the local government sector, although, as with other aspects of implementation, this varies greatly between individual public authorities. Four Councils reported that no additional processes have been developed to gather information.

**11.58** However, a number of initiatives have been put in place:

- Additional statistical information is being sought in financial assistance and grant-aid applications by some Councils;
- Work was initiated regarding the collection of monitoring information on marital, dependency and disability status, age, gender, religious belief (wider than fair employment definitions), racial group and nationality of Council members and employees, within some Councils;
- Derry City Council established an Equality Database, which is regularly updated and allows managers to access secondary research evidence in relation to the Section 75 groups. The Council also produced an Equality Fact sheet, which provides statistics on the Section 75 groups at a regional and local level. Also in Lisburn Council all Council Departments are required to send internal organisational data to the research assistant in the Chief Executive's office, for collation on to a database. Belfast Council has developed a standardised datasheet template for use by Departmental Teams, to identify sources of data to be used in EQIAs;
- In some Councils, Best Value Customer Satisfaction and ratepayer and service provision surveys, audits and questionnaires are providing some Section 75 information. In addition service managers writing performance improvement plans have been advised to ensure that adequate measures for data collection are in place;
- Three authorities reported the use of a professional research agency, the recruitment of a Research Officer, or the employment of a Premiere Graduate on a 12-week project to collect and collate all relevant data. One stated that it was hoped to share this information with other councils;
- Consultative groups / community fora have been formed, and these were used during the screening and EQIA processes to collect qualitative equality data on a regular basis. Information obtained through EQIAs and consultations, including consultee questionnaires, was also used;

- The LGSC Data Collection and Monitoring Sub-Group was tasked with trying to establish how Councils could work together to obtain and produce more relevant data for Section 75 purposes;
- Complaints / suggestions schemes, Disability Action reports, Health and Safety Risk Assessments, Westminster and local government election information, and a database of Council contacts were mentioned by different authorities as sources of information;
- Data from representative groups such as MCRC was identified as being useful by a small number of Councils. (This source of information e.g. NICEM, CoSO, Help the Aged etc is not quoted very often by the local government sector authorities, and this is of concern);
- Ballymena Council was developing a Geographical Information System (GIS) and had added Census figures and Noble Index information to the system. The Council was also committed to adding all other relevant Section 75 data to the system.
- In Belfast Council, statistical information held centrally by the Policy Service Section has been used e.g. Baseline Profile of Belfast, which is updated annually and used in the development of the Council's Corporate Planning process. The Council also referred to its major Public Consultation exercise which is carried out every two years – the 2001 survey collected some information specifically relating to Section 75; and
- North Down Council used its SIGNAL Business Growth Centre Statistical Unit, which collects and analyses Census, NISRA and qualitative information, for data on age, gender, marital status, and employment statistics. Details on housing stock, past growth of housing, etc. were available along with estimated growth of these categories (for a range of groupings) up to 2002.

**11.59** Many Councils were looking forward to the publication of the 2001 Census results, and also to the publication of the Commission's guidance on monitoring. There was a general recognition that more work needs to be done in relation to collecting relevant information, and that monitoring systems need to be put in place. It was hoped by some authorities that networking between organisations will develop sources of comparative data.

**11.60** A number of factors that impeded the collection and analysis of data and information were cited in reports. Lisburn Council noted that 'guidance on monitoring has been weak and theoretically based and that further thought should be given to this matter so that monitoring may be more standard throughout all public authorities. We do understand that further guidance on this matter is still to come and would hope that this will be practical and structured.'

**11.61** A number of authorities mentioned the sensitivity of some information e.g. in relation to sexual orientation, and others mentioned a more general public reluctance to provide personal information, even on age, which means it is difficult to obtain meaningful information in relation to several of the categories. Other authorities noted the lack of information on sexual orientation, ethnic

minorities and Travellers, and the delay in the publication of the 2001 Census data.

**11.62**As regards action taken to review the current arrangements for the provision of information in accessible formats, most authorities confirmed their commitment to do so, but only four Councils provided information on how systems had been put in place to produce such information in a timely fashion. Arrangements that have been made include: agreements with the RNID to produce any required information within two weeks of a request; the identification of a Cantonese translator (Ballymena), who was then trained in Section 75, to translate equality information and to contact members of the Chinese community; and Belfast Council holds translations on computer which can be printed out on request. Belfast Council made their equality scheme available, on request, in six languages and three non-written formats. Banbridge Council reported that it was investigating methods of production should there be a request. In terms of requests, very few requests for information in accessible formats were reported by local government authorities. Fermanagh Council noted it had a number of requests for information in electronic format, and North Down Council had requests for information in large print.

**11.63**Accessibility had been improved in a significant number of authorities in relation to the provision or installation of textphones, hearing loops and physical adjustments to buildings. Other authorities were carrying out disability access audits. Staff, particularly reception staff, had been trained in use of sign language and there was significant reporting of the provision of signers at consultations and focus group meetings. There was also reporting of the provision of information in large print, on computer disk, in Braille, on audiocassette, and the use of talking newspapers. A number of authorities reported reviewing their websites with a view to ensuring accessibility to those with visual disabilities, for example, Newtownabbey Council was the first Council website to provide the BBC's BETSIE (BBC Education Text to Speech Internet Enhancer) which alleviates problems experienced by people using text to speech systems by automatically creating a text only version of a web page.

**11.64**Derry City Council established an Equality Consultative Forum. Craigavon Council attempted to set up such a forum in conjunction with other public authorities in the area; however, discussions failed to progress so the Council now intends to take the establishment of such a forum forward by itself. Derry Council reported that it has experienced 'some difficulty' in getting participation at Equality Consultative Forum meetings. Belfast Council stated that 'Council is conscious that District Councils, unlike Health Boards and ELBs, have not joined together in family groups to impact assess policies which affect all authorities. This has resulted in considerable duplication of resources ... It would greatly assist the Council if the LGSC were to take a more pro-active role in this work.'

**11.65**The LGSC stated that it facilitated the establishment of a regional consultation forum, which enabled it to join with other local government organisations to consult with voluntary and community groups covering the whole of Northern Ireland on issues affecting wider local government, and to examine ways of facilitating consultation in the future.

**11.66**There were a number of other comments in relation to consultation. Belfast Council devised its own Consultation Guidelines, after consulting Section 75 groups as how they wish to be consulted. Down Council's evaluation of each consultation method suggested that telephone interviews and face to face meetings provided the best response but were time consuming. It also stated that the Council was aware that there is a need to have a process of consultation which is more targeted, less bureaucratic and avoids duplication of effort by consultees. It will now seek to make better use of focus groups and pre-consultation workshops to provide improved feedback. The Council thought that focus groups could be chosen to reflect the key policy areas with all similar policies channelled through the focus group mechanism and this would supplement wider consultation.

**11.67**As has already been indicated, there was a wide recognition of 'consultation fatigue' in progress reports. In particular, Lisburn Council said 'We would like to reiterate that the entire consultation process is exceptionally time consuming and often without reward and would appreciate more guidance on collective working in this respect.'

## **Complaints**

**11.68**Five Councils reported that they had received complaints under Section 75. In all cases these were handled under the body's complaints procedure and complainants were also advised how to complain to the Equality Commission. In two cases, the policies complained about were to be subject to an EQIA. Complaints concerned: flags and emblems; bin collection times; ladies only swimming times; and the lack of a welcoming atmosphere in a Town Hall due to 'military memorabilia and dead animals.'

**11.69**Although all public authorities set out their Section 75 complaints procedures in their equality schemes, five Councils reported further development of their procedures (Armagh, Ballymena, Derry, Moyle and Newtownabbey). Derry Council reported that it had communicated the complaints procedure to 37,000 households through the distribution of a leaflet summarising its equality scheme. Newtownabbey Council noted that all complaints were monitored using the Council's computerised complaints package. It also conducted a survey of complainants to assess satisfaction levels – the main improvement cited was 'increased communication with the complainant throughout the complaint investigation.'

## **Timetables**

**11.70** Almost all local government authorities reported that the timetable for implementation set in the equality scheme had slipped. In a minority of cases this was due only to slippage in the EQIA timetable, and was because the time required to conduct EQIAs was longer than had been anticipated. However a number of Councils have also not progressed as expected in relation to screening and training. Most local government authorities have therefore revised their implementation timetables or intend to do so.

## **Conclusions**

**11.71** The local government sector reports show a variety of rates of progress with some authorities detailing considerable activity and commitment, while others have taken less action to implement Section 75. While many of the reports show significant progress/ activity, there is clearly a need for more information about outcomes and how the Section 75 groups have benefited from the operation of the statutory duties.

**11.72** There has been effort by some Councils to mainstream the equality duties from the highest corporate level to the individual, representing good progress since the previous year. However, there is also a need to provide further advice and good practice examples of how this can be implemented to enable those who have not done so yet to establish equality and good relations objectives and targets at all levels of corporate planning.

**11.73** There appears to be a variety of approaches to reporting progress internally in the local government sector. This would appear to coincide with the level of activity in each body – the more is done to implement the duties, the more frequent and higher level the reporting.

**11.74** In relation to the steps taken to work with other public authorities and partners, as with other aspects of implementation, a number of authorities have made good progress in developing or establishing relationships and partnerships with other public authorities. However, the level of partnerships within the local government sector, apart from the LGSC Statutory Duty Network, has considerable potential for development. Further information on the outcomes of the public authority and LGSC networks should be valuable, particularly in terms of what experience, good practice, information and difficulties were shared, and what solutions, if any, were identified. Unfortunately, this information was not included in the progress reports.

**11.75** Progress has been made on implementing the good relations duty by a number of Councils, and it is evident that there are examples of good practice which could be used by the other authorities in this sector.

**11.76** Only 14 local government authorities – half of the sector – had commenced any EQIAs in the period reported upon, and none had been completed. Of the remaining 14, two had not completed the screening exercise. The review of

progress reports found little evidence of authorities in this sector co-operating in terms of the screening of policies and the synchronisation of policies for EQIA. In terms of bringing about change, it is to be hoped that benefits to affected groups will be more obvious next year when a number of EQIAs in this sector will have been completed.

**11.77** Whilst only three Councils (Ballymena, Belfast and Coleraine) specifically stated that a training plan had been developed for Section 75, others referred to more general training programmes, and it is clear from the reported training activity that much work has taken place and is ongoing. Most authorities have put a great deal of thought into the content of proposed training and considered the specialist training required by staff dealing with issues such as EQIAs, screening, monitoring and complaints.

**11.78** Progress has been made since the previous reporting period, in relation to the collection of data in the local government sector. As with other aspects of implementation, this varies greatly between individual public authorities, with four Councils reporting that no additional processes have been developed to gather information. As outlined in paragraph 11.58 above, however, a wide variety of mechanisms are being developed to collect information. As reported by the local government authorities, more work is required in collecting data specific to the nine Section 75 groups.

**11.79** There were six complaints in the year to five authorities in this sector. These covered a range of issues and were handled through equality scheme complaints procedures. Two related to policies which are subject to EQIAs.

**11.80** Almost all implementation timetables have fallen behind. In the most extreme cases, no action has been taken to implement Section 75 due to a lack of resources within authorities, but others have slipped only because the EQIA process has taken longer than was first anticipated, something which is being experienced throughout the public sector.

## **12. Other NI & Cross Border Public Authorities**

### **Introduction**

Forty-two public authorities subject to Section 75 of the NI Act 1998 have been grouped as 'Other NI & Cross Border Public Authorities' for reporting purposes. The authorities include significant regional Non-Departmental Public Bodies such as the Northern Ireland Housing Executive and a variety of other authorities which have specific sectoral remits e.g. the Construction Industry Training Board. The first of the 'Other NI & Cross Border Public Authorities' equality schemes were approved by the Commission in June 2001 with approvals continuing throughout 2001.

Four 'Other NI & Cross Border Public Authorities' including the Northern Ireland Human Rights Commission, NI Court Service, Probation Board for NI and Northern Ireland Office were included in the Secretary of State's first designation Order in July 2000. The progress-reporting period for these authorities therefore ran from July 2000 to 31 March 2001. A further four 'Other NI & Cross Border public authorities' including the Chief Electoral Officer, Independent Assessor of Military Complaints Procedures, Legal Aid Department of the Law Society of Northern Ireland and Northern Ireland Film Commission were included in the Secretary of State's second designation Order in April 2001. By the end of March 2002 a total of 33 'Other Northern Ireland and Cross Border Public Authorities' schemes had been approved.

This section of the report covers the largest number and range of authorities. Unlike other sections not every authority is specifically cited due to sheer numbers and the diversity of the public authorities.

### ***Progress Reported July 2000 - March 2001***

#### **Preparation of the draft Equality Scheme**

- 12.1** All progress reports outlined the measures taken to develop draft equality schemes. Significant references were made to the use of departmental draft schemes as a template on which to base schemes and identify main policies. Most reports included steps taken to develop draft equality schemes including consultation. The consultation activities undertaken by other public authorities mirrored the general nature of consultation by all designated public authorities.
- 12.2** Details have been provided by 'Other NI & Cross Border Public Authorities' of the formal consideration of the draft equality scheme before submission to the Commission for final approval.
- 12.3** Some progress has been made in building equality and good relations objectives into corporate and annual operating plans. However, 'Other NI & Cross Border Public Authorities' placed less emphasis on this element of progress reports, indicating these aspects had yet to be integrated into plans. In its report the Northern Ireland Housing Executive (NIHE) highlighted the development of a good relations and community safety policy.

- 12.4** Prior to approval some aspects of draft schemes were implemented. This included negotiations with the Commission, training and screening of new policies. In addition Enterprise Ulster took steps to build equality into its Quality Performance Management Framework Mark.
- 12.5** In the case of the Probation Board of Northern Ireland (PBNI) and Northern Ireland Court Service (NICtS), measures had been taken to develop draft equality schemes prior to the first designation order. The Northern Ireland Office (NIO) reported that work was carried out prior to formal designation of the authority on 25 July 2000.
- 12.6** In terms of the internal mechanisms to develop draft equality schemes authorities such as the NI Court Service included legal, management information and human resources expertise. The NIO undertook two consultation exercises before submitting a draft scheme for approval to the Equality Commission.

### **Screening Report**

- 12.7** Compared to other sectors 'Other NI & Cross Border Public Authorities' provided fewer screening reports and EQIA timetables. The overwhelming majority of these authorities were undertaking screening during 2001 following the development of their equality schemes. Table 14 outlines the extent of screening activity up to 31 June 2001.

**Table 13 Overview of Other NI & Cross Border Public Authorities Screening & EQIA Timetables (as at July 01)**

<b>Organisation</b>	<b>Screening Completed</b>	<b>Details</b>
Agricultural Research Institute	Yes	4 year timetable - 13 policies
Arts Council for NI	Yes	5 year timetable - 13 policies
Civil Service Commissioners	Yes	2 year timetable – all/5 policy areas
Fisheries Conservancy Board	Yes	One year including one policy to be subject to EQIA
General Consumer Council NI	Yes	Three year programme including 3 policy areas
Health & Safety Executive for NI	Yes	All policies screened in.
Laganside Corporation	Yes	3 year programme including 8 policies
NI Community Relations Council	Yes	Up to 2005 including 6 policies
NI Housing Executive	Yes	4 year programme including 8 policies



**Table 13 Overview of Other NI & Cross Border Public Authorities Screening & EQIA Timetables (as at July 01) Cont'd**

<b>Organisation</b>	<b>Screening Completed</b>	<b>Details</b>
NI Tourist Board	Yes	3 year programme covering all policies
Sports Council for NI	Yes	5 year programme - 15 policies
Belfast Harbour Commissioners	No	Following approval of Equality Scheme
Coleraine Harbour Commission	No	Following approval of Equality Scheme
Construction Industry Training Board	No	4 year timetable - screening delayed due to approval of Scheme
Director General of Electricity & Gas	No	No timetable provided
Enterprise Ulster	No	Underway
Food & Safety Promotion Board	No	
Intertrade Ireland	No	
Labour Relations Agency	No	Currently underway
Livestock & Meat Commission	No	Screening underway following approval of Scheme
Local Enterprise Development Unit	No	All policies covered – see draft Scheme
Londonderry Port & Harbour Commission	No	
Loughs Agency (The Foyle, Carlingford & Irish Lights)	No	
National Museums & Galleries (Board of Trustees)	No	
NI Fishery Harbour Authority	No	
NI Museums Council	No	
North-South Language Body	No	
Office of the Certification Officer	No	Screening to commence Autumn 2001
Rural Development Council	No	
Special EU Programmes Body	No	
Ulster Supported Employment	No	To be completed December 2001

**Table 13 Overview of Other NI & Cross Border Public Authorities Screening & EQIA Timetables (as at July 01) Cont'd**

Organisation	Screening Completed	Details
Warrenpoint Harbour Authority	No	
Waterways Ireland	No	
NI Court Service	No	Separate report to be developed
Northern Ireland Human Rights Commission	No	No report received
Northern Ireland Office	Yes	5 year timetable including some 31 policies
Probation Board for NI	No	Separate report to be developed

**12.8** Of those 'Other NI & Cross Border Public Authorities' that had undertaken screening and completed EQIA timetables, limited information was reported on the justification for not including policies for EQIA. Some of the 'Other NI & Cross Border Public Authorities' recorded concern at the timescale for producing a screening report.

**12.9** Some authorities also made reference to the steep learning curve many organisations faced in relation to Section 75. Concern was noted about consulting on unwritten policies as regards consultees making informed input. The Equality Commission is aware that this point was raised during the reporting by consultees in relation to consultation processes. The Probation Board for Northern Ireland (PBNi) outlined several concerns about the process of policy screening, in particular consultation.

### **Training Programme**

**12.10** Staff training associated with the Section 75 duties is evident in many 'Other NI & Cross Border Public Authorities' reports. Staff attendance at seminars such as 'Louder than Words' together with Equality Commission and Community Relations Council events was noted in reports from this sector. References to the role of the Chief Executives' Forum - Training Liaisons Officers' Group indicated this was a significant resource for many of these public authorities. In addition much use was made of departmental events. DETI was highlighted by the Health & Safety Executive for Northern Ireland (HSENI) for including its staff in the department's training induction programme for new staff. Similarly Enterprise Ulster liaised with DEL, which established mechanisms to facilitate sharing of best practice and training resources. During 2000-2001 various Section 75 awareness-raising steps were undertaken. Amongst these initiatives the NIO report highlighted a 'desk top' aide memoir to provide a reminder on individual and departmental responsibilities.

**12.11** Few details were given of any training evaluations being carried out during this period.

### **Information Provision and Data Collection**

**12.12** Systems to supplement available statistical and qualitative research had been progressed. In many instances this was in conjunction with sponsoring departments e.g. the Livestock & Meat Commission and DARD, or in partnership with other NDPB's. The Arts Council had developed its Grants Management System to capture information on the nine Section 75 groups.

**12.13** Reports indicated that arrangements for the provision of information in accessible formats were, mainly, made around the provision of draft schemes. One public authority, which established the need for a wider range of formats, found itself subject to a departmental review and had to halt production of marketing materials. Nevertheless after the review marketing materials were jointly developed with the department concerned.

**12.14** For many other authorities, arrangements to develop monitoring systems regarding access to information and services were intended to evolve during the lifetime of schemes. However, as the Sports Council indicated in its report, it was already monitoring Lottery Funding including equality matters and access. NIO reported inputting to the NISRA Equality Group, which was addressing methodological and practical issues relating to monitoring policies.

### **Additional Information**

**12.15** There was little reporting of any EQIAs being commenced or assessments of the implications for the Section 75 duties on proposals for legislation during the reporting period.

**12.16** In terms of other matters considered relevant to the authorities' implementation of the Section 75 duties, one body indicated that resources to pursue the equality agenda were identified and set aside in the January 2001 budget allocations.

**12.17** Under this heading the NIO identified several EQIAs commenced or completed during the reporting period. These included:

- Policy on the future of the juvenile justice estate;
- Code of Practice Section 99 (1) Terrorism Act 2000;
- Code of practice on video recording with sound made under paragraph 3 (4) of schedule 8 of the Terrorism Act 2000; and
- Systems for appointment of NI Human Rights Commissioners, in relation to adverse differential impact on any of nine equality categories.

**12.18** Finally, in relation to this heading the NIO report outlined several developments of policy undertaken at the screening stage. These demonstrated equality

mainstreaming in relation to how staff can progress work to deliver equality outcomes through considering the equality perspective:

- 'Compensation for death through criminal injury' – proposed tariffs under the Criminal Injuries Compensation Scheme would pay dependants £10,000 to spouse and £5,000 to each other dependent up to a maximum of £50,000. Screening showed this would adversely impact on larger families and these were more likely to be from the Roman Catholic community. In light of this impact the maximum was removed; and
- 'Rate of Discharge grant' – NI Prison Service provided qualifying prisoners over 25 year of age with a grant of £50.05 per week and £43.00 to prisoners under 25 years of age. As a result of screening an adverse impact on persons of different ages was identified and the weekly allowance was harmonised.

### ***Progress Reported April 2001 – March 2002***

#### **Preparation of the draft Equality Scheme**

**12.19**The Northern Ireland Housing Executive (NIHE) reported proactive work in putting the principles embodied in the scheme into developing and piloting staff training, introducing measures to improve accessibility and working closely with umbrella representative groups in service developments.

**12.20**The Special EU Programmes Body (SEUPB) outlined work with the consultant appointed to prepare their scheme. During preparation two internal stakeholder consultations and four focus group consultation sessions were undertaken. SEUPB obtained approval of the draft scheme from the DFP in Northern Ireland and the Department of Finance in Ireland, before submission for approval to the Commission.

**12.21**While the Northern Ireland Tourist Board's (NITB) scheme was approved in July 2001 it was reported that the scheme was not published for a number of reasons including changes in key personnel; establishment of a new public body impacting on transfer of functions and staff; and the impact of foot and mouth disease. As a result the NITB reported plans to revise its scheme during 2002-2003.

**12.22**Harbour Authorities noted in their reports the delay in approval caused by the need to secure agreement to protect commercially confidential information. Belfast Harbour Commissioners reported changes in the oath of Harbour Police during the year, intended to promote equality of opportunity.

**12.23**The Northern Ireland Office's equality scheme was approved in November 2002. The process leading up to approval involved the preparation of three drafts and two associated consultations. The NIO suggested that 'it would be sensible to allow public authorities to target only the most relevant groups when launching a consultation exercise, complemented by wide publicity inviting applications for the consultation document and by posting the consultation document on the public authority's website; and inviting comment'.

**12.24** In considering a further revised draft, the Probation Board for NI noted 'an inflexibility in the Commission's approach to the text'. Approximately 40% of authorities in this section referred to the volume of meetings and correspondence between themselves and the Commission in the interval between the submission of an initial draft and the Commission's ultimate approval of an equality scheme.

### **Strategic Implementation of the Duties**

**12.25** In its report NIHE outlined its core objectives and reported on their achievement. In terms of mainstreaming and reporting on equality considerations, this was considered by the Commission to be an exemplary style of reporting. In addition attention was drawn to new mechanisms in the NIHE to ensure all new and revised policies were identified and screened for the Chief Executive's Business Committee Board papers.

**12.26** One of the core objectives of the Rural Development Council is 'to integrate the principles of quality, best value, equality and TSN into the planning and delivery of all activities.' The Director of Corporate Services is responsible for the administration of the Council's equality duties and the Council has also established an Equality Steering Committee, which includes the Chief Executive, the Director of Corporate Services and two Council members. This Committee meets quarterly to review and approve the implementation of the Council's scheme.

**12.27** SEUPB reported incorporation of its equality scheme and Section 75 in its Corporate Plan and Annual Business Plan, though specific information is not included.

**12.28** During the year the General Consumer Council established an internal working group to take forward the Council's commitments in its approved scheme. The Electoral Office for Northern Ireland reported a similar in-house working group.

**12.29** NITB expressed commitment to equality duties and indicated revision of its scheme due to organisational change. Like many other bodies it reported work on good relations was not progressing in light of the OFMDFM led review of Community Relations policy, 'the outcome of which is likely to have a major impact on how the Good Relations Duty is implemented'. The Probation Board cited lack of clarity and guidance on good relations as a major impediment to the strategic implementation of the statutory duties. USEL and Enterprise Ulster contacted the Community Relations Council to discuss methodologies for conducting a good relations audit.

**12.30** NIO, Laganside Corporation, NIHE, SEUPB, the Court Service and General Consumer Council confirm that Section 75 is a standard agenda item on monthly senior management meeting and/or quarterly reports, including the full range of equality related issues i.e. Section 75, human rights and New TSN. In

particular, the PBNi states that 'substantive' written reports on human rights, equality and good relations issues are considered at quarterly board meetings.

**12.31** The Law Society stated that, 'The workload of all staff is such that they are kept busy and it would be desirable to be in a position to devote more time and resources to equality.'

**12.32** In terms of partnerships NIHE had established a consultative forum during the reporting period. Comprised of representatives of public authorities and Section 75 consultee groups, 'the Forum is an important part of the Housing Executive's efforts towards promoting equality of opportunity in the delivery of our services. The Forum acts as a watchdog to ensure that the NIHE is doing everything it can to consult with stakeholders in developing and delivering services.' The Forum met formally in February in 2002. The General Consumer Council expressed to DETI its wish to be included in that department's new equality forum. NITB report good working links developed during the year with DETI and its Equality Working Group, which meets every six to seven weeks, and the Equality Steering Group, which meets quarterly.

**12.33** The NIO report contained nine bullet points detailing equality work with other public authorities. For example, in relation to the Probation Board there is specific mention made of Section 75 duties. The report cited similar relationships with PSNI and the Policing Board.

**12.34** Amongst the other authorities in this sector, USEL and Enterprise Ulster are members of the Training Advisory Consortium, made up of a small number of NDPBs who work together to develop and share ideas on the implementation of the equality duties. The LRA has established an Equality Implementation Group, comprising the Director of Corporate Services and three members of staff. This Group meets regularly to discuss the implementation of the equality duties and the NI Certification Office also attends these meetings. USEL has included a Corporate Objective relating to Section 75 in its Corporate Strategy and stated that this objective was filtered out into functional objectives within the organisation. Enterprise Ulster, the LRA, CITB and the NI Certification Office did not outline whether objectives and targets relating to the duties have been included in their corporate or operational Plans.

### **Screening & Equality Impact Assessments**

**12.35** NIHE had undertaken EQIAs on its policies on Appointments and Promotions (stage 4), Homelessness (stage 4), and House Sales (Stage 4). In 2002-2003 NIHE will conduct EQIAs of Grants service, Housing Selection Scheme, External Information and Regeneration.

**12.36** The General Consumer Council was at stage one of an EQIA. The Council was using the detailed DETI screening form to assist consideration of equality impacts. The Agricultural Research Institute screened in four policies for impact assessment and screened out 9 policies, referring to DARD taking the lead on the procurement EQIA. SEUPB did not undertake screening as part of scheme

development but as a new body policies will be screened as they are developed and formal screening will be progressed in 2002-2003.

**12.37** NITB reported that its timetable will be revised during 2002-2003 and that work planned for year 1 on EQIAs of procurement and recruitment has been subsumed into work being undertaken by the Government Purchasing Agency and DFP. The Commission has noted the reported passing of commitments to another body without any indication of specific input to this process or changes resulting and how they will be taken forward by NITB.

**12.38** Belfast Harbour Commissioners reported steps to take forward screening but highlighted the impact of a lack of response from consultees. Work will be progressed during 2002-2003.

**12.39** USEL and Enterprise Ulster had consulted on their screening exercises and published their screening reports in June and August 2002 respectively. USEL had begun impact assessing two of its policies and was co-operating with DEL in two of its impact assessments. Enterprise Ulster listed seven policies for EQIA and stated that it intended to begin impact assessment in December 2002. In terms of reporting Enterprise Ulster did not make clear which policies it had screened out or which EQIAs it would co-operate with other public authorities on. Enterprise Ulster stated that the reason it took so long to finalise its screening exercise was due to a limited response from consultees and the consequent extension of its screening consultation period.

**12.40** CITB issued a Consultation Document on Screening in February 2002. The LRA issued a list of its policies to consultees for comment and at the end of the year was in the process of screening. The NI Certification Office had identified its policies and begun to screen these.

### **Communication & Training Provision**

**12.41** NIHE reported two types of training taken forward in a strategy specifically for implementing scheme training requirements during the year. The first awareness training included a two-year programme on human rights, disability, race relations and the equality scheme. The second area of training was skills based and aimed at training key staff on areas such as EQIA. Consultants are being employed to assist this work.

**12.42** SEUPB staff have received basic awareness training; senior staff received training through the Chief Executives' Forum and further training was planned for 2002-2003.

**12.43** The NI Human Rights Commission's training budget together with equality scheme budget are clearly identified in the Commission's Annual Business Plan and the Commission's commitment to equality is identified in its Strategic Plan, Annual Reports and Business Plans.

**12.44** The General Consumer Council reported a structured and detailed programme of awareness sessions including all Board members and staff. Staff had also been included in specific training on consultation and EQIAs. Training was provided by Disability Action and in briefings by RNIB.

**12.45** NITB linked training to the DETI developed training plan, and took forward generic training (40 staff attended including Board, Chairman and Chief Executive on a half-day briefing on Section 75, four staff also attended human rights training. Focused training was also provided, with five staff completing one day training on completion of EQIA, two staff at a one-day course on consultation and 10 attending DDA training. Initial feedback indicated that participants were satisfied with this training, which met objectives in terms of relevance and values.

**12.46** The Northern Ireland Court Service articulated the business case for Section 75 and a programme of customer service training for all 'front-line' staff was planned. Consistent with the categorisation of groups under Section 75, this training will 'increase staff awareness of individual customer needs and give staff the skills base to meet those needs'.

**12.47** The NIO reported that only Disability Action had been involved in training to date - 'This may be reviewed in future'. NIO did not report any stated commitment to undertake training from affected groups, such as sexual orientation or political opinion (ex-prisoners groups).

**12.48** The Probation Board had yet to develop a five-year training plan. In addition, it is considering what, if any, input from Section 75 groups there may be in the training process.

**12.49** USEL outlined that all of its staff and Board members received equality training in November and December 2001. The type of training staff received was dependent on their specialism and/or their seniority. USEL's Development Manager and Training Manager had attended EQIA training and USEL outlined that all new employees would receive Section 75 training as part of their induction. No affected groups, other than disabled employees, were involved in the training. Training delivery was enhanced by interpreter support for deaf employees, large print, audio and Braille copies of the scheme for visually impaired people, and a Plain English version of the scheme for those with learning disabilities.

**12.50** Enterprise Ulster developed a Statutory Duties Training Programme in September 2001, but delivery was delayed until January 2002 due to major staff restructuring. Enterprise Ulster stated that it intended to engage the support of affected groups in training in the coming year. In addition to equality training, staff at Enterprise Ulster were encouraged to pursue personal development courses to complement equality organisational objectives; for example, to learn skills to enhance their communication skills, such as learning sign language to communicate with people with hearing disabilities.



**12.51** CITB stated that all of its staff and Board members had received equality training and an overview of the organisation's equality scheme. Staff involved in policy development/implementation had received training on consultation. Like many other authorities CITB did not refer to any evaluation of training having been carried out. The Certification Officer and the office manager at the NI Certification Office attended training events on Section 75, run by the Equality Commission, NICEM and DEL.

**12.52** With regard to communicating commitment to the equality duties, the NI Certification Office, the LRA, USEL or CITB placed advertisements in the press to publicise the publication of their approved schemes.

### **Information Provision, Data Collection and Analysis**

**12.53** NIHE reported a range of improvements during the year to make services more accessible. This included provision of a telephone based interpretation service, staff training in sign language, hearing loops and portable systems in all outlets, and a centrally based textphone.

**12.54** In addition a range of initiatives to raise awareness of the scheme and related information have been taken by NIHE, including developing versions of the scheme and of information on audio cassette in relation to access to housing grants, private sector grants, and services to the public. NIHE also distributed quarterly scheme implementation reports to all consultees.

**12.55** The General Consumer Council maintained links with DETI with a view to having access to new statistical data and qualitative research as it becomes available during the year. New database software was installed to additionally monitor complaints and people approaching the Council for assistance, and it is planned to develop this to assess equality of opportunity in the future. The authority also extended its social economic data, collected in survey work, beyond age and gender and it anticipated inclusion of questions on disability, community background, and dependants.

**12.56** Following encouragement from the General Consumer Council a number of utility suppliers are reported to have taken steps to make their information more accessible.

**12.57** Information made available by Belfast Harbour Commissioners indicated that this body does not provide services to the general public. It was reported that when required, appropriate formats would be provided to ensure the free flow of information between the Commissioners and interested groups and individuals.

**12.58** NITB offered accessible formats on all consultation documents, though none in relation to Section 75 during the year, and planned to extend to corporate publications in 2002-2003. NITB installed a textphone during the year and printed the relevant number on all documents.

**12.59**An Equality Monitoring Project Group was previously established in the late 1990s to develop mechanisms and since the scheme was developed the terms of reference of this group have been extended by NIHE. As a result arrangements are in place for the production of regular statistical reports on grants, waiting lists and allocations. Preliminary reports on Housing and Grants services are in preparation during 2002-2003.

**12.60**NIHE expressed concern at the lack of standardised classification systems and outlined in its report efforts to establish a consensus on the monitoring in particular of disability. NITB plans to develop monitoring as it prepares to undertake EQIAs.

**12.61**Some public bodies did not outline any specific steps taken to develop new community networks or enhance existing networks. Others stated that rights and equality commitments were integrated into service provision.

**12.62**The Agricultural Research Institute for Northern Ireland does not indicate what quantitative or qualitative information it uses. Like many of the smaller public authorities in this section, it does not yet appear to have established any systems to augment existing statistics and research.

**12.63**USEL stated that its new Personnel Management Information System would facilitate the collection of data relating to the Section 75 groups. It added that training needs analysis data, employee attitude data and team meeting information will also provide quantitative and qualitative data.

**12.64**Enterprise Ulster stated that it had liaised with DEL's Statistics and Evaluation Branch, to develop its computer data capture and analysis systems, in order to gather data on the nine Section 75 categories. It stated that using the computerised information systems, regular analyses of equality matters are provided to Operations Management for recommended action. Enterprise Ulster did not give any examples of information collated or recommended actions. It stated that it reviews information from NISRA on a monthly basis and compares this with the make-up of its unemployed client base. The take up of Enterprise Ulster's services reflects the gender and religious make up of the target group i.e. those on the register of unemployed (in receipt of Job Seekers Allowance). However, the new scheme, Training for Work, targets a different group, those not in receipt of Job Seekers Allowance. There is little information available for this group and Enterprise Ulster is working with DEL to investigate how this information deficiency can be overcome.

**12.65**With regard to arrangements for the provision of information in accessible formats, USEL provides copies of documents in Braille, audio and large print on request. USEL is purchasing a text to Braille printer and software package to facilitate the formatting needs of people with a visual impairment. USEL also held meetings with groups representing people with learning disabilities and young people to assess the information needs of clients and service users. As a result a Plain English Executive Summary of USEL's equality scheme was developed. USEL has had meetings with affected groups to ensure their

increased uptake of their services. Consultees were made aware that any support required to facilitate such meetings would be provided.

**12.66** Enterprise Ulster indicated that it committed in its equality scheme to providing information in alternative formats. It stated however that to date there have been few requests for information in such formats. It added that its Business Development Manager planned to make contact with affected groups to encourage take up of information in alternative formats.

**12.67** CITB reported some of the data collection systems that it uses, for example a Skills Forecasting Model, which collects data on the numbers employed and the training qualifications in each construction occupational category in Northern Ireland. CITB stated that, subject to approval of its scheme, it would assess its data collection systems and its arrangements for providing information in accessible formats. It added that this assessment would take account of resource implications. CITB committed to consulting on the findings and recommendations of the assessment.

### **Complaints**

**12.68** NIO, NITB, General Consumer Council, NIHE, SEUPB, Belfast Harbour Commissioner, Coleraine Harbour Master and NI Court Service reported they had received no Section 75 complaints.

**12.69** The Human Rights Commission introduced a modified monitoring form for use at events, training and recruitment processes. This form seeks information on all nine grounds indicating clearly that only community background and gender are required to be completed by legislation for recruitment processes. Nonetheless, the Human Rights Commission received three complaints that the range of enquiries included in the form (all nine grounds) was intrusive. As a result the form was amended to clarify which elements must be completed and which are discretionary.

**12.70** The NI Fishery Harbour Authority stated that it had not put in place a Section 75 complaints procedure, but that it has not to date received any complaints.

### **Timetables**

**12.71** NIHE reproduced the extract from the scheme with indication of progress highlighted in bold.

**12.72** SEUPB presented information to suggest that, after approval of its scheme, it will revise its timetable.

**12.73** The NITB timetable will be revised as part its scheme in light of major new marketing and development strategies, plus changes in how it will communicate with its customers.

**12.74** Most reports contained timetables of varying degrees of precision and detail. However many authorities in this section provided no information on whether the Board or senior staff had endorsed timetables, whether the timetable requires systematic activity and the extent to which a clearly defined organisational structure with parallel resources for implementation has been established.

### **Additional Information**

**12.75** In the final part of progress reports all public authorities were asked to indicate any EQIAs commenced or completed and proposed legislation for which an assessment was undertaken on the implications of the Section 75 duties.

**12.76** OFREG 'continued to have doubts about the inclusion of authorities responsible for the economic regulation of the utilities industry in Section 75 (3) (c). The Board remains of the opinion that an exemption is appropriate'. However, the Board also confirmed its support for the work of the Commission.

**12.77** The NIHE highlighted other non-headline work such as initiatives at District and Area level involving vital community initiatives, which it intends to continue. The NIHE also outlined progress with its Traveller project and Asylum Seekers Unit.

**12.78** The Electoral Office for Northern Ireland reported discussions with representatives of minority ethnic groups to identify measures to ensure that all those entitled to vote exercise the franchise.

**12.79** The General Consumer Council highlighted the progress made by a small organisation and suggested the Commission enhance support for these authorities in particular.

**12.80** Non reporting of additional information was the norm for most small public authorities in this sector.

### **Conclusions & Comparison between 2000/01 – 2001/02**

**12.81** NIHE indicated a number of highlights during the year including the approval of the scheme, the development and commencement of a training programme, and the establishment of the consultative forum on equality.

**12.82** In view of the ongoing problem of low consultation rates, the utility and portability of the consultative forum model should be examined by other organisations. In particular, such a model may provide an effective way to in enhance the effectiveness of consultation.

**12.83** A fundamental aim of the statutory duty is to embed equality considerations in policy making and the wider corporate culture of an organisation. In this respect some progress has been made in a number of authorities in this sector.

**12.84** The majority of authorities in this sector reported that by year 2001-02, equality issues had become standard agenda items for both board and senior management meetings. What remains unclear is the depth and extent to which equality issues are considered.

**12.85** The NIHE does give detailed information on progressing the strategic implementation of Section 75. For example, by 2002 mechanisms had been set in place to ensure that all new and revised policies are identified and screened for both the Board and Chief Executive's Business Committee.

**12.86** Unlike the NI Court Service and the NIHE, few public authorities in this sector made an explicit business case for the implementation of the statutory duties. To some extent, this may be attributable to the relatively short interval of time that most authorities in this sector have experienced between scheme approval and implementation.

**12.87** There continues to be a paucity of credible activities undertaken to promote good relations. Although some organisations such as NITB report specific activities on good relations, other organisations cite the lack of clarity and guidance from the Commission as an impediment to progressing implementation of the good relations duty.

**12.88** Progress in the provision of training has been inconsistent. Although, with a few exceptions, most authorities report a further development and delivery of staff training, very few organisations have availed themselves of input from Section 75 representative groups.

**12.89** Most organisations reported a structured developmental approach to the delivery of staff training, many with a particular emphasis on provision for Board members and senior staff.

**12.90** With respect to sensory impairments and language accessibility, most organisations have continued to build upon the work previously reported on the provision of accessible formats.

**12.91** Monitoring information and associated systems remains problematic. Concerns and identified impediments included the lack of guidance, the lack of agreed classification systems and for many small organisations little if any effort to develop monitoring systems.

**12.92** No complaints about failure to implement a scheme were reported for 2000-01 or 2001-02. Some authorities reported that a system to handle Section 75 complaints has yet to be implemented.

**12.93** Like the reports for year 2000 - 01, few reports for 2001-02 reported any additional information. Although OFREG reiterated its view that the nature of the organisational remit does not make it amenable to carrying out the statutory duty, most of the information reported by organisations under additional information could be categorised as positive and pragmatic.

### 13. UK Public Authorities

#### **Introduction**

The Secretary of State for Northern Ireland made two Section 75 designation Orders during the period of this report, in July 2000 and April 2001. These Orders included 23 UK wide Government departments, referred to as the 'UK authorities', which are set out in Table 1 below. A number of other public authorities with functions specific to Northern Ireland were included in the designation orders. These authorities have been referred to in section 12 'Other Northern Ireland & Cross Border Public Authorities'.

In its first guidance on progress reporting the Commission requested 'UK authorities' to reflect on work undertaken prior to designation.

**Table 14 UK Public Authorities – Development of Equality Schemes**

<b>UK Public Authority</b>	<b>Designation date</b>	<b>Approved</b>
Department for Culture, Media and Sport (DCMS)	July 2000	
British Library Board	July 2000	
Community Fund	July 2000	30 Oct 2001
National Endowment for Science, Technology & the Arts (NESTA)	April 2001	
New Opportunities Fund	July 2000	30 Oct 2001
Trustees of the National Heritage Memorial	July 2000	22 Jan 2002
Open University (UK Dept of Education & Employment)	April 2001	
Qualifications & Curriculum Authority	April 2001	
UK Transplant (UK Dept of Health)	April 2001	
United Kingdom Xenotransplantation Interim Regulatory Authority	April 2001	
Unrelated Live Transplant Regulatory Authority	April 2001	
Department of Trade and Industry	July 2000	22 Jan 2002
Exports Credits Guarantee Department <sup>*1</sup>	July 2000	
Office of the Director General of Telecoms	July 2000	
British Council (UK Foreign & Commonwealth Office)	July 2000	30 Oct 2001
HM Customs and Excise	July 2000	18 Dec 2001
Information Commissioner (Lord Chancellor's Office)	July 2000	

**Table 14 UK Public Authorities – Development of Equality Schemes (cont'd)**

UK Public Authority	Designation date	Approved
Inland Revenue	July 2000	
Food from Britain (DEFRA)	April 2001	
Home Grown Cereals Authority	April 2001	
UK Register of Organic Food Standards <sup>*2</sup>	April 2001	
Wine Standards Board of the Vintners' Company <sup>*3</sup>	April 2001	

*\*1 Granted an exemption from the requirement to produce an equality scheme*

*\*2 Ceased to exist*

*\*3 Subsequently granted an exemption from the requirement to produce an equality scheme in 2002.*

### **Progress Reported 2000-2001**

#### **Preparation of the draft Equality Scheme**

- 13.1** A great deal of the progress reported by the UK Authorities focused on the development of draft equality schemes. In the case of the Inland Revenue and New Opportunities Fund measures had been taken to develop draft equality schemes prior to the first designation Order.
- 13.2** Having been designated in July 2000, 'UK Authorities' were required to submit draft equality schemes to the Commission by 25 January 2001. The following table outlines receipt of draft schemes from these authorities. No 'UK Authorities' schemes were approved during 2000-2001.

**Table 15 Receipt of Equality Schemes for UK Authorities designated in July 2000**

Organisation	Receipt of Draft Scheme
Community Fund (National Lottery Charities Board)	December 2000
HM Customs and Excise	January 2001
New Opportunities Fund	January 2001
The British Council	January 2001
British Library Board	May 2001
Office of the Director General of Telecoms	May 2001
Department of Trade and Industry	June 2001
Inland Revenue	June 2001
Department for Culture, Media and Sport	July 2001
Information Commissioner	July 2001
Trustees of the National Heritage Memorial Fund	July 2001

- 13.3** The experience of the 'UK Authorities' in developing equality schemes varied between the authorities. In its progress report the Information Commissioner highlighted the difficulties presented in developing an equality scheme by the lack of a permanent physical presence in Northern Ireland. Furthermore the Information Commissioner acknowledged that during consultation it did not have the resources to respond to requests for detailed feedback to those consultees who had requested it.
- 13.4** In terms of the internal mechanisms to develop draft equality schemes, authorities such as the Inland Revenue established an Equality Scheme Project Board composed of Directors, representatives of relevant stakeholders and Trade Unions. In its report the National Heritage Memorial Fund (NHMF) pointed to the use of the Equality Commission's best practice template to inform the development of its scheme.
- 13.5** 'UK Authorities' progress reports illustrated a number of creative consultation practices as well as major difficulties in this area. The Community Fund consulted for eleven and a half weeks on its draft scheme. In overall terms 'UK Authorities' achieved a lower rate of response from affected groups and consultees. The Department for Trade and Industry (DTI) indicated that, because of limited resources, 'consultees were concentrating on equality schemes which had most relevance to them'. In response DTI sought to link up with exercises ongoing in Northern Ireland and, by being visible with other authorities, such as DETI and the Equality Commission, to consult directly with affected groups at various locations and events.
- 13.6** Steps have been taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans by many of the UK Authorities. Inland Revenue indicated that it included Diversity & Equality within the National Operating Plan for 1999/2000 and 2000/2001. The New Opportunities Fund has formally incorporated equality and diversity into its corporate values. The Information Commissioner indicated that the requirements of Section 75 were included in office business plans and that this will feature in the scheduled review of the authority's performance management system. The manner in which strategic planning is deployed varies across the UK public authorities, and some authorities have preferred not to amend such systems mid-flow to cater for emerging issues.
- 13.7** Most significant for the mainstreaming of Section 75 was the indication given that certain 'UK Authorities' were incorporating the Northern Ireland duties into national corporate strategic frameworks. NHMF stated that it planned to incorporate Section 75 into a review of its plans. The review, to inform the 2002-2007 plan, would, for the first time, incorporate into UK wide formal consultation agencies representing community interests, gender, race etc. A supporting programme of targeted market research would consider the views of under-represented groups. NHMF reported it intended to develop generic mainstreaming systems. Similarly the Community Fund indicated it would consider Section 75 and the Race Relations (Amendment) Act 2000 in the overall design of an equality mainstreaming strategy.



**13.8** Some notable information was included in the progress reports of the 'UK Authorities' in relation to 'formal consideration' by other authorities of their draft equality schemes, and any revisions, before submission for final approval to the Commission. For example specific chapters of the Inland Revenue's draft scheme were considered by the Solicitor's Office and Head Office Business Divisions, prior to submission.

### **Screening Report**

**13.9** Few 'UK Authorities' had completed screening exercises at the time of submission of progress reports, as indicated in the following table 17.

**Table 16 Overview of screening progress by UK authorities (as at 30 June 01)**

<b>Public Authority</b>	<b>Status of Screening</b>
British Library Board	Underway
Community Fund (National Lottery Charities Board)	Underway
Department for Culture, Media and Sport	Underway
Department of Trade and Industry	Not undertaken as yet
HM Customs and Excise	Separate report to be developed
Information Commissioner (Data Protection Commissioner)	Underway
Inland Revenue	2 policies within 2 years of approval of Scheme - Customer support - Staffing Offices
New Opportunities Fund	Within Scheme
Office of the Director General of Telecoms	No report received
The British Council	No report received
Trustees of the National Heritage Memorial Fund	Within 6 months of approval of Scheme

**13.10** The 'UK Authorities' progress reports provided few details of the justification for the non-inclusion of some policies for EQIA.

**13.11** In its progress report the National Heritage Memorial Fund (NHMF) highlighted joined up work on screening with its sponsor department, DCMS.

**13.12** In the 'UK Authorities' 2000-2001 reports no proposals for legislation were outlined for which an assessment for the implications for the Section 75 duties

was undertaken, as the 'UK authorities' have no role in bringing forward legislation in the Northern Ireland Assembly.

### **Training Programme**

**13.13** Training associated with the Section 75 duties and the preparation of an equality scheme is evident within the 'UK Authorities' reports. Though limited information on training objectives was provided details of mechanisms to improve staff awareness were included. It is worth highlighting that the Inland Revenue reported use of its Intranet to allow access to its draft scheme for all staff throughout the UK. DTI reported the establishment of 'equality drivers' in each directorate, to work with its Equality Impact Team. NHMF indicated 'great staff interest' in its training programme, which it provided around communicating policy changes such as new access policy, and initiatives including staff guidance on the interests of people with disabilities.

**13.14** Examples of training feedback were outlined by various 'UK Authorities' and a variety of quotes were reported from attendees. The New Opportunities Fund was a good example of progress reporting on training, as the Fund had commissioned external training for all 131 staff, on the statutory duties and all other equality legislation.

**13.15** During 2000-2001 various Section 75 awareness-raising steps were undertaken. HM Customs & Excise advised all staff of the availability of copies of its draft scheme. However, this body reported that work on a Section 75 training module for Northern Ireland based staff, was postponed in light of a national review of training provision. The British Library reported it was unable to progress training because of major organisational restructuring issues. The Commission recognises the attempts being made to mainstream Section 75 training into the authorities' overarching training programmes.

### **Information Provision and Data Collection**

**13.16** In the areas of establishing systems to supplement available statistical and qualitative research a number of 'UK authorities' referred to developments being planned in this area, within two years of schemes being approved.

**13.17** Having reviewed the progress reports from these authorities there are two strategic arrangements which are good examples of progressing work on information management. DTI reported discussions with DETI on the possibility of sharing information in light of the concordat between UK Government and the devolved administrations. This concordat sets out a framework for co-operation on matters related to statistics. DTI acknowledged that the nature of data and further research needs would not be clear until screening was undertaken and the amount of administrative information already held within each policy area was clear. HM Customs & Excise reported liaison with other UK Departments regarding the availability of research and statistics.

**13.18** Some 'UK Authorities' reported good developments on information management for Section 75 purposes. The British Library noted steps taken to include more of the equality categories in its systems. In progressing the development of information and communication technology and infrastructure the Information Commissioner had included Section 75 in the development of projects. The New Opportunities fund indicated it had already evolved its grant management systems, application materials and Geographic Information Systems (GIS) to address Section 75 information requirements. Likewise the NHMF had supplemented statistical monitoring systems and modified application and monitoring documents to build a database.

**13.19** Limited information was available in progress reports regarding action taken to review current arrangements for the provision of information in accessible formats. In total only three authorities mentioned activities in relation to this. These included the review and evaluation of existing communications strategies, and the use of 'Crystal Mark' to quality assure Plain English versions of publications.

### ***Progress Reported April 2001 – March 2002***

#### **Preparation of the draft Equality Scheme**

**13.20** Of the 23 'UK Authorities' subject to Section 75 six had equality schemes approved by the end of March 2002, with one further scheme approved in July 2002. All of these schemes related to authorities designated in July 2000 and the remaining authorities continued throughout 2001 to consult and amend their draft schemes to ensure compliance with the Guide to the Statutory Duties. By the end of March 2002 the Commission had received draft schemes from four of the 10 UK public authorities which had been designated in April 2001.

**13.21** The Qualifications & Curriculum Authority (QCA), which is responsible for accrediting NVQs in Northern Ireland, highlighted the usefulness of a meeting held in May 2001 with the Northern Ireland Office Rights and International Relations Division and other UK authorities, to consider Section 75 issues.

**13.22** Food from Britain developed a draft scheme and passed this to the Commission. This authority has been notified of the need to consult affected groups before the approval process can begin. A similar issue arose during the year with the Home Grown Cereals Authority (HGCA) regarding the need to consult on its draft scheme.

**13.23** UK Transplant, the British Council, the Community Fund, NHMF, the New Opportunities Fund, the Information Commissioner and the Inland Revenue outlined steps to submit draft schemes and respond to the Commission's desk audit recommendations. As with other designated public authorities 'UK Authorities' advertised scheme approval by placing notices in the Belfast Telegraph, Irish News and News Letter.

## **Strategic Implementation of the Section 75 Equality Duties**

- 13.24** The 'UK Authorities' 2001-2002 progress reports highlighted many instances of equality considerations being integrated within existing performance management systems. For example progress on meeting the duties is discussed at all Northern Ireland management meetings and all meetings of the Northern Ireland Heads of Business within HM Customs & Excise. Clear lines of responsibility have been drawn up for both the national and local administrations of the equality scheme with the Head of Regional Business Services Regional Chairman to specifically reinforce the importance given to Section 75 in HM Customs & Excise.
- 13.25** Within the Community Fund progress is reported via the Chair of the Northern Ireland grant making committee who sits on the Community Fund Board. The Community Fund has incorporated Section 75 within its overall Operational Plan and NI specific plan. In line with this plan the Community Fund plans to allocate a specific proportion of resources to projects targeting specified groups. These groups include a number of Section 75 equality categories (young people, people with disabilities and their carers, black and minority ethnic communities and older people and their carers).
- 13.26** The New Opportunities Fund reported development of a corporate equality Key Performance indicator that is reported against on a bi-annual basis to the Fund's Board. In addition the Senior Management Team includes Section 75 as a standard agenda item for monthly staff co-ordination meetings. Inland Revenue reported development of a national Diversity and Equality Plan that identified work being undertaken by each department. Within the Department of Culture, Media and Sport's 'Policy Innovation and Delivery Unit', which carries out advisory support to individual policy divisions and actively promotes scheme within the department, the department's 'Diversity Champion' maintains an active interest in Section 75 and how it is being progressed.
- 13.27** The DTI report highlighted the role of the new Government wide Senior Civil Service Competence Framework, introduced in April 2001, which includes the theme 'Diversity' and 'Valuing People'. All senior civil service staff therefore have a diversity objective in their performance assessment plans.
- 13.28** The NHMF is integrating requirements of Section 75 with access and equality work generally and under the broader equality agenda item. The QCA integrated Section 75 in its corporate and annual plans.
- 13.29** In terms of developing good relations several UK public authorities reported significant progress. Customs & Excise reported on reinforcing links with Counteract, the Community Relations Council and NICEM. In November 2001 the Community Fund began to liaise and consult with a number of authorities to build relationships, rapport and understanding of good relations. It also undertook a good relations audit of Northern Ireland staff and Committee members, plus a training needs analysis.

**13.30** The Inland Revenue adopted a strategy to progress greater engagement with the voluntary and community sector by becoming a member of 'Business in the Community' and 'Opportunity Now' within Northern Ireland and the authority is a regular participant in the Joint Government Voluntary & Community Sector Forum.

**13.31** Various steps were taken by authorities to work with other UK public authorities and partners in progressing the duties during the reporting period. The British Council noted work across Arts Education and Governance sectors, including new links with the Arts Council, DE and CCEA. The Community Fund undertook planning work to enhance links with the local government sector and held joint meetings with NICEM and the New Opportunities Fund. The Community Fund also worked in partnership with MENCAP to develop a summary version of its scheme in a format adapted for people with learning difficulties. A Joint Lottery Distributor Equalities group was initiated, which acts as a support mechanism and a forum to share ideas and developments. Other fora highlighted included the Chief Executives Forum's Small Public Authorities Forum and the Section 75 UK Authorities Network.

**13.32** In its report DETI highlighted continuing liaison and work with DTI officials about respective Section 75 responsibilities following devolution. The New Opportunities Fund set up a national Equality Forum including members of various organisations.

**13.33** Several specific factors that enhanced the process for UK public authorities were: including Section 75 in their organisations' strategic and operational planning framework; having an Equality Steering Group which meets quarterly; when undertaking reviews to seek to identify the need for posts with responsibility for Section 75 duties; for the New Opportunities Fund and for the Inland Revenue having the UK Civil Service Diversity Champion as the Board Chairman.

**13.34** Factors that impeded the process of strategic implementation were a lack of shared resources, commitment and understanding between other partners. DETI highlighted the reality of having 9,500 staff, with only six based in Northern Ireland; therefore making staff aware and increasing understanding of policies impacting on sections of society in Northern Ireland is not straightforward. The Information Commissioner outlined the issue of a lack of Northern Ireland location posing particular problems.

### **Screening & Equality Impact Assessments**

**13.35** There has been limited progress on screening by 'UK Authorities'. In the main they have approached screening as a process of:

- Firstly, reviewing activities to identify their functions relating to Northern Ireland and including these in draft schemes. For example DCMS reported 14 specific policies or functions which extended to Northern Ireland, the QCA draft scheme outlined seven policies relevant to work in Northern Ireland and UK Transplant identified one pertinent policy

relating to matching and allocating cadaveric kidneys for people awaiting a kidney transplant; and

- Secondly, following the approval of schemes separate screening processes were undertaken. This two-step approach lengthened the process of screening considerably for these organisations but it was necessary to secure organisational wide input to the process. For example HM Customs & Excise had begun screening on all its department's policies nationally. For the British Council screening required more time than planned, but its screening included input from global HR managers.

**13.36** UK Authorities that have reported on screening were the Community Fund, the New Opportunities Fund and Information Commissioner. During 2002-2003 these authorities intend to progress EQIAs covering 11 policy areas.

**13.37** Of the 'UK Authorities' that had not completed screening by the end of March 2002 the British Council, HM Customs & Excise, DTI, NHMF and QCA are intending to progress screening during 2002-2003. The remaining 'UK Authorities' are progressing or awaiting approval of their draft schemes before commencing screening work.

**13.38** In terms of justification for policies being screened out, it was noted that some groups that wished to see policies subject to EQIA were not sufficiently familiar at a local level with an organisation's policies to make fully informed comment.

**13.39** As no EQIAs were undertaken no information was reported by UK public authorities on outcomes. The New Opportunities Fund reported on working with representatives from youth organisations, along with other lottery distributors, on how to consult with children and young people. The Inland Revenue reported on its new Diversity and Equality Website and also the undertaking of a good practice review of Diversity and Equality measures on an annual basis.

### **Communication & Training Provision**

**13.40** A range of 'UK Authorities' outlined progress on undertaking training, 'ring-fencing' funds for future Section 75 staff training, internal/external consultation, and building equality objectives into Senior Management Team job descriptions. The New Opportunities Fund indicated all staff and Board members were receiving training on all aspects of Section 75.

**13.41** During the year the British Council developed a corporate video viewed in offices world-wide, which included an item specifically referring to governance and equality issues. In addition eight staff participated in the piloting of interfaith training which was since been evaluated and revised, prior to 'roll-out'. The Information Commissioner indicated Section 75 had become part of the standard induction training provided to all new recruits. In addition a decision had been taken to recruit a full time Training Officer and part of that role included internal training for staff incorporating the Section 75 duties.

- 13.42** The Community Fund undertook a training needs analysis for Belfast and Corporate HQ staff, plus Grant Making Committee members. It held an equality training day on Section 75 Duties and EQIA. Staff also attended Commission training events and linked up with NICEM to deliver training on race awareness to all Northern Ireland staff and members of the grant making committee. It was also noted that outside the reporting period the fund had held training sessions in the Indian Community Centre and had further plans to avail of such venues to help raise awareness amongst staff of voluntary and community sector groups.
- 13.43** The Inland Revenue indicated it had undertaken a training programme for frontline managers on diversity and equality, and trained almost 8000 managers in matters relating to this, including a specific review of departmental commitments under Section 75 and the Race Relations (Amendment) Act 2000. The Inland Revenue also reported the use of Cabinet Office guidelines at board level training to raise awareness of consultation commitments arising under Section 75. The Inland Revenue worked with representatives from Disability Action and the Royal National Institute for the Deaf to raise awareness with frontline customer service staff. It is estimated that around 10% of Northern Ireland staff received awareness training with assistance of representative groups during the year.
- 13.44** DTI delivered training to senior civil servants on diversity issues including Section 75. British Library training was delayed pending appointment of a Learning and Development Manager. The DCMS has provided comprehensive diversity training for all staff and is considering training needs for staff involved in screening. As in the previous year's report HM Customs and Excise indicated that a radical review of training provision continued to result in a freeze on all training pending finalisation of a new strategy. However, a new induction programme including Section 75 was developed and piloted during the year.
- 13.45** Various 'UK Authorities' reported internal and external communication of their commitment to the Section 75 duties via the distribution of schemes to staff and new staff induction programmes which included equality. The Community Fund highlighted use of its website, adapted for those with visual impairments, to promote its scheme. Also a summary scheme was adapted for those with learning disabilities. The authority also outlined work on equality within its overall annual report. NHMF promoted its scheme in its news sheet, posted details of its scheme on its website and the Chief Executive sent copies to all heritage authorities within the NHMF remit.
- 13.46** Very limited information was outlined on training evaluations. The New Opportunities Fund reported that results, 'range completely from very good to excellent'. The Inland Revenue's comprehensive evaluation was to be put in place following approval of its scheme.

## **Information Provision, Data Collection and Analysis**

- 13.47** The Community Fund planned to consult on its current range of formats in its ongoing Section 75 work.
- 13.48** The Inland Revenue developed significant provision for publications in alternative formats by establishing a Visual Impairment Media Unit, to support Departments dealing with requests for material from staff and customers, in large print, Braille, and audio tape. After undertaking a review of provision in alternative formats the British Council promoted availability but received no uptake during the year while the British Library began an Access Audit and the DTI reviewed its arrangements for alternative formats. Interestingly the NHMF plans to identify all categories of information and review internal procedures for dealing with requests as part of work to meet Freedom of Information commitments.
- 13.49** Changes in data collection and analysis were reported by several lottery authorities. The Community Fund had modified its application forms during the reporting period, incorporating new monitoring questions in line with Section 75. The New Opportunities Fund reviewed monitoring arrangements, resulting in changes to the organisation's generic monitoring form, to take account of Section 75. NHMF established a new system for monitoring applicants and beneficiaries of projects in line with the categories used in Section 75 and this was fed into monthly management reports.
- 13.50** HM Customs & Excise reported no plans to carry out work on this issue until screening and scoping of departmental policies has been completed. The British Council highlighted work on developing selection and recruitment training including the BORIS computerised database for education programmes. Several authorities highlighted a wish to receive further guidance on monitoring before building monitoring into new information management systems. The Inland Revenue reported that systems were to be established to supplement available research methods.
- 13.51** Various UK public authorities reported the extent of current monitoring. The British Library highlighted a process of sample monitoring of readers and visitors by age, gender, disability and ethnic background. UK Transplant indicated that monitoring information was already collated on relevant and predominantly clinical data e.g. age, sex and ethnic group of the patient.

## **Complaints**

- 13.52** The Inland Revenue, whose scheme was not yet approved, reported four Section 75 complaints, all of which were dealt with by the Department. No information was reported to the Commission on the Section 75 issues complained about.



## **Timetables**

**13.53** Details of schemes development and timetables of measures for the forthcoming year were outlined. In the main these related to finalising schemes for approval, progressing screening and developing training. Several lottery organisations planned to carry out initial EQIAs by March 2003.

## **Additional Information**

**13.54** Various other comments were made, including the Information Commissioner who highlighted that contact with other 'UK authorities' through the Equality Commission facilitated workshops had been seen as helpful. The New Opportunities Fund reported a strong emphasis on ensuring issues surrounding Section 75 were included throughout the development of its Round Three Programmes.

**13.55** NHMF indicated plans to publish a good practice guide aimed at small to medium sized heritage organisations embarking on audience development projects to address under-representation. NHMF had also begun work to examine the economic and social impacts of grants in selected areas, scoping studies of young people's perceptions of heritage and the effectiveness of heritage education.

## **Comparison & Conclusions between reporting periods**

**13.56** Progress to date by 'UK Authorities' has been noted by the Commission. There is great variation in the size of these organisations, their location, resources and commitment to implementing the Section 75 duties. It is important that the 'UK authorities' have identified the relevance of the duties to their functions and activities, although this process has led to some delay and presented decisions about managing the new requirements.

**13.57** There is some evidence of high level objectives and targets being reflected in corporate and business planning, with detailed aims and targets monitored separately under Section 75 implementation plans. There were limited examples of progress being reported to senior officers and consideration of progress through standard agenda items at senior management team meetings.

**13.58** Some efforts have been made to establishing structures between the 'UK Authorities' to share experience and ensure consistency. Links are also being made with other UK authorities and Northern Ireland public authorities.

**13.59** Concentrated work to progress the good relations duty is evident in the progress reports of a number of 'UK Authorities'. Some have developed strategies to progress this work.

**13.60** Screening work is limited though arrangements to progress screening during 2002-2003 were outlined by most of the authorities. While some 'UK Authorities' have sought to first develop their equality schemes the

development of screening pro-formas are not being taken forward at the same time.

- 13.61** Less information was reported, in 2001-2002, on communication and training compared to the previous year. Training provision has been, mainly, generic equality training and little reference has been made to training in specific skill areas such as screening, consultation and undertaking EQIAs. The involvement of affected groups in training development and delivery remains limited. Examples of internal communication have increased, as have examples of induction training.
- 13.62** Commitments to develop information provision, data collection and analysis have not progressed as well as previous progress reports had projected. Some information was reported regarding the enhancement of systems and there was some reporting that the extent current systems cover, in quantitative terms, some of the nine Section 75 equality categories.
- 13.63** Timetables detailed varying levels of success but all included measures that were not met during the period. In a range of areas authorities have reported progress that, when analysed in comparison to their previous report, shows little progressing of the underlying issue of effectively mainstreaming equality of opportunity.
- 13.64** Though some complaints were highlighted the range of issues those affected and if there were any outcomes is unclear.

## **14. Conclusions**

- 14.1** This summary report provides some detail on the extent of the implementation of the Section 75 statutory duties by public authorities, for the period 1 January 2000 – 31 March 2002 inclusive. The report on progress being made by public authorities is based only on the information included in the progress reports completed by the public authorities and forwarded to the Commission.
- 14.2** In the main, public authorities are progressing implementation of Section 75 duties at different speeds, for a variety of reasons. Generally, implementation of EQIA timetables has fallen behind across parts of the public sector. Nevertheless significant progress is being made by a number of authorities and there is evidence of the benefits of collaborative approaches to implementation, particularly in terms of EQIA and consultation processes. The Commission will seek to learn from and build on the successful approaches being adopted and also ensure that other public authorities are made aware of good practice examples from within the public sector.
- 14.3** The statutory duties placed upon public authorities must be delivered in accordance with approved schemes and public authorities must, after five years of scheme implementation, report to the Commission on the overall implementation of their schemes. The Commission will identify those public authorities that have been able to demonstrate an effective impact of their implementation of the statutory duties.
- 14.4** The lessons from this report will feed into the design of the next progress reporting template, to be produced by the Commission and forwarded to each public authority, for the period 1 April 2002 – 31 March 2003. In terms of reporting on progress for future periods, the Commission will seek to develop mechanisms for public authorities to report on changes arising, in terms of outputs and outcomes from the implementation of Section 75.
- 14.5** The Commission will also ask groups and individuals affected by the Section 75 statutory duties for their views on progress to date.
- 14.6** The Commission will continue to respond to public authority EQIA consultation documents, utilising the EQIA response template which it has developed. This response template will also be made available to public authorities and the organisations listed in Appendix 4 in the Guide to the Statutory Duties.
- 14.7** The Commission will also use its recently approved policy on Section 75 investigations to examine how public authorities are addressing the issue of Section 75 complaints.

## **Appendix A: Section 75 Northern Ireland Act (1998)**

Statutory duty on public authorities.

**75. -** (1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity-

- (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- (b) between men and women generally;
- (c) between persons with a disability and persons without; and
- (d) between persons with dependants and persons without.

(2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

(3) In this section "public authority" means-

- (a) any department, corporation or body listed in Schedule 2 to the Parliamentary Commissioner Act 1967 (departments, corporations and bodies subject to investigation) and designated for the purposes of this section by order made by the Secretary of State;
- (b) any body (other than the Equality Commission) listed in Schedule 2 to the Commissioner for Complaints (Northern Ireland) Order 1996 (bodies subject to investigation);
- (c) any department or other authority listed in Schedule 2 to the Ombudsman (Northern Ireland) Order 1996 (departments and other authorities subject to investigation);
- (d) any other person designated for the purposes of this section by order made by the Secretary of State.

(4) Schedule 9 (which makes provision for the enforcement of the duties under this section) shall have effect.

(5) In this section-

- "disability" has the same meaning as in the Disability Discrimination Act 1995;
- and
- "racial group" has the same meaning as in the Race Relations (Northern Ireland) Order 1997.

## Appendix B: List of Public Authorities designated for the purposes of Section 75

Department of Agriculture & Rural Development	
Department of Agriculture & Rural Development	1 January 2000
Agricultural Research Institute for Northern Ireland	1 January 2000
Livestock & Meat Commission for Northern Ireland	1 January 2000
Loughs Agency	1 January 2000
Northern Ireland Fishery Harbour Authority	1 January 2000
Rural Development Council	1 January 2000
Department of Culture, Arts & Leisure	
Department of Culture, Arts & Leisure	1 January 2000
Arts Council for Northern Ireland	1 January 2000
Board of Trustees of National Museums & Galleries	1 January 2000
Fisheries Conservancy Board	1 January 2000
Northern Ireland Film Commission	5 April 2001
Northern Ireland Museums Council	1 January 2000
North-South Language Body	1 January 2000
Sports Council for Northern Ireland	1 January 2000
Waterways Ireland	1 January 2000
Department of Education	
Department of Education	1 January 2000
Belfast Education & Library Board	1 January 2000
Council for Catholic Maintained Schools	1 January 2000
North Eastern Education & Library Board	1 January 2000
Northern Ireland Council for Curriculum, Examinations & Assessment	1 January 2000
South Eastern Education & Library Board	1 January 2000
Southern Education & Library Board	1 January 2000
Staff Commission for Education & Library Boards	1 January 2000
Western Education & Library Board	1 January 2000
Youth Council for Northern Ireland	1 January 2000
Department for Employment and Learning	
Department for Employment and Learning	1 January 2000
Construction Industry Training Board	1 January 2000
Enterprise Ulster	1 January 2000
Governing body of the Armagh College of Further Education	5 April 2001
Governing body of the Belfast Institute of Further and Higher Education	5 April 2001
Governing body of the Castlereagh College of Further and Higher Education	5 April 2001

Governing body of the Causeway Institute of Further and Higher Education	5 April 2001
Governing body of the East Antrim Institute of Further and Higher Education	5 April 2001
Governing body of the East Down Institute of Further and Higher Education	5 April 2001
Governing body of the East Tyrone Institute of Further and Higher Education	5 April 2001
Governing body of the Fermanagh College of Further and Higher Education	5 April 2001
Governing body of the Limavady College of Further and Higher Education	5 April 2001
Governing body of the Lisburn Institute of Further and Higher Education	5 April 2001
Governing body of the Newry & Kilkeel Institute of Further and Higher Education	5 April 2001
Governing body of the North Down and Ards Institute of Further and Higher Education	5 April 2001
Governing body of the North East Institute of Further and Higher Education	5 April 2001
Governing body of the North West Institute of Further and Higher Education	5 April 2001
Governing body of the Northern Ireland Hotel and Catering College	5 April 2001
Governing body of the Omagh College	5 April 2001
Governing body of the Queen's University of Belfast	5 April 2001
Governing body of the St Mary's University College, a College of the Queen's University of Belfast	5 April 2001
Governing body of the Stranmillis College, a College of the Queen's University of Belfast	5 April 2001
Governing body of the University of Ulster	5 April 2001
Governing body of the Upper Bann Institute of Further and Higher Education	5 April 2001
Labour Relations Agency	1 January 2000
Office of the Certification Officer for Northern Ireland	1 January 2000
Ulster Supported Employment Limited	1 January 2000
Department of Enterprise, Trade & Investment	
Department of Enterprise, Trade & Investment	1 January 2000
General Consumer Council for Northern Ireland	1 January 2000
Health & Safety Executive for Northern Ireland	1 January 2000
InterTradeIreland Trade and Business Development Body (Trade and Business Development Body)	1 January 2000
Invest NI	8 April 2002
Northern Ireland Tourist Board	1 January 2000

Office of Director General of Electricity Supply for Northern Ireland	1 January 2000
Office of Director General of Gas for Northern Ireland	1 January 2000
Department of the Environment	
Department of the Environment	1 January 2000
Antrim Borough Council	1 January 2000
Ards Borough Council	1 January 2000
Armagh City & District Council	1 January 2000
Ballymena Borough Council	1 January 2000
Ballymoney Borough Council	1 January 2000
Banbridge District Council	1 January 2000
Belfast City Council	1 January 2000
Carrickfergus Borough Council	1 January 2000
Castlereagh Borough Council	1 January 2000
Coleraine Borough Council	1 January 2000
Cookstown District Council	1 January 2000
Craigavon Borough Council	1 January 2000
Derry City Council	1 January 2000
Down District Council	1 January 2000
Dungannon & South Tyrone Borough Council (Dungannon District Council)	1 January 2000
Fermanagh District Council	1 January 2000
Larne Borough Council	1 January 2000
Limavady Borough Council	1 January 2000
Lisburn Borough Council	1 January 2000
Local Government Officers Superannuation Committee	1 January 2000
Local Government Staff Commission for Northern Ireland	1 January 2000
Magherafelt District Council	1 January 2000
Moyle District Council	1 January 2000
Newry & Mourne District Council	1 January 2000
Newtownabbey Borough Council	1 January 2000
North Down Borough Council	1 January 2000
Omagh District Council	1 January 2000
Strabane District Council	1 January 2000
Department of Finance & Personnel	
Department of Finance & Personnel	1 January 2000
Special EU Programmes Body	1 January 2000
Department of Health, Social Services & Public Safety	

Department of Health, Social Services & Public Safety	1 January 2000
Altnagelvin Hospitals HSS Trust	1 January 2000
Armagh & Dungannon HSS Trust	1 January 2000
Belfast City Hospital HSS Trust	1 January 2000
Causeway HSS Trust	1 January 2000
Craigavon & Banbridge Community HSS Trust	1 January 2000
Craigavon Area Hospital Group HSS Trust	1 January 2000
Down Lisburn HSS Trust	1 January 2000
Eastern Health & Social Services Board	1 January 2000
Eastern Health & Social Services Council	1 January 2000
Fire Authority for Northern Ireland	1 January 2000
Food Safety Promotion Board	1 January 2000
Foyle HSS Trust	1 January 2000
Green Park HSS Trust	1 January 2000
Homefirst Community HSS Trust	1 January 2000
Mater Infirmorum Hospital HSS Trust	1 January 2000
Mental Health Commission for Northern Ireland	1 January 2000
Northern Ireland Practice And Education Council For Nursing And Midwifery <sup>1</sup>	7 October 2002
Newry & Mourne HSS Trust	1 January 2000
North & West Belfast HSS Trust	1 January 2000
Northern Health & Social Services Board	1 January 2000
Northern Health & Social Services Council	1 January 2000
Northern Ireland Ambulance Service HSS Trust	1 January 2000
Northern Ireland Blood Transfusion Service Agency	1 January 2000
Northern Ireland Central Services Agency for Health & Social Services	1 January 2000
Northern Ireland Council for Post Graduate Medical & Dental Research	1 January 2000
Northern Ireland Guardian Ad. Litem Service Agency	1 January 2000
Northern Ireland Health Promotion Agency	1 January 2000
Northern Ireland Regional Medical Physics Agency	1 January 2000
Northern Ireland Social Care Council <sup>2</sup>	18 December

<sup>1</sup> Northern Ireland Practice and Education Council for Nursing and Midwifery was established with effect from 7 October 2002 under the powers of Section 2 (1) of the Health and Social Services Act (NI) 2002 and replaces the National Board for Nursing, Midwifery and Health Visiting for Northern Ireland

<sup>2</sup> Northern Ireland Social Care Council - was established in October 2001 under the Health and Personal Social Services Act (NI) 2001. Chapter 3, Schedule 1, Paragraph 17 amends the Commissioner for Complaints (NI) Order 1996, Schedule 2 (bodies subject to investigation).



	2001
Royal Group of Hospitals & Dental Hospitals	1 January 2000
South & East Belfast HSS Trust	1 January 2000
Southern Health & Social Services Board	1 January 2000
Southern Health & social Services Council	1 January 2000
Sperrin Lakeland HSS Trust	1 January 2000
Ulster Community & Hospitals HSS Trust	1 January 2000
United Hospitals HSS Trust	1 January 2000
Western Health & Social Services Board	1 January 2000
Western Health & Social Services Council	1 January 2000
Department for Regional Development	
Department for Regional Development	1 January 2000
Belfast Harbour Commissioners	1 January 2000
Carlingford Lough Commissioners	1 January 2000
Coleraine Harbour Commissioners	1 January 2000
Londonderry Port & Harbour Commissioners	1 January 2000
Warrenpoint Harbour Authority	1 January 2000
Department for Social Development	
Department for Social Development	1 January 2000
Laganside Corporation	1 January 2000
Northern Ireland Housing Executive	1 January 2000
Office of the First Minister & Deputy First Minister	
Office of the First Minister & Deputy First Minister	1 January 2000
Northern Ireland Community Relations Council	1 January 2000
Northern Ireland Office	
Northern Ireland Office	7 July 2000
Chief Electoral Officer for Northern Ireland	5 April 2001
Civil Service Commissioners for Northern Ireland	1 January 2000
Independent Assessor of Military Complaints Procedures	5 April 2001
Northern Ireland Human Rights Commission	7 July 2000
Northern Ireland Policing Board <sup>3</sup>	3 December 2001
Police Ombudsman for Northern Ireland	3 December 2001

<sup>3</sup> Police (Northern Ireland) Act 2000 (Schedule 6) amends the Northern Ireland Act 1998 as follows

In Section 75(3) after paragraph (c) insert - "(cc) the Northern Ireland Policing Board, the Chief Constable of the Police Service of Northern Ireland, and the Police Ombudsman for Northern Ireland"

Police Service of Northern Ireland	3 December 2001
Probation Board for Northern Ireland	7 July 2000
Northern Ireland Assembly Commission	
Northern Ireland Assembly Commission	15 January 2003
Northern Ireland Audit Office	
Northern Ireland Audit Office	15 January 2003
Northern Ireland Court Service	
Northern Ireland Court Service	7 July 2000
Legal Aid Department of the Law Society of Northern Ireland	5 April 2001
Department for Culture, Media & Sport (UK)	
Department for Culture, Media & Sport (UK)	7 July 2000
British Library Board	7 July 2000
Community Fund (National Lottery Charities Board)	7 July 2000
National Endowment for Science, Technology and the Arts	5 April 2001
New Opportunities Fund	7 July 2000
Trustees of the National Heritage Memorial	7 July 2000
Department of Education and Employment (UK)	
Governing body of the Open University	5 April 2001
Qualifications and Curriculum Authority	5 April 2001
Department for Environment Food and Rural Affairs	
Food from Britain	5 April 2001
Home Grown Cereals Authority	5 April 2001
United Kingdom Register of Organic Food Standards <sup>4</sup>	5 April 2001
Wine Standards Board of the Vintners' Company	5 April 2001
Wool Marketing Board	5 April 2001
Department of Health (UK)	
National Biological Standards Board	15 January 2003
UK Transplant	5 April 2001
United Kingdom Xenotransplantation Interim Regulatory Authority	5 April 2001
Unrelated Live Transplant Regulatory Authority	5 April 2001
Department of Trade & Industry (UK)	

<sup>4</sup> UK Register of Organic Food Standards was 'wound up in accordance with the recommendation of the Quinquennial Review' of its work, and confirmed in the Action plan to develop organic food and farming in England (action point 1. The plan can be viewed at [www.defra.gov.uk/farm/organic](http://www.defra.gov.uk/farm/organic)). From April 1 UKROFS is to be replaced by a new advisory body without executive functions. The current executive functions of UKROFS, such as the approval of organic certifying bodies will be taken over by DEFRA.

Department of Trade & Industry	7 July 2000
Exports Credits Guarantee Department	7 July 2000
Postal Services Commission	15 January 2003
Consumer Council for Postal Services	15 January 2003
Office of the Director General of Telecommunications	7 July 2000
Foreign & Commonwealth Office (UK)	
British Council	7 July 2000
HM Customs & Excise	
HM Customs & Excise	7 July 2000
Home Office (UK)	
Information Commissioner's Office	7 July 2000
Inland Revenue	
Inland Revenue	7 July 2000

## **Appendix C: Progress Report Template - 1 January 2000 – 31 March 2001**

### **EQUALITY COMMISSION FOR NORTHERN IRELAND**

#### **Guidance for Public Authorities**

#### **Progress Report structure on the implementation of the equality and good relations duties under S75 NI Act 1998**

The report will cover the period from 1 January 2000 to 31 March 2001 and should be submitted to the Commission by 31 July. It should include the five sections set out below encompassing important developments in the effective implementation of the Section 75 duties.

#### **Section 1: Preparation of the draft Equality Scheme**

- Outline measures taken to develop the authority's draft Equality Scheme including consultation.
- Detail steps taken to build equality and good relations objectives, performance indicators and targets into corporate and annual operating plans.
- Outline details of the authority's formal consideration of the draft Equality Scheme, and any revisions, before submission for final approval to the Commission.
- Highlight any other areas of the scheme implemented prior to approval of the scheme

#### **Section 2: Screening Report**

- Provide a Screening Report detailing -
  - those policies that will be subject to Equality Impact Assessment
  - those policies not included with justification for their non-inclusion.
  - a timetable for Equality Impact Assessment.
- Outline any concerns about, or opportunities to enhance, the process of policy screening.

#### **Section 3: Training Programme**

- Outline details of staff and Management Board/Committee training provision associated with the Section 75 duties and the preparation of the Equality Scheme.
- Provide a summary of any training evaluations.

#### **Section 4: Information Provision and Data Collection**

- Describe any systems that have been established to supplement available statistical and qualitative research.
- Outline what action has been taken to review current arrangements for the provision of information in accessible formats.
- Describe arrangements to develop monitoring systems regarding access to information and services to ensure equality of opportunity.

#### **Section 5: Additional Information**

- List any Equality Impact Assessments commenced or completed.
- List any proposals for legislation for which an assessment for the implications for the Section 75 duties was undertaken.
- Report information on any other matters considered relevant to the authority's implementation of the Section 75 duties.

## **Appendix D: Progress Report Template – 1 April 2001 – 31 March 2002**

### **EQUALITY COMMISSION FOR NORTHERN IRELAND**

#### **Public Authorities Progress Reports 2001 - 2002**

#### **Guidance for Public Authorities on the Structure of reports on the implementation of the equality and good relations duties under S75 of the NI Act 1998**

The report will cover the period from 1 April 2001 to 31 March 2002 and should be submitted to the Commission by 31 July 2002. It should include the seven sections set out below encompassing important developments in the effective implementation of the Section 75 duties. A series of prompts are included to allow organisations to assess the extent to which progress has been made. The prompts can be used to help review and identify targets for reporting progress.

#### **Section 1: Preparation of Equality Scheme**

**(Applies to organisations whose scheme was not approved by the Commission prior to 1 April 2001)**

- Outline measures taken during the year to develop the authority's draft Equality Scheme including consultation and details of the authority's formal consideration of the draft Equality Scheme, before submission for final approval to the Commission.
- Highlight any other areas of the scheme implemented prior to approval of the scheme

##### Prompt:

Have affected groups, staff, service users and groups representing the nine Section 75 categories been consulted about the organisation's draft scheme.

#### **Section 2: Strategic Implementation of the S75 Equality Duties**

- Outline evidence of progress made in developing equality and good relations objectives, performance indicators and targets in corporate and annual operating plans. This may include performance information and targets for 2001-2002.
- Provide details of steps to progress the Good Relations duty such as undertaking a good relations audit, developing a strategy or providing training.
- Outline steps to work with other public authorities and other partners in progressing the duties.
- Indicate if S75 is a standard agenda item for Board and/or Senior Management Team on a quarterly basis.
- Outline any factors that enhance or impede the process of Strategic Implementation.

##### Prompt:

Have the Board and Senior Officers reviewed the authority's progress report?  
Has responsibility for equality been agreed and clearly designated within all sections of the authority?

### **Section 3: Screening & Equality Impact Assessment (EQIA) Timetable**

- If a Screening Report has not been submitted to the Commission the progress report must contain a report detailing -
  - those policies that will be subject to Equality Impact Assessment
  - those policies not included with justification for their non-inclusion.
  - a timetable for Equality Impact Assessment.
- If a Screening Report and EQIA Timetable has been submitted provide an update detailing -
  - those policies that were subject to Equality Impact Assessment during 2001-2002 (An indicative matrix is included in Appendix 1)
  - those policies screened and not subject for assessment with justification for their non-inclusion.
  - a specific timetable for Equality Impact Assessments in 2002.
- Outline any initiatives, such as good practice reviews, that have lead to changes in practice or policy.
- Outline any other factors that enhance or impede the process of policy screening.

#### Prompt:

Does the authority require each department/directorate to identify how its policies impact on equality of opportunity and can promote good relations?

Have local, sectoral or regional networks with other authorities been developed and/or supported for example through participation?

### **Section 4: Communication & Training Provision**

- Indicate if your organisation has developed a 5 year Training Plan (the Commission may wish to discuss details with individual bodies).
- Outline details of staff and Management Board/Committee training provision associated with the Section 75 duties and the preparation of the Equality Scheme.
- Provide details of internal and external communication of the authority's commitment to the statutory duties.
- Provide details of how affected groups have been involved in training.
- Provide a summary of any training evaluations.
- Outline any factors that enhance or impede the process of communication and training.

#### Prompt:

Are equality objectives built into the job descriptions and performance indicators of relevant staff, and are these reflected on in the appraisal process?

Does the organisation report strategically on the training objectives contained within equality schemes?

Do the Board and/or Senior Officers promote the authority's equality objectives in public statements, interviews and external events such as conferences?

### **Section 5: Information Provision, Data Collection & Analysis**

- Describe systems that have been established to supplement available statistical and qualitative research including consideration given to using internal organisational data and external networks.

- Outline what action has been taken to review and develop arrangements for the provision of information in accessible formats and ensure use of alternative formats.
- Detail steps taken to enhance existing community networks and/or establishing new equality forums to support implementation of the equality scheme
- Detail steps taken to make affected groups aware of information and services provided.
- Describe arrangements to develop monitoring systems regarding access to information and services to ensure equality of opportunity.
- Outline any factors that enhance or impede the process of information provision, data collection and analysis.

Prompt:

Are the results of awareness or satisfaction surveys used to inform the development and review of policies?

Is relevant external data (for example Census, workforce profiles, customer surveys, focus groups) used to inform policy development?

Have new information systems been linked to arrangements for screening policies?

Does the authority monitor uptake of services as a standard procedure?

Have appropriate consultation mechanisms been developed and used to establish needs /satisfaction levels?

Are alternative formats provided where appropriate to enable people from across the nine Section 75 categories to have access to all services?

## **Section 6: Complaints**

- Identify the number of S75 complaints received and resolved during the year.
- Identify the number of S75 complaints referred to the Commission.

Prompt:

Does the authority monitor S75 complaints in a standard procedure?

Does the authority assess the extent to which complaints are handled and obtain feedback from complainants?

## **Section 7: Timetable**

- Provide an update of the timetable of measures as contained within your Equality Scheme for 2001-2002.

Prompt:

Has the timetable been endorsed and subsequently reviewed on a regular (quarterly) basis by the Board and Senior Officers?

Does the timetable require systematic activity within all sections of the authority?

Has a clearly defined organisational structure with resources for implementation of the duties and assessment of policies been established?

## **Section 8: Additional Information**

- If relevant list any proposals for legislation for which an assessment for the implications for the Section 75 duties was undertaken.
- Report information on any other matters considered relevant to the authority's implementation of the Section 75 duties.
- Outline any other factors that enhance or impede the process of implementing the S75 Statutory Duties.

## EQIA Timetable Reporting Matrix

<b>Title of EQIA</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>	<b>Corporate Monitoring Arrangements</b>
1.			
2.			
3.			
4.			
5.			

For example

<b>Title of EQIA</b>	<b>Stage (as per Steps 1-7 of EQIA Process)</b>	<b>Partnerships with Public Authorities</b>	<b>Corporate Monitoring Arrangements</b>
Policy on Provision of Public Parks	Stage 6 – Publication of Results	Any District Council, Some Health & Social Services Board	Systematic monitoring by Parks Section for review by 31 March 2003