

Equality Commission

FOR NORTHERN IRELAND

Section 75

Demonstrating Effective Leadership in Local Government

CHECKLIST



Endorsed by:



Northern Ireland
Civil Service



solace



Equality & Diversity
in Local Councils



I welcome the opportunity to endorse this guidance on *Section 75 - Demonstrating Effective Leadership* to those in senior roles in the NICS and the wider public sector.

It is the duty of all of us in leadership positions to make clear our ownership of the statutory equality and good relations duties in our organisations; they are a vital part of our legal framework in Northern Ireland under the Northern Ireland Act 1998.

Fulfilling the requirements of the Section 75 duties assists all of us to demonstrate openly that, in taking decisions, we are giving the appropriate level of consideration to the equality and good relations implications of these.

I trust that this guidance will be used by senior leaders and management teams; it aims to support the effective implementation of the duties. It should also help to improve decision making and engagement with those potentially affected by the development of public policy and service delivery.

Demonstrating and implementing this checklist provides a real opportunity to reaffirm our leadership commitment to the Section 75 duties, for the benefit of everyone in Northern Ireland.

David Sterling, Head of the Northern Ireland Civil Service



SOLACE recognises the pivotal role senior leadership has in ensuring the successful implementation of the Section 75 duties to pay due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across the Local Government sector. SOLACE is committed to prioritising and re-energising our commitment to effectively implementing these important duties. As Council Chief Executives we will encourage and support all staff and councillors to use the Section 75 tools, to meaningfully assess the equality and good relations implications of policies and decisions we take.

The Section 75 – Demonstrating Effective Leadership guidance provides us with a helpful checklist, against which we can assess how we are doing and how we could improve. Through our role and functions in Councils, we want to ensure that our Section 75 practices demonstrate good governance and encourage a focus on action to address inequalities and benefit people's lives. We look forward to working with the Equality Commission to raise awareness of and re-energise our commitment to the letter and the spirit of the legislation.

**David Jackson MBE, SOLACE Chair and
Chief Executive, Causeway Coast and Glens Borough Council**



The Northern Ireland Local Government Association (NILGA) is the council led policy development & representative body for local authorities in NI. The Association is supported by political parties and independent members with NILGA representation drawn from each of the 11 councils.

NILGA promotes, develops and champions local government by developing regional and specific approaches to key issues affecting the sector. This includes elected investing in councils, member development, collective lobbying, policy formulation, best practice events and campaigns - aimed at improving democracy & public services.

NILGA supports and welcomes the publication of the *Section 75 – Demonstrating Effective Leadership* guidance and will promote it across local government, through our work with councils / councillors, to raise awareness of the importance of Section 75 duties and specific and practical responsibilities.

Leadership and commitment of councillors as well as senior council officers is critical to ensuring meaningful and effective implementation of the Section 75 duties across all councils.

Derek McCallan, Chief Executive, NILGA



Equality & Diversity
in Local Councils



The role of the Equality & Diversity Group of the Local Government Staff Commission is to prioritise and influence equality, good relations and diversity initiatives and share good practice across local government. The Group has representatives from across local government, as well as from the community and voluntary sectors, trade unions, the Equality Commission and others. We report progress regularly to the LGSC Board, NILGA and SOLACE. The Group's 'Diversity Champions', elected members and officers in each Council, play a key role in promoting this group's initiatives.

I am delighted to endorse the *Section 75 – Demonstrating Effective Leadership* guidance. As a Disability Champion for Local Government, I feel it is important to use my leadership role to promote the statutory duties. The Guidance provides a checklist of action for all Councils to effectively implement Section 75. It will also help local government implement our own '*Equality and Diversity Framework*'; which details every Council's statement of intent and approach to demonstrate our compliance with our equality and diversity obligations. I look forward to working with the Equality Commission and our *Diversity Champions*, to ensure a renewed focus on Section 75 to inform our work through, in particular, undertaking meaningful equality assessments.

Anne Donaghy, Chair Equality and Diversity Group and Chief Executive of Mid and East Antrim Borough Council



Leadership and commitment provided at the highest levels in a public authority, by the Minister and Permanent Secretary or the Chair and Chief Executive, are critical to the successful implementation and achievement of the intended outcomes of the Section 75 duties. The roles of Management Boards and Senior Management Teams are also essential in ensuring that a meaningful and effective approach to implementing the Section 75 duties is adopted across the organisation.

Leaders should ensure that consideration of the Section 75 duties is integrated throughout all the public authority's functions. In addition to ensuring that its legal requirements are met, this should complement its outcomes based accountability approach, assisting it to focus on improving the outcomes for its service users and employees.

A public authority must openly demonstrate its compliance with all of the commitments in its equality scheme and that it is paying the appropriate level of regard to the need to promote equality of opportunity and the desirability of promoting good relations. Demonstration of such commitments by a public authority and individual decision-makers may be required in instances where individuals complain that the authority has failed to comply with its equality scheme, where the Equality Commission is conducting an investigation, or indeed, in the circumstances of a Judicial Review.

Leaders, senior managers and decision-makers will wish to ensure that their Section 75 practices demonstrate good governance, meaningful equality assessments, actions to address persistent inequalities, and good communication and engagement.

The checklist of action points in this document aims to remind leaders, senior managers and decision-makers of what is required to ensure the effective implementation of the Section 75 duties. These duties are however much more than a checklist of action points, they are statutory duties which must be complied with and, if used appropriately, can bring real benefits to people's lives.

This checklist is supported by further web advice at www.equalityni.org/S75duties

I trust you find this guidance helpful.

A handwritten signature in black ink, which appears to read 'Evelyn Collins'. The signature is written in a cursive style and is positioned above a horizontal line.

Dr Evelyn Collins CBE
Equality Commission Chief Executive

Demonstrating Effective Leadership Checklist

Equality Commission

FOR NORTHERN IRELAND

Good Governance

by ensuring that:



1. An approved equality scheme is in place and its requirements are understood by all officers with Section 75 responsibilities i.e. senior managers, policy makers, those taking policy decisions and equality officers.
2. Key responsibilities and resources for Section 75 are allocated.
3. The Section 75 duties are integrated into core business activities including business plans, staff objectives and risk registers.
4. Equality scheme training commitments are implemented, including appropriate mandatory training e.g. for policymakers who will be undertaking screening / EQIA.
5. Section 75 data / evidence is gathered and policies are developed based on this evidence. Post implementation, the Section 75 equality impacts of policies must also be monitored.
6. The implementation of the Section 75 commitments is reviewed regularly e.g. review quarterly screening reports.

Meaningful Equality Assessments

by ensuring that:



7. Screening and Equality Impact Assessments are undertaken for each policy, as defined in the equality scheme. If equality assessments are not provided, then decision makers should ask for them.
8. They are timely, of good quality, coherent, evidence based and proportionate. If appropriate equality information is not provided, then decision-makers should ask for it.
9. They have an appropriate focus on equality and good relations.

Communication and Engagement

by ensuring that:



- 10.** The importance of the Section 75 duties is regularly communicated, both internally and externally.
- 11.** An effective internal challenge function to policymakers is in place, to engage all functions of the organisation, and leaders actively support the role of the 'equality function'.
- 12.** The organisation works with other public authorities to implement the duties, e.g. where they also have a role in developing or implementing a policy.
- 13.** There is effective consultation with those affected by policies, as policies are being developed.
- 14.** There is transparency of decision-making and equality considerations, evidenced by the timely recording and communication of equality assessments, demonstrating that the appropriate level of regard has been paid and equality scheme commitments complied with.

Actions to Address Persistent Inequalities

by ensuring that:



- 15.** A current Section 75 action plan is in place, based on a robust audit of inequalities.



For further information on
Demonstrating Effective Leadership
www.equalityni.org/S75duties

SECTION
75

The Equality Commission for Northern Ireland

Equality House
7-9 Shaftsbury Square
Belfast
BT2 7DP

Tel: 00 44 (0)28 90 500 600

E-mail: information@equalityni.org



Sign up for our ezine: ezine@equalityni.org

Equality Commission

FOR NORTHERN IRELAND

February 2020