

Equality Commission

FOR NORTHERN IRELAND

Equality for **all**



Evaluating the Effectiveness of the Disability Discrimination (Northern Ireland) Order 2006 Duties

EQUALITY COMMISSION FOR NORTHERN IRELAND

**EVALUATING THE DISABILITY
DUTIES (RESEARCH PROJECT)**

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Objectives of the review:

1. Develop a framework to evaluate the disability duties, and
Identify indicators of impact, outcome, output and action/process,
2. Evaluate the duties and progress made by ECNI and public authorities
3. Recommend ways to improve the implementation and impact of the duties

**OBJECTIVE 1 – DEVELOPING THE
FRAMEWORK**

Methodology

Desk Research

To:

Identify the legislative intent behind the duties in Northern Ireland, and

See what might be learnt from disability duties and strategies in other jurisdictions.

Methodology

Stakeholder Expectations

Organisations and people with an interest in the duties were consulted via:

- Questionnaires to organisations representing people with disabilities
- Interviews with some representative organisations
- A focus group with people with disabilities
- Contact with public authorities who had sought support from ECNI

Evaluation framework

<i>Process (and component Actions)</i>	<i>Output and Indicators</i>	<i>Outcomes (Results) and Indicators</i>	<i>Outcomes (Impacts) and Indicators</i>

Methodology

Evaluating Progress to Date

Public Authorities – The Disability Action Plans and 2007-2008 Annual Reports of a sample of public authorities were examined

Equality Commission - Interviews with Commission staff about what the Commission had done and the support it had provided

Disability Duties – Evaluation of public authorities and Equality Commission and Government / Assembly response to Equality Commission reports.

OBJECTIVE 2 – THE EVALUATION

What did we find out about public authorities and the duties?

Some were consistently good and some were consistently poor, most were mixed

Little evidence of going beyond S75 and Disability Discrimination Act to meet the positive duties

A lack of focus on outcomes, indicators and timescales but lots of planned actions and outputs

What did we find out about public authorities? (2)

Majority followed ECNI guidance to some extent and 50% provided some guidance to staff

75% provided little or no evidence of consultation activities

Very few references to participation in public life and mostly focused on public appointments

Very little monitoring information or measures of progress

What did we find out about the Commission?

Consulted on and produced clear and accessible guidance

Undertook a range of engagements to promote awareness of the duties and the guidance

Produced useful non-statutory guidance which should be disseminated further

Support for public authorities commended by those who'd used it

What did we find out about the Commission? (2)

Reported to Northern Ireland Assembly on action plans not received

Strategic review of 35 action plans but need to review all plans against the annual reports

Lack of enforcement powers hampered efforts to ensure effective implementation

What did we find out about the duties?

Many public authorities still need to take action to implement the duties effectively

Need for greater understanding about the S75 exemption and the disability duties

Need for greater understanding that the duties go beyond S75 and the DDA to create positive actions

What did we find out about the duties? (2)

92% of public authorities submitted plans by December 2008

Commission had to use formal action as informal resolution of non-compliance was unsuccessful

Concern that not all public authorities taking the duties or the Commission as seriously as they might

What did we find out about the duties? (3)

Commission report on compliance to the NI Assembly noted in 6 committees, discussed in 1 but not in the full Assembly

Introduction of duties separately from S75 has:

- caused confusion for public authorities
- unnecessary bureaucracy for public authorities and the Commission
- been to detriment of disability equality

OBJECTIVE 3 - RECOMMENDATIONS

Broad Recommendations

- Public Authorities: Should comply with the guidance
- Commission: More proactive in engagement and monitoring
- Government: Take action against non-compliance and enhance powers & legislation

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