



Equality Commission for
Northern Ireland
Equality for All

continuing progress in
a changing environment



**ANNUAL REPORT &
ACCOUNTS
2008 - 2009**

Equality Commission

FOR NORTHERN IRELAND



EQUALITY COMMISSION
FOR NORTHERN IRELAND

annual report and accounts

for the year ended
31 March 2009

Laid before the Northern Ireland Assembly
under paragraphs 5(3) & 7(4) of
Schedule 8 to the Northern Ireland Act 1998
by the Office of the First Minister and Deputy First Minister

7 October 2009



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Powers and duties of the Equality Commission

The Equality Commission for Northern Ireland is an independent public body established by the Northern Ireland Act 1998. Relevant legislation provides that it must promote equality of opportunity and affirmative action, work towards the elimination of unlawful discrimination, keep relevant legislation under review, promote good relations between persons of different racial groups and oversee the effectiveness of statutory equality duties on public authorities.

Since the Commission's inception, it has aimed to fulfil these duties by working in partnership with key stakeholders to place equality at the heart of civic, economic and political life in Northern Ireland. The main pieces of legislation from which the Commission derives its duties and powers are:

Equal Pay Act (NI) 1970, as amended

Sex Discrimination (NI) Order 1976, as amended

Disability Discrimination Act 1995, as amended

Race Relations (NI) Order 1997, as amended

Fair Employment and Treatment (NI) Order 1998, as amended

Northern Ireland Act 1998

Equality (Disability, etc.) (NI) Order 2000

Employment Equality (Sexual Orientation) Regulations (NI) 2003, as amended

Special Educational Needs and Disability (NI) Order 2005, as amended

Disability Discrimination (NI) Order 2006

Employment Equality (Age) Regulations (NI) 2006, as amended

Equality Act (Sexual Orientation) Regulations (NI) 2006, as amended



the Commission's Statement of Commitment

The Commission is committed to working towards:

Fairness and equality for all

Our goal is:

To advance fairness and equality,
promote equality of opportunity,
encourage good relations and
challenge discrimination
through the responsible and effective use
of all of our powers.



Equality Commission for Northern Ireland

Castle Buildings
Stormont
BELFAST
BT4 3SR

Dear First Minister and Deputy First Minister

I have pleasure in submitting to you the tenth annual report of the Equality Commission for Northern Ireland, covering the period 1 April 2008 to 31 March 2009. The report demonstrates both the breadth and depth of the Commission's responsibilities and the extent to which they have been successfully discharged.

On behalf of the Commission, I would like to express our appreciation of the assistance given to the Commission by officials of the OFMdfM and the NIO.

Yours sincerely

BOB COLLINS
Chief Commissioner





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Chief Commissioner's Foreword

In the foreword to last year's Annual Report, I referred to the "clouds on both the political and economic horizons". Happily, the political difficulties that were then a source of general concern were resolved but the economic clouds have distinctly darkened with the passage of the intervening year. This has real implications for the responsibilities of the Commission. It is not just that economic growth and equality are mutually interdependent but economic difficulty can exacerbate the vulnerability of many of those whom equality legislation is designed to protect. There is a risk that some may see a period of economic difficulty as a time when the obligations to equality are less urgent. The opposite is the case. It is precisely because economic times are tough that we must remain ever vigilant to ensure that the challenge of promoting equality of opportunity continues to be met. Equality is not a fair weather friend.

The clouds darkened still further towards the end of the year under review when two soldiers and a member of the Police Service were murdered. The Commission expressed its outright condemnation of these acts. Antecedent to all equality law, to all the measures that protect the rights and entitlements of individuals, is the right to life. That is at the centre of any democratic or civilised society. These murders represented the most fundamental assault on any notion of equality. They also present an enduring challenge that we all reflect the real meaning and intention of equality in all aspects of our lives.

The Commission completed preparation of its fourth Corporate Plan and submitted it to the Office of the First Minister and Deputy First Minister. The plan places particular emphasis on reaching out to all in Northern Ireland. This is a clear statement of the Commission's desire and intention that its work will be of benefit to everybody who needs it, that it will make every effort to reach those who, for whatever reason, may be unaware of its services or perceive them as being primarily intended for others. Nobody is excluded from the protection of the law; everybody is entitled to the services of the Commission. Making that aspiration a reality will be a constant priority for the Commission.



Its corporate plan also identified the objective of securing legislative change in a number of areas. For many years much effort has been made to secure a Single Equality Bill which would simplify and consolidate current law and repair important omissions. The Commission decided to alter its approach and to identify a number of specific areas where legislative change was urgently required. The OFMdFM Junior Ministers who have responsibility for equality matters met with Commissioners and subsequently the Commission submitted formal and detailed proposals for amendments to the law in respect of age, disability, gender, race and fair employment.

Following on from its focus on key inequalities in Northern Ireland, the Commission devoted its Annual Conference to education and published an important document “Every Child an Equal Child” to emphasise the importance of education and to highlight the extent to which its benefits are not universally enjoyed. Education touches on the lives of everybody and has implications for every area covered by equality legislation. The conference and the associated publication will serve both to focus attention on this vital area and to lay the foundation for further engagement.

Much progress was made during the year in preparing new guidance in respect of the equality and good relations duties that are placed on public authorities. The Review of Effectiveness of Section 75 identified areas where change and improvement were possible. Draft revised guidance was the subject of wide consultation and of intense discussion with interested parties. That useful process will inform the judgment of the Commission in completing the revision of the guidance before it is submitted to the Secretary of State for his approval.

In a separate Section 75 matter, the Commission, for the first time, made a formal referral to the Secretary of State. Following a complaint concerning a memorial in Dromore, the Commission had conducted an investigation. Its finding required Omagh District Council to conduct an Equality Impact Assessment on a number of issues related to the presence of the memorial. When, after the passage of much time and following considerable discussion with the Council, no progress had been made, the Commission referred the matter to the Secretary of State asking that he use his statutory powers to direct the Council to act in accordance with the Commission’s finding. The Secretary of State duly issued the direction and, at year end, the Council initiated an Equality Impact Assessment.



Two important publications merit mention. The Commission completed a Code of Practice on Equal Pay which it submitted to OFMdFM for the approval required by law. This will be a valuable Code for employers as well as a significant contribution to the task of realising the statutory intent with respect to equal pay between women and men. The then Minister for Finance came to Equality House to launch the guidance on Equality of Opportunity and Sustainable Development in Public Sector Procurement. This guidance had been jointly developed by the Commission and the Central Procurement Directorate and represents an important statement of the extent to which the duties under section 75 extend to the procurement decisions of all public authorities.

The Commission held a valuable and productive series of meetings with senior representatives of the four main Churches. The discussions were wide-ranging, dealing with those areas where the legal responsibilities of the Commission and the interests of the Churches intersect. This engagement will continue and will be broadened to include representatives of other Churches.

The focus of much of the Commission's work reveals a continuing difficulty in coming to terms with difference in this society. This is not unique to Northern Ireland but that does not lessen its significance. As these words are being written that difficulty has manifested itself in a very shocking way, resulting in almost one hundred people deciding to leave Northern Ireland following attacks on their homes. Sectarianism, racism and homophobia are abiding realities that must continue to be challenged. The Commission has an important role to play in these areas and its work will be intensified. It is of interest to note that the Commission launched a formal investigation into the involvement of employment agencies and businesses in the recruitment and employment of migrant workers in Northern Ireland.

Eight new members joined the Commission during the year. These included a new Deputy Chief Commissioner, Jane Morrice. They bring enthusiasm, commitment and experience to our work. Finally, I wish once again to take the opportunity to express my thanks to my fellow Commissioners, to the Chief Executive, Evelyn Collins, and to all the staff for their commitment and diligence. Similarly, I offer thanks to Ministers and officials at the Northern Ireland Office and at the Office of the First Minister and Deputy First Minister for their continuing interest and assistance in the Commission's work.

Bob Collins
Chief Commissioner





Chief Executive's Report and Management Commentary

The Equality Commission for Northern Ireland is an executive non-departmental public body (NDPB) sponsored by the Office of the First Minister and Deputy First Minister. The Commission, established on 1 October 1999 under the Northern Ireland Act 1998, assumed, along with the responsibilities for statutory equality duties and new disability matters, the duties and responsibilities of four former organisations:

- The Commission for Racial Equality for Northern Ireland;
- The Equal Opportunities Commission for Northern Ireland;
- The Fair Employment Commission for Northern Ireland; and
- The Northern Ireland Disability Council.

Since October 1999, additional duties and responsibilities with respect to age, disability, sexual orientation and special educational needs have also been assumed.

The Equality Commission's annual report and accounts are prepared in accordance with Schedule 8 of the Northern Ireland Act 1998 and the Transfer of Rights and Liabilities (Northern Ireland) Order 1999 and in a form directed by the Office of the First Minister and Deputy First Minister with the approval of the Department of Finance and Personnel.

Management Executive

Evelyn Collins
Keith Brown
Fionuala Devlin
Eileen Lavery
Jacqui McKee
Antoinette McKeown

Chief Executive
Head of Corporate Services
Head of Promotion and Education
Head of Strategic Enforcement
Head of Employment Development
Head of Policy and Development



Audit and Risk Committee

The Commission seeks to ensure high standards of corporate governance and levels of compliance with the values of public service. It has an Audit and Risk Committee which oversees the Commission's overall governance and internal control frameworks. It also oversees internal and external audit arrangements and ensures that they are conducted in accordance with the objectives of the Government Internal Audit Standards, as well as the Commission's arrangements for risk management. The Audit and Risk Committee meets at least four times per year. The Committee's full responsibilities and Terms of Reference are outlined in Appendix Two.

Corporate Governance Arrangements

The Equality Commission for Northern Ireland is an executive Non-Departmental Public Body (NDPB) established as a body corporate by Section 73 of the Northern Ireland Act 1998. The Commission's primary source of income is grant-in-aid provided by the Office of the First Minister and Deputy First Minister (OFMdfM). Statutory authority for the payment of grant-in-aid is contained in Schedule 8 to the Northern Ireland Act 1998.

Relationships between the Commission and the Ministers and their Department are governed by the "arm's length" principle, wherein the primary role of Ministers is to set the Commission's legal and financial framework including the structure of its funding and governance. These responsibilities are discharged on a day-to-day basis on the Ministers' behalf by the Sponsoring Department. Within this framework, it is the role of the Commission to determine its policies and activities in keeping with its statutory responsibilities and the objectives of Government policy.

The Commission has agreed a Management Statement with OFMdfM. This sets out the relationship between the two organisations and defines the financial and administrative framework within which the Commission operates. It also sets out the conditions on which grant-in-aid is paid to the Commission and the delegations within which the Commission operates. The Management Statement has been approved by Ministers responsible for OFMdfM. It is supplemented by a Financial Memorandum agreed with the Commission and approved by OFMdfM and the Department of Finance and Personnel.



Corporate Responsibility and Sustainability Statement

Following on from the commitment to corporate responsibility and sustainability outlined last year, the Commission has now established a staff led corporate responsibility working group and developed a corporate responsibility policy and action plan. The policy is organised under three main headings: environment, community and workplace.

The Commission will identify opportunities to minimise any negative impact and promote a positive influence on the environment. The Commission is currently developing a sustainable management programme to include energy reduction, tariff investigation, waste minimisation and recycling. In addition to safe and secure disposal of IT and other electrical equipment and consumables during 2008-09, 12,280 kilos of general waste were sent for recycling (67%) and the remaining 6,105 kilos sent to landfill.

In December 2008 an energy efficient audit was carried out at Equality House. A grade C was achieved which is viewed as an exceptionally good first result.

Recommendations in the related advisory report are being progressed. Staff environmental awareness training sessions are scheduled to take place in 2009-10.

The Commission will actively seek opportunities through its core business to ensure that activities enrich and add value to the society in which it operates. In addition, it will ensure that staff are provided with opportunities to make effective voluntary contributions to the society in which they live and to societal and environmental issues which matter to them. Activities may include; employer supported volunteering (ESV), mentoring, sharing skills and knowledge with other organisations, development of a partnership approach with charities, voluntary groups and other organisations, promotion of co-ordinated giving opportunities to nominated charities. This work will be co-ordinated with our core operational work, particularly with our business objectives relating to reaching out to the whole community, our affirmative action programme and disability action plan; as well as our learning and development programme and business improvement strategy.

The Commission is committed to providing a healthy and safe working environment. During 2008-09 refresher training on fire safety was provided to staff and evacuation procedures were tested. The Commission's health and safety officer is NEBOSH trained and health and safety risk assessment forms a key part of the Commission's approach.

Staff have access to a wide range of flexible working arrangements in line with NICS policies and procedures.



Important Events Occurring After the Year End

There have been no significant events since the year-end which would affect this report and the accounts.

Performance against Targets

This is the third and final year of the Commission's Corporate Plan 2006-2009. In this year's Business Plan, progress was measured against 24 strategic corporate performance indicators and 52 key strategic actions. These indicators and strategic actions were drawn from the Commission's strategic priority areas and used to guide the Divisional plans and team and individual work programmes which are all part of its overall approach to business planning.

Overall in 2008-09, of the 24 key indicators outlined in the Business Plan, 21 (88%) were met, 1 (4%) partly met and 2 (8%) unmet. Of the strategic actions, by the end of the year 44 (85%) were delivered, 6 (12 %) partly delivered and 2 (4%) not delivered.

Some particular highlights through the year included:

- the positive feedback received from key stakeholders on awareness of the Commission and confidence in it, as measured across a range of surveys and the continuing commitment to evaluation of its core activities being demonstrated by the Commission;
- the continuing improvement in media coverage of the Commission's work, both in its extent and in the increased favourability ratings;
- the continuing high levels of compliance by employers and public authorities with their equality duties and the minimum need for the Commission to take enforcement action;
- the publication of the final report of the Commission's review of the effectiveness of the Section 75 equality and good relations duties and the production and public consultation on revised guidance and a new compliance framework;



- the continuing progress being made by the Commission in key areas of business improvement, particularly internal and external communications, learning and development and internal control;
- the delivery of the Commission's commitment to staff learning and development as demonstrated by the 'Driving Development' programme and other projects;
- the drafting of a new Corporate Plan for 2009-12, with its overall vision of Reaching Out to the Whole Community.

Results for the Year

The results for the Commission for the period are set out in detail in the Financial Statements at page 61. The Financial Reporting Manual 2008-09 (FReM) requires NDPBs to treat grant in aid as financing rather than income. For the Commission, the expenditure charged to the Income and Expenditure Account in this period was £7,254,704 (2007/08: £7,042,785).

During the year the Commission received capital and revenue grants of £7,226,000 from OFMdfM, of which £71,588 was spent on capital and the balance credited to the General Reserve. As stated above, £7,254,704 was released during the year for operational expenditure.

Business Review

Unlike recent years, in the year to 31 March 2009, there were no changes to the Commission's statutory remit, although ongoing developments resulting from case law continue to impact on its work. Changes under discussion in 2008-09, such as developments in relation to the United Nations Convention on Human Rights and Disability Transport provisions, are anticipated to have a greater impact next year. Disruption to legislative timetables regarding the latter and to the approval processes for Codes of Practice impacted on expenditure this year and increased monies being carried forward into 2009-10.

The changed economic environment led to changes in the pattern of our employment related enquiries, particularly with regard to redundancy.



This year also saw the recruitment and induction of a significant number of new Commissioners and their involvement in the production of the Commission's new Corporate Plan.

Likely Future Developments

The Commission has prepared a new Corporate Plan covering the period 2009-12. As it enters this new planning period the general context is one likely to be marked by continuing financial uncertainty.

The incoming year will see the basis for the Commission's accounts preparation changing from United Kingdom to International Financial Reporting Standards.

In 2009-10 the Commission anticipates the long-awaited legislative change in the area of disability discrimination, with the introduction of new transport provisions. In addition, the Commission has agreed to undertake the role of an independent monitoring mechanism, to join with the Northern Ireland Human Rights Commission, for the purpose of promoting, protecting and monitoring the implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD).

In relation to Section 75 work, the Commission will amend its guidance to reflect the recommendations of its Effectiveness Review and develop a standard of compliance framework, in order to assist public authorities to assess their own performance against specified standards.

The Commission will seek re-accreditation as an Investor in People and restructure its business improvement programme around the EFQM Steps to Excellence model.

The incoming year will also see the appointment of a number of new Commissioners.

Research and Development

The Equality Commission for Northern Ireland does not engage in any research and development activities as defined by Generally Accepted Accounting Practice (GAAP).



Charitable Donations

The Commission made no charitable donations during the period.

Pension Liabilities

Staff Pension Liabilities are borne by the Principal Civil Service Pension Scheme (NI) – see notes 1 and 3 to the Accounts, and the Commission's Remuneration Report, which follows later in this Annual Report.

Payment to Suppliers

The Commission is committed to the prompt payment of bills for goods and services received in accordance with the Government's Better Payment Practice Code. Unless otherwise stated in the contract, payment is due within 30 days of receipt of the goods or services, or presentation of a valid invoice or similar demand, whichever is later. During the period 94.2% of bills were paid within this standard.

Disabled Persons

The Equality Commission seeks to follow best practice guidance, as set out in Disability Codes of Practice, on employment and the provision of services to disabled persons. During this year it prepared a Disability Action Plan.

Equality of Opportunity

The Commission is committed to the provision of equality of opportunity and fair participation to all persons regardless of sex, marital status, religious belief, political affiliation/opinion, age, family status, ethnic or racial background, sexual orientation, disability, nationality or trade union membership. The Commission will, in all its actions, conform to both the letter and the spirit of the relevant equality legislation.

The Commission will provide equality of opportunity to all persons irrespective of whether or not there are legislative provisions in place.



In addition to a disability action plan, this year the Commission completed an a review of its workforce composition and practices as required by Article 55 of the Fair Employment and Treatment Order 1998 and developed a new affirmative action plan as a consequence. An audit of its arrangements for the provision of equal pay was initiated.

Employee Involvement

The Commission encourages widespread consultation and exchange of information at all levels within the Commission. This is effected through staff briefings and the involvement of staff representatives on a Joint Consultative and Negotiating Committee. Staff are involved in key working groups dealing with business improvement and accreditation projects, equal opportunities, health and safety and corporate responsibility.

Data Protection and Freedom of Information

During this year the Commission gave consideration to Government concerns relating to data security and guarding against data loss and responded to its reviews and requests for information. Internal audit reviews were undertaken into ICT security and arrangements for complying with Freedom of Information and Data Protection requests.

Managing Attendance and Sickness absence

The Commission's arrangements for the payment of Statutory Sick Pay and the monitoring and management of attendance are based on those in operation in the Northern Ireland Civil Service. The Commission has a Managing Attendance Policy and provides training to Managers and other staff on its operation. The level of employee sick absence in 2008-09 was 3.5% (2007-08, 3.63%). This is lower than the overall absence level for the Northern Ireland public sector.



Commission Members

The following served as members of the Commission during the reporting period:

Bob Collins	Chief Commissioner
Jane Morrice	Deputy Chief Commissioner (from 1 August 2008)
Anne O'Reilly	Deputy Chief Commissioner (to 31 July 2008)
Stella Burnside	(from 1 August 2008)
Annie Campbell	(to 31 July 2008)
Brian Carlin	(to 31 July 2008)
Tony Carlin	
Kit Chivers	(from 1 August 2008)
Eileen Evason	(to 31 July 2008)
Patricia Feeney	(from 1 August 2008)
Úna Gillespie	
Tom Haverty	(to 31 July 2008)
Bryan Johnston	
James Knox	
Charo Lanao-Madden	(from 1 August 2008)
Thomas McGrath	
Michael Rea	(to 31 July 2008)
Audrey Simpson	(to 31 July 2008)
David Stevens	(from 1 August 2008)
Norman Trotter	(from 1 August 2008)
Elaine Waterson	
Murray Watt	(from 1 August 2008)
Derick Wilson	(to 31 July 2008)
Paul Yam	

Commissioners' Interests

An up to date register of Commissioners' interests is maintained by the Chief Executive as Accounting Officer and is available for inspection at the Commission's offices in Equality House, 7-9 Shaftesbury Square, Belfast BT2 7DP.



Statement of Disclosure of Information to Auditors

So far as the Accounting Officer in office at the date of approval of these financial statements is aware:

there is no relevant audit information of which the Commission's auditors are unaware; and

they have taken all steps that they ought to have taken as Commissioners in order to make themselves aware of any relevant audit information and to establish that the Commission's auditors are aware of that information.

Commission Offices

Equality House
7-9 Shaftesbury Square
Belfast
BT2 7DP

Auditor

Northern Ireland Audit Office
106 University Street
Belfast
BT7 1EU

Signed by:

Evelyn Collins
Chief Executive and Accounting Officer
8th July 2009



Performance against Targets

In each year, in its Business Plans, the Commission identifies strategic corporate performance indicators and key actions to shape its work. These indicators and strategic actions are drawn from its strategic priority areas and used to guide the Divisional plans and team and individual work programmes which are all part of the Commission's overall approach to business planning.

The outcome against the 2008-09 performance indicators and strategic actions across each of the four strategic priority areas are summarised below.

Overall in 2008-09, of the 24 key indicators outlined in the Business Plan, 21 (88%) were met, 1 (4%) partly met and 2 (8%) unmet.

Of the 52 strategic actions, by the end of the year 44 (85%) were delivered, 6 (12%) partly delivered and 2 (4%) not delivered.

Outlined in the following section is a breakdown of performance against each of the actions and further detail on those indicators met and unmet.



1. Making the case for equality

To promote a greater understanding of and support for equality in Northern Ireland

Building the case for equality and a greater understanding and support for the Commission's work was a central objective of the Corporate Plan and the focus this year was on building on what had been achieved over the past two years and measuring ourselves against the benchmarks set out in the Plan.

Over the three year period the Commission has introduced greater monitoring and evaluation into its communications and campaigning work, both on an ongoing basis and in the form of milestone surveys. During this year political representatives and other key stakeholders were surveyed and at the year end the first results of a general public awareness survey, which will be formally launched in 2009-10, were available.

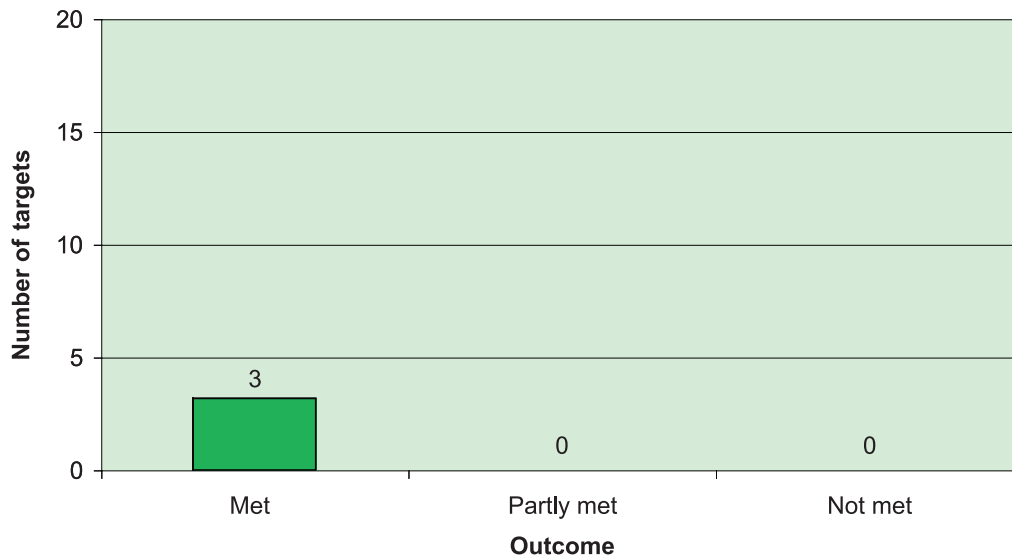
In each of the key areas we focused on the Commission is able to report substantial progress, both this year and over the period of the Corporate Plan. The survey and evaluation work reported increased levels of awareness and high levels of customer satisfaction.

Performance Indicators and Strategic Actions

During this year all three of the performance targets set were achieved and all seven of the strategic actions in this area were completed.



Making the case for equality



One of the key performance indicators this year was the level of increased awareness and support for equality, as measured by awareness of the general public and increase in potential complainants and enquirers about discrimination and their individual rights under the legislation.

The public awareness survey recorded a 19 percentage point increase in unprompted public awareness of the Commission to 30%, from 11% in 2005. The survey of stakeholders found that 65% of the 210 organisations which responded were much more aware of equality issues than five years ago and a further 20% were slightly more aware. Ratings of the Commission and its work were very positive.

Northern Ireland's political representatives are one of our key stakeholders and the Commission seeks to understand their opinions on equality issues and the performance of the Commission in range of ways including formal and informal meetings and an MLA Panel. This work helps us to understand better their views on areas of importance for the elected representatives and their constituents. The Commission is committed to working positively with all political parties and other opinion formers in the political sector.



In line with the performance indicators, two major campaigns, organised around Traveller Focus week and Anti-Racism awareness week, were delivered and evaluated. Both of these received very positive evaluations. Other successful initiatives this year included the Commission's our contribution to EU Year of Intercultural Dialogue and its annual conference, 'Every Child an Equal Child'.

During 2008-09, 3,691 legal enquiries and applications for assistance were received, representing an increase of 15% on the same period last year.

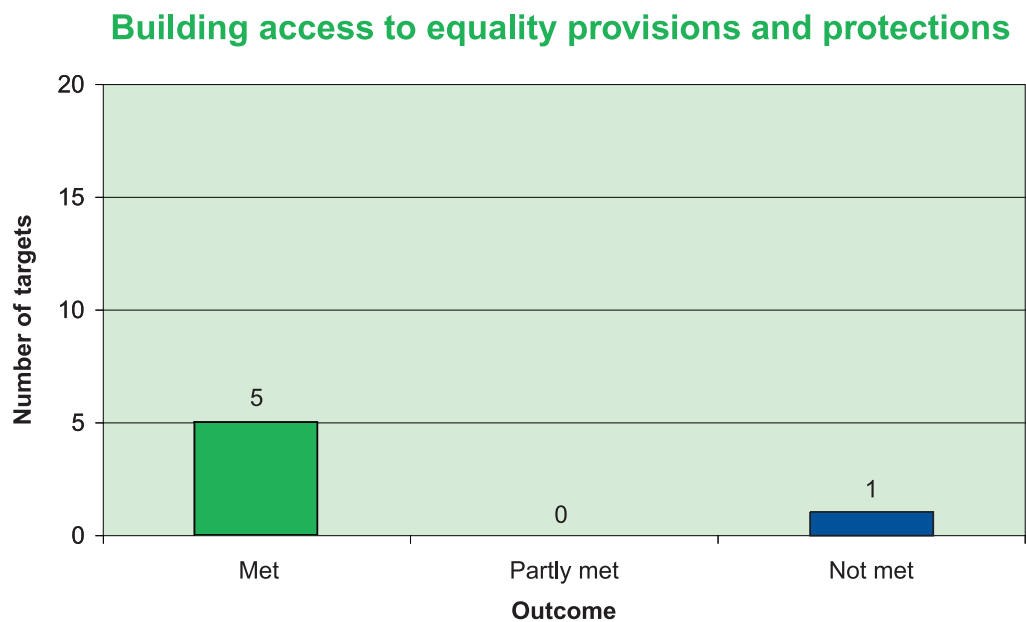
This year also saw a continued emphasis on effective media communications. In the last quarter of the year the Commission generated its highest level ever of proactive stories. Over the last three years the levels of media favourability have risen from 50% to 82%. A detailed action plan to support our Traveller Strategy has been prepared and work on implementing this will be undertaken in 2009-10.

Although the Commission welcomes the progress made with regard to its profile and recognition, it is clear that more needs to be done and it will continue to build on what has already been achieved. The Commission's new Corporate Plan is entitled Reaching Out to the Whole Community and reaching out, particularly to harder to reach groups and individuals, will be a focus for our efforts in the coming years.



2. Building access to equality provisions and protections

Of the six performance indicators set for this area in 2008-09, the Commission fully met five and partly met the other. A review of this performance is summarised below.



To have worked for an improved legislative framework.

Although one of the advantages of devolution is the possibility of developing a legal framework best suited to each particular region, the potential for significant overhaul of the equality framework in Great Britain could lead to sharp differences in the equality provisions within the United Kingdom. This will give rise to increased confusion and, in important respects, Northern Ireland policies and protections lagging behind the rest of the United Kingdom.

During the year under review, the Commission put forward proposals for specific changes in a number of individual measures where it believes such change is urgently needed. Among the proposed changes are a number that will have relevance for business, including the extension of age discrimination to the provision of goods, facilities and services and the extension of the Fair Employment Monitoring provisions to the categories of nationality and ethnic origin.



In the absence of a single equality framework, the Commission has also continued to utilise any other opportunities to influence improvements in the legislative framework governing equality provisions and protections. During 2008-09, the Commission made written submissions and provided responses to consultation across the grounds for which it is responsible. Included in the work undertaken in this area this year were proposed amendments to the Race Relations, Sex Discrimination and Special Educational Needs and Disability (SENDO) Orders.

A number of its key recommendations in respect of regulations on the rights of disabled air travellers were accepted. Substantial work was also undertaken in the area of Statutory Dispute Resolution and proposed changes to Tribunal Procedures.

To promote greater access to equality provisions and protections through supporting and working with others.

A key indicator here was the implementation of a targeted outreach programme with partner organisations, one that was particularly focused on hard to reach groups. Throughout this year the Commission worked in partnership with the Northern Ireland Association of Citizens Advice Bureaux (NIACAB) and with Advice NI, to develop the project. Training was provided to local advisors and promotional materials jointly developed. Before the year end the project was evaluated and recommendations for its further development in 2009-10 agreed.

Ensure that equality and good relations are at the heart of public policy making and service delivery.

The Commission continues to utilise the framework established by Section 75 of the Northern Ireland Act 1998 to influence public policy developments in Northern Ireland and its target of having 50% of key policy recommendations in relation to policy priorities accepted was met. During the year Commission recommendations were accepted in policy areas such as the sixth period report to the United Nations Committee on the Elimination of Discrimination Against Women, in relation to promoting equality and good relations in schools – Every Child an Equal Child and key recommendations in the final report of the review of Section 75 effectiveness.



Included in the areas where substantial policy work was undertaken in 2008-09 were: Review of Public Administration (RPA) transition, Traveller education, Traveller accommodation, migration and integration, age and financial services, disability transport and Public Service Agreements and gender.

In support of its policy objectives and wider work a substantial programme of research work was published, including; Educational Migration and Non-returners in Northern Ireland, Awareness of the Age Regulations and attitudes of the general public to age-related issues survey, and the Fair Employment and Tribunal (FETO) Monitoring Report No. 18: A Profile of the Northern Ireland Workforce. Work was also ongoing on a number of other projects: research into the nature and extent of human trafficking in Northern Ireland, awareness of equality issues amongst the general public, minimum standards for Traveller accommodation in Northern Ireland.

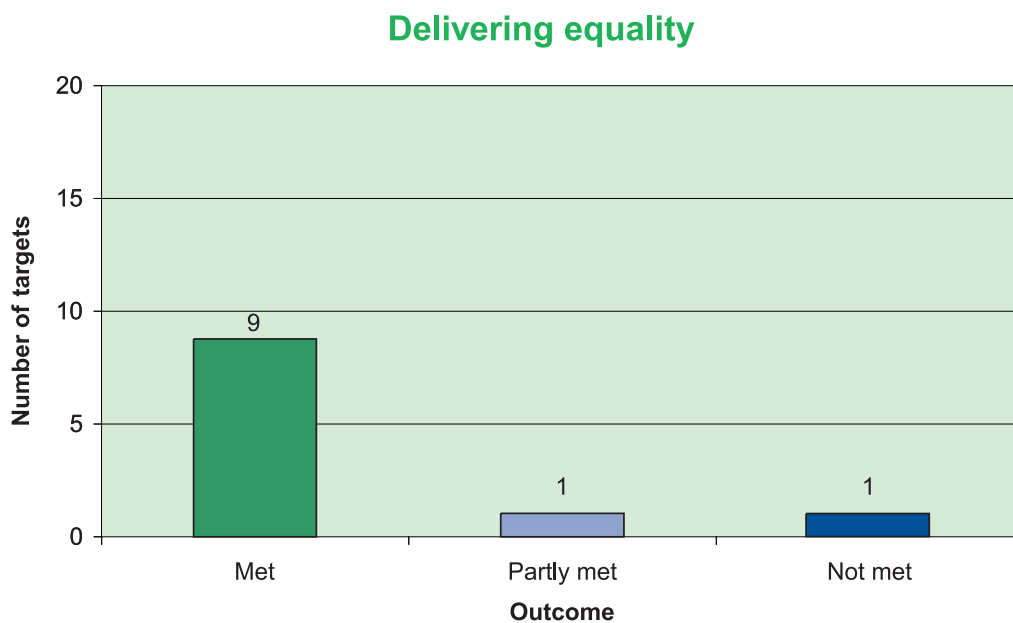
A revised Section 75 Guide was prepared for consultation and a significant programme of engagement with advisory groups and key stakeholders undertaken. The Commission would thank all of those individuals and organisations who provided feedback on the draft guide. In response to this feedback, the cross-sectoral advisory group has been maintained. A major project to supplement the guide with a compliance framework and audits of practice has been initiated and are well underway. January saw the publication of the final report into Section 75 effectiveness. Further work on the compliance standards and on evaluating the impact of the Commission's work in this area will be undertaken over the coming years.



3. Delivering equality

The Commission is Northern Ireland’s statutory equality enforcement agency. Its strategy for delivering equality through its operational work is based not only on utilisation of its compliance and enforcement powers but also through its advisory and information work. The overall aim is to balance each of these activities to deliver maximum impact through the best use of its resources.

In the areas of compliance, enforcement and advisory services, there were eleven performance indicators this year; nine were met, one was partly met and only one was unmet.



Delivering equality through ensuring compliance

The Commission is responsible for two main areas of compliance; fair employment monitoring and review and the statutory equality duties under Section 75 of the Northern Ireland Act. Additionally, the Commission is committed to follow up work with employers and service providers to ensure their compliance with settlement terms agreed with the Commission in the context of its discrimination complaints work.



FETO compliance remains high. In 2008, 4,075 monitoring return forms were received from employers and 99% of these were in compliance with the legal requirements. No prosecutions for non-compliance were necessary. Of the 154 FETO (Article 55) employment reviews received, 152 were in compliance and, again, no prosecutions for non-compliance were necessary.

Sixty-three affirmative action agreements reached with employers were reviewed during the year and in most cases it was clear that good faith efforts were being made to address under-representations. The Commission continues to work with employers to identify and address problem areas.

Follow-up work on 52 discrimination settlements referred to the Employment Development Division was undertaken. By the year-end there was evidence of improved equality practices as a result of 49 of the settlements. Of the remaining three one organisation was referred back to the Strategic Enforcement Division for consideration of further action, in one the follow up continues and in the other, no further action was taken due to the impact on the organisation of the economic downturn. Advice was also provided in relation to 35 potentially discriminatory advertisements this year.

Section 75

Schedule 9 of the Northern Ireland Act 1998 places a number of duties on the Equality Commission with respect to enforcement of Section 75:

- to keep under review the effectiveness of the legislation
- to offer advice to public authorities and others in connection with Section 75
- to approve equality schemes and request any public authority to make a revised scheme
- to consider complaints received regarding Section 75, and to investigate where appropriate.

The Commission took a number of steps in furtherance of these duties during the year under review.



Although no new equality schemes required approval in 2008-09, liaison with the Northern Ireland Office (NIO) continued with regard to new designations, particularly in the context of ongoing RPA implementation.

The Policy team dealt with a total of 335 advice queries in relation to all aspects of the Section 75 Statutory Duties and the disability duties set out in Section 49A of the DDO.

The Policy team progressed work to create more synergy and coherence between the Section 75 and DDO duties to better streamline requirements on public authorities. This will be a key feature in the first strategic evaluation of the effectiveness of the DDO positive duties which is being brought forward in the year ahead.

The Commission issued a new annual progress reporting template for public authorities to complete. This new template incorporated the DDO Disability Duties as well as progress on Section 75 duties. Public Authorities are required to submit this completed annual progress report to the Commission. The Commission received 87% of Public Authorities Annual Reports within the timescale and continues to use its powers to pursue any outstanding reports.

The information gained from these progress reports has been used to inform the strategic evaluation of the effectiveness of the DDO positive duties, the development of the revised Commission Guide on Section 75 and the development of the new standard of compliance framework. In light of this the Commission did not issue an analysis document of the 08/09 annual reports, as it had in previous years.

The Commission has also begun preparatory work on coherence between the public sector duties and the UN Convention on the Rights of Persons with Disabilities (which was ratified by the UK subsequent to this annual reporting period on 8th June 2009).

The range of work aims at providing advice and support to public authorities within the context of seeking a coherent and realisable policy agenda and clarity of what is required of public authorities in complying with their new and existing duties.

Early in 2009 the Commission issued a report to the Assembly on the failure of 25 public authorities to submit their Disability Action Plans to the Commission within the required timescale.



The Commission received and progressed eleven complaints concerning approved equality schemes.

This included using its statutory power to refer matters to the Secretary of State to ensure compliance with recommendations made pursuant to investigation for complaints made under Section 75.

The investigation of a complaint from Mr Gerald Marshall concerned the presence of a republican memorial on a historical religious site in the village of Dromore, Co Tyrone, owned by Omagh District Council, and a decision by that Council to dispose of the section of the site on which the memorial was located to the local group responsible for it to allow the memorial to be retained.

The Commission noted that complaints had been received that the memorial was sectarian and divisive, and took the view that the political nature of the memorial, and its high level of visibility tended to mark the village out as being Nationalist/Republican in a way that was not conducive to good relations. The Commission found that the Council had failed to comply with its approved Equality Scheme by not conducting any equality proofing (screening and Equality Impact Assessment) and recommended that it now do so in relation to its continued plans to dispose of the section of the site in question.

The Council verbally responded to the Commission's findings by opening discussions with local political representatives aimed at having the memorial removed. However, after the passage of considerable time with no progress being made, the Commission referred the matter to the Secretary of State asking that he direct the Council to comply with the recommendation. That direction was duly issued, and the Council has now initiated and consulted upon an Equality Impact Assessment.

Delivering equality through effective enforcement

During 2008-09, the Commission provided advice to 3,691 people who believed they may have been the victim of unlawful discrimination. Enquirers were given verbal and written information on the law, legal deadlines, informal resolution, lodging proceedings, potential remedies and applying for legal assistance.



The Commission's Legal Funding Committee, in line with its Policy on the Provision of Legal Advice and Assistance, considered 289 new applications for assistance in this period, of which 109 [38%] were granted assistance and 180 [62%] were refused. At the year end the Commission was supporting 108 cases.

During this year, 69 cases taken on behalf of individuals reached a final resolution. Cases taken by seven individuals were determined at hearing in the tribunals and in county courts in 2008-09. A further four cases were heard and decisions are awaited. In addition, the Commission supported the Appellants in the case of **McConkey and Marks –v- The Simon Community** which was appealed to the House of Lords on a point of law under the Fair Employment and Treatment Order (NI) Order 1998. At the year end the judgement was still awaited. The Commission also defended two cases in the NI Court of Appeal, on preliminary matters in which judgements were handed down on points of law. In **SCA Packaging –v- Boyle** the issue involved the definition of a disabled person and in **BT and Others –v- Faulkner, Rogan and Johnston** the court addressed comparators and Pre-Hearing Reviews. The transcripts of all judgements are available on the Commission's website.

During the year 62 cases, taken on behalf of 55 applicants, were settled out of court. The total amount of compensation recovered for applicants in the period 1 April 2008 to 31 March 2009 was £428,866.

Compensation on individual cases ranged from £500 in a race claim made by a Traveller woman refused service in a shop to £55,000 for a former senior policewoman who suffered sex discrimination at work. The spread of settlements across the equality areas was – 15 disability; seven gender; seven race; nine religion/politics; four sexual orientation, four SENDO and 16 cases where discrimination was claimed on more than one ground.

As well as compensation, when settling cases, the Commission seeks additional terms. These include undertakings to liaise with the Commission in order to review the practices, policies and/or procedures which led to the case being taken; commitments to equality principles; apologies or statements of regret; provision of references; and commitments to undertaking equality training.

Details of the issues which gave rise to these cases along with the settlement terms in each case are published in an annual Decisions and Settlements Review.



An independent conciliation service, as provided for under the Disability Discrimination Act 1995, has been established. It provides an alternative to litigation for disabled people who experience difficulties accessing goods, facilities or services. From 1 April 2008 – 31 March 2009, 56 complainants were offered the conciliation option; 16 complainants and seven service providers agreed to proceed. Seven matters in which both parties agreed to conciliate were therefore referred to the service during the period. Including conciliations that were carried forward from the previous financial period, there were seven successfully completed conciliations, three were unable to reach a full and final settlement and three complaints remained unresolved at the end of March 2009.

Delivering equality through advisory work

In addition to complainant advice, the Commission provides advisory and information services to employers, services providers and the general public.

The Commission periodically addresses customer satisfaction with these services. During 2008-09 the Commission went further and sought to establish the extent to which its work with employers and service providers leads to improvement in equality practices. The survey found that of those organisations having three or more contacts with the Commission in the previous twelve months, 61% reported improvements to their practices and procedures as a result of the contact.

Evaluative work on Commission publications, its website and training provision was also undertaken. Published guidance on age discrimination and sexual orientation showed levels of satisfaction of 98% and 93% respectively, usage levels of 40% and 71% and numbers of organisation making changes as a result of the guidance of 26% for the age guidance and 33% for the sexual orientation guide. Ongoing monitoring of our website usage and training provision also record high levels of usage and satisfaction. Planned work on satisfaction with the website and work on monitoring the impact of our work on equality and good relations duties was deferred.

The development and maintenance of Codes of Practice remains an important area of the Commission's work and during 2008-09, a draft code on the new Disability Discrimination (Transport Vehicle) Regulations was prepared. Codes covering Housing and Race and Equal Pay awaited approval at the year end. The Commission also produced a Unified Employment Advice Guide covering all of the areas covered by the anti discrimination provisions, as well as guides on age discrimination and sexual orientation.



In addition to 3,691 complaints enquiries, a total of 21,794 other enquiries were dealt with by the Commission's employer advice and general enquiries lines. The Commission's website received more than nine million hits and an average of 1,410 visitor sessions per day. More than 500 employer meetings took place and 188 training and advisory briefings were delivered.

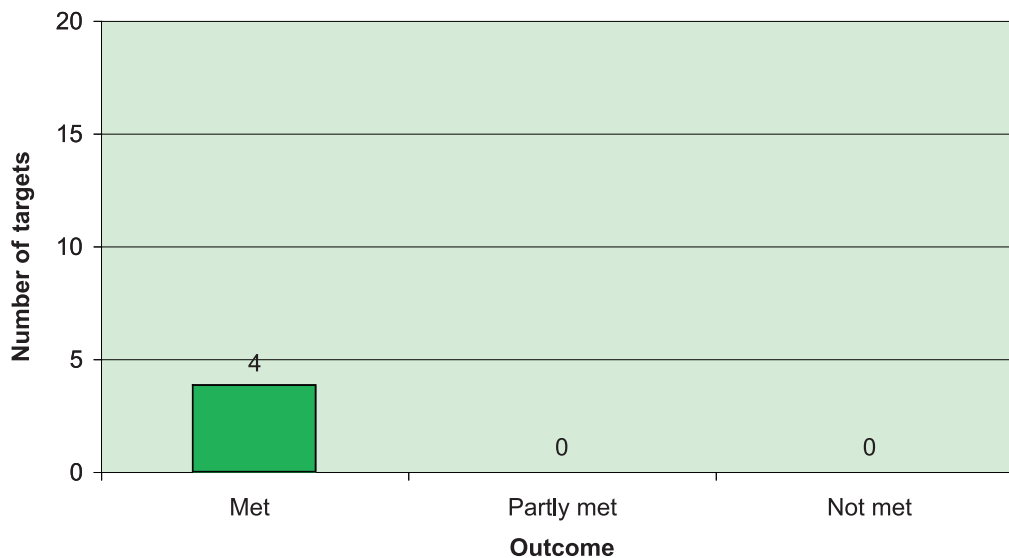
The Commission worked in partnership work with a diversity of organisations, including; Northern Ireland Association of Citizens Advice Bureaux, Advice NI, Northern Ireland Committee Irish Congress of Trade Unions, Confederation of British Industry, Employers Forum on Disability, An Munia Tober, Federation of Small Businesses, Invest NI, Belfast GEMS, Rethink, Opportunity Now and a range of local councils and other locally based bodies.



4. Ensuring high quality organisational performance

Continuous improvement remains the key theme of the Commission's overall business development. Across such key areas as business planning, corporate governance, staff development and communications, the Commission strives for improved organisational performance and value for money. This year the Commission met the four performance indicators it set for itself and of the twelve strategic actions it planned to complete, eight were completed, three partly completed and one not met.

Ensuring high quality organisational performance



Business Planning and Resource Management

In April 2008, the Commission agreed a new Management Statement with its sponsoring Department, OFMdfM. In line with its Management Statement and related Financial Memorandum, the Commission continues to fulfil its responsibilities to the Department with regard to business reporting and budgetary control. Regular meetings with OFMdfM officials take place and any necessary approvals are obtained.



With regard to budgetary monitoring and control, the overall budget variance at the year end was 2.6%. This was greater than the Commission's target figure of 1%. Approval was sought and obtained for the carry over into 2009-10 of £247k. Much of this carry over related to projects delayed due to changes in the legislative timetable.

During 2008-09, a new Corporate Plan, covering the period 2009-12 was prepared, as was a Business Plan and budget for 2009-10. As required, these were submitted to OFMdfM for approval by the year end.

Business Improvement

The Commission has assessed its continuous improvement in business performance against the results of internal and external audit, validation through external accreditation and feedback from key stakeholders.

Reports to those charged with governance from the NIAO, over the past few years, have demonstrated steady improvement in the Commission's governance, risk management and internal control and in the quality of the presentation of its financial statements and working papers. For the first time the report contained no priority one recommendations. The outcomes from reviews undertaken by the Commission's internal auditors, PricewaterhouseCoopers, also demonstrate continuing improvement.

Over the past three years the Commission has developed a business improvement strategy which includes external quality accreditation for the Commission and in targeted business areas. Since 2007 the Commission has been an Investor in People and during this year preparations were made for successful re-accreditation in 2009. The legal work undertaken by the Commission's Strategic Enforcement Division is Lexcel accredited and obtained a successful re-accreditation highlighting areas of good practice in February 2009. The Employment Development Division is Chartermark accredited and the Promotion and Education Division has started work towards Customer Service Excellence. The Corporate Services Division continues to demonstrate its compliance with ISO 9001.



Feedback from stakeholders, both internal and external, is essential to our strategy. In addition to the external survey work described above, this year the Commission resurveyed its staff to assess progress on the programme of work it committed itself to following its baseline review in 2005. The survey described improved ratings across all of the areas surveyed. Overall satisfaction with working for the Commission increased from 44% in 2005 to 72% in 2008. Most importantly, progress in those areas targeted for particular focus – communications and learning and development – showed particular improvement. A further improvement plan has been prepared and progress will continue to be monitored over the period of the new Corporate Plan.

During this year the Commission launched its staff development programme – Driving Development. The programme will continue in 2009-10 and, following its evaluation, the Commission's learning and development objectives and strategies will be reviewed and updated.

The Commission's own community composition continues to be a focus of attention. During this year the Commission completed its own Article 55 review and has reviewed and updated its affirmative action programme. The new programme, with its aim of reaching out to the wider community and delivering religion specific training, will also be a focus for action in 2009-10.

During 2008-09, the Commission continued to review and update its own equality policies and procedures. This year saw the completion of reviews of recruitment exercises and updated equal opportunities, grievance and starting salaries policies drafted. Work was initiated on an equal pay review, a disability action plan and an equality training programme.

Evelyn Collins CBE
Chief Executive
8th July 2009





Remuneration Report

Remuneration Policy

The remuneration of all staff of the Commission follows that of the Northern Ireland Civil Service. It is comprised of two elements, a base pay uplift and a non-consolidated bonus. Both elements are based on performance.

The remuneration of Commission members is determined by the Secretary of State for Northern Ireland.

Service Contracts

Staff appointments are made in accordance with the Commission's Recruitment Policy which requires appointment to be on merit on the basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

Unless otherwise stated below, staff covered by this report hold appointments which are open-ended until they retire. Policy relating to notice periods and termination payments is contained in the Northern Ireland Civil Service (NICS) Staff Handbook.

Commission members are appointed by the Secretary of State for Northern Ireland following open competition.

Benefits in Kind

The monetary value of benefits in kind covers any benefit provided by employer and treated by the Inland Revenue as a taxable emolument.

No benefits in kind were paid to staff during this period.



Salary and pension entitlements (Audited)

The following sections provide details of the remuneration and pension interests of the Commission members and senior management of the Commission.

Remuneration: Commissioners

Commissioner	2008/09	2008/09
Bob Collins Chief Commissioner	85-90* *	70-75
Anne O'Reilly Deputy Chief Commissioner (to 31 July 2008)	0-5	5-10
Jane Morrice Deputy Chief Commissioner (from 1 August 2008)	5-10	n/a
Stella Burnside (from 1 August 2008)	0-5	n/a
Annie Campbell (to 31 July 2008)	0-5	0-5
Brian Carlin (to 31 July 2008)	0-5	0-5
Tony Carlin	0-5	0-5
Kit Chivers (from 1 August 2008)	0-5	n/a
Eileen Evason (to 31 July 2008)	0-5	0-5
Patricia Feeney (from 1 August 2008)	0-5	n/a
Úna Gillespie	0-5	0-5
Tom Haverty (to 31 July 2008)	0-5	0-5
Bryan Johnston	0-5	0-5
James Knox	0-5	0-5
Charo Lanao-Madden (from 1 August 2008)	0-5	n/a
Thomas McGrath	0-5	0-5
Michael Rea (to 31 July 2008)	0-5	0-5
Audrey Simpson (to 31 July 2008)	0-5	0-5
David Stevens (from 1 August 2008)	0-5	n/a
Norman Trotter (from 1 August 2008)	0-5	n/a
Elaine Waterson	0-5	0-5
Murray Watt (from 1 August 2008)	0-5	n/a
Paul Yam	0-5	0-5

* * This includes £8,126 in respect of 2007/08 backpay



Remuneration: Senior Management

	2008/09	2007/08
Official	Salary £000's	Salary £000's
Evelyn Collins Chief Executive	85-90	90-95*
Antoinette McKeown Head of Policy & Development	55-60	55-60
Keith Brown Head of Corporate Services	55-60	55-60
Eileen Lavery Head of Strategic Enforcement	55-60	55-60
Jacqui McKee Head of Employment Development	45-50	40-45
Fionuala Devlin Head of Promotion & Education	40-45	40-45

*This includes backpay of £11,540 relating to 2006/07.

“Salary” includes gross salary, performance pay or bonuses, overtime, any allowance such as London Weighting Allowances to the extent that it is subject to UK taxation. This report is based on payments made by the Commission and thus recorded in these accounts.

Pension Benefits

	Accrued Pension At 31/3/09 and related lump sum £'000	Real increase in pension and related lump sum £'000	CETV at 31/3/09 £'000	CETV ¹ at 31/3 08 £'000	Real increase in CETV in £'000
Bob Collins Chief Commissioner	0-2.5	0-2.5	104	77	22
Evelyn Collins Chief Executive	20-25 plus lump sum of 70-75	0-2.5 plus lump sum of 0-2.5	443	401	6
Antoinette McKeown Head of Policy & Development	5-10 plus lump sum of 25-30	0-2.5 plus lump sum of 0-2.5	136	119	6
Keith Brown Head of Corporate services	10-15 plus lump sum of 40-45	0-2.5 plus lump sum of 0-2.5	273	243	
Eileen Lavery Head of Strategic Enforcement	20-25 plus lump sum of 65-70	0-2.5 plus lump sum of 0-2.5	430	390	4
Jacqui McKee Head of Employment Development	10-15 plus lump sum of 30-35	0-2.5 plus lump sum of 0-2.5	161	141	7
Fionuala Devlin Head of Promotion & Education	10-15	1-2.5	130	114	5

¹See text over





Pension Benefits (Audited)

Pension benefits are provided through the Northern Ireland Civil Service pension arrangements which are administered by Civil Service Pensions (CSP). Commission members other than the Chief Commissioner do not receive any pension entitlements. There were no partnership pension accounts.

¹The factors used in calculating CETVs have been updated from 2008. As a result the figures in the above column differ from the 2008 closing CETV figures given last year.

Northern Ireland Civil Service (NICS) Pension arrangements

Staff in post prior to 30 July 2007 may be in one of three statutory based “final salary” defined benefit arrangements (classic, premium and classic plus). These arrangements are unfunded with the costs of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium and classic plus are increased annually in line with changes in the Retail Price Index.

New entrants joining on or after 1 October 2002 and before 30 July 2007 could choose between membership of premium or joining a good quality “money purchase” stakeholder arrangement with a significant employer contribution (partnership pension account). New entrants joining on or after 30 July 2007 are eligible for membership of the nuvos arrangement or they can opt for a partnership pension account. Nuvos is an “earned pension” arrangement in which members accrue pension benefits at a percentage rate of annual pensionable earnings throughout the period of scheme membership. The current rate is 2.3%. Earned pension benefits are increased annually in line with increases in the RPI and attract annual pension increases.

Employee contributions are set at a rate of 1.5% of pensionable earnings for classic and 3.5% for premium, classic plus and nuvos. Benefits in classic accrue at the rate of 1/80th of pensionable salary for each year of service. In addition a lump sum equivalent to three years’ pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum (but members may give up (commute) some of their pension to provide a lump sum). Classic plus is essentially a variation of premium, but with benefits in respect of service before 1 October 2002 calculated broadly as per classic.



The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution).

Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are at or over pension age. Pension age is 60 for members of the classic, premium and classic plus and 65 for members of nuvos.

Further details about CSP arrangements can be found at the website www.civilservice-pensions.gov.uk

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme.

The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The CETV figures, and from 2003-4 any other pension benefits, include the value of any pension benefit in another scheme or arrangement which the individual member has transferred to the CSP arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost.



CETV's are calculated in accordance with the Occupational Pension Schemes (Transfer Values) (Amendment) Regulations and do not take account of any actual or potential benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include the increase in accrued pension due to inflation, contributions made by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Evelyn Collins CBE
Accounting Officer
8th July 2009





APPENDICES

1. Commission Members 2008 – 09
2. Audit and Risk Committee
3. Organisational Structure
4. Community Background and Gender composition of Equality Commission Staff





APPENDIX ONE

Commission Members 2008-09

The following served as members of the Equality Commission during the period:

Bob Collins	Chief Commissioner
Jane Morrice	Deputy Chief Commissioner (from 1 August 2008)
Anne O'Reilly	Deputy Chief Commissioner (to 31 July 2008)
Stella Burnside	(from 1 August 2008)
Annie Campbell	(to 31 July 2008)
Brian Carlin	(to 31 July 2008)
Tony Carlin	
Kit Chivers	(from 1 August 2008)
Eileen Evason	(to 31 July 2008)
Patricia Feeney	(from 1 August 2008)
Úna Gillespie	
Tom Haverty	(to 31 July 2008)
Bryan Johnston	
James Knox	
Charo Lanao-Madden	(from 1 August 2008)
Thomas McGrath	
Michael Rea	(to 31 July 2008)
Audrey Simpson	(to 31 July 2008)
David Stevens	(from 1 August 2008)
Norman Trotter	(from 1 August 2008)
Elaine Waterson	
Murray Watt	(from 1 August 2008)
Derick Wilson	(to 31 July 2008)
Paul Yam	



Commissioners' Responsibilities

- to ensure the Commission fulfils its functions in accordance with its statutory remit as defined in legislation;
- to provide effective leadership for the staff of the Commission, define and develop the strategic direction and set challenging objectives;
- to act in a way that promotes high standards of public finance, including the promotion of regularity, propriety and value for money;
- to ensure that the Commission's activities are conducted in an efficient and effective manner;
- to ensure that strategies are developed for meeting the Commission's overall objectives in accordance with Government's policies and priorities and the wider context;
- to monitor the Commission's performance to ensure that it fully meets its aims, objectives and performance targets;
- to ensure that the Commission's control, regulation and monitoring of its activities ensure value for money within a framework of best practice, regularity and propriety;
- to oversee the corporate planning process;
- to appoint the Chief Executive and to ensure that his/her performance is regularly assessed against clear objectives and targets, and
- to appoint committees to assist it in discharging its duties from amongst its members.



APPENDIX TWO

Audit and Risk Committee

The following Commissioners served on the Commission's Audit and Risk Committee during 2008-09.

Bryan Johnston (Chair)
Stella Burnside
Tony Carlin
Kit Chivers
James Knox
Jane Morrice
Elaine Waterson

Terms of Reference

An Audit and Risk Committee has been established to assist the Commission and the Accounting Officer to discharge their responsibilities for risk management, control, governance and associated audit and assurance.

Responsibilities

The Audit and Risk Committee will advise the Commission and Accounting Officer on:

- the strategic processes for risk, control and governance and the Statement on Internal Control;
- the accounting policies, the accounts, and the annual report of the organisation, including the process for review of the accounts prior to submission for audit, levels of error identified, and the Accounting Officer's letter of representation to the Comptroller and Auditor General;
- the planned activity and results of both internal and external audit;



- adequacy of management response to issues identified by audit activity, including external audit's Report to those charged with Governance;
- assurances relating to the corporate governance arrangements for the organisation;
- proposals for tendering for Internal Audit services and any changes as to the arrangements for external audit;
- anti-fraud policies, whistle-blowing processes, and arrangements for special investigations;
- arrangements for financial and performance reporting within the Commission;
- the Audit Committee will also periodically review its own effectiveness and report the results of that review to the Commission;
- any other matters, when requested to do so by the Commission.

Membership

- The members of the Audit and Risk Committee are:

Bryan Johnston – Chair
Jane Morrice – Deputy Chief Commissioner
Stella Burnside
Tony Carlin
Kit Chivers
James Knox
Elaine Waterson

The Audit and Risk Committee is chaired by Commissioner Bryan Johnston.

The Audit and Risk Committee is provided with a secretariat function by the Head of Corporate Services.

The Head of Internal Audit and the representative from NIAO will have free and confidential access to the Chair of the Audit and Risk Committee.



The Audit and Risk Committee may, with the agreement of the Accounting Officer:

- co-opt additional members for a period not exceeding a year to provide specialist skills, knowledge and experience;
- procure specialist ad-hoc advice at the expense of the organisation, subject to budgets agreed by the Commission.

Reporting

- The Audit and Risk Committee will formally report in writing to the Commission and Accounting Officer after each meeting. The mechanism for this report shall be the official minutes of the meeting as agreed by the members of the Committee;
- The Audit and Risk Committee will provide the Commission and Accounting Officer with an Annual Report, timed to support finalisation of the accounts and the Statement on Internal Control, summarising its conclusions from the work it has done during the year.

Meetings

- The Audit and Risk Committee will meet at least four times a year. The Chair of the Committee may convene additional meetings, as they deem necessary;
- A minimum of three members of the Audit and Risk Committee will be present for the meeting to be deemed quorate;
- Audit and Risk Committee meetings will normally be attended by the Accounting Officer, the Head of Corporate Services and Manager: Finance and Administration, the Head of Internal Audit, a representative of the Northern Ireland Audit Office and a representative of the Sponsoring Department, OFMDFM;
- The Committee may ask any other officials of the organisation to attend to assist it with its discussions on any particular matter;



- The Committee may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussion of particular matter;
- The Commission or the Accounting Officer may ask the Audit and Risk Committee to convene further meetings to discuss particular issues on which they want the Committee's advice.

Information Requirements

For each meeting the Audit and Risk Committee will be provided with:

- a report summarising any significant changes to the organisation's Risk Register;
- a progress report from the Head of Internal Audit summarising:
 - work performed (and a comparison with work planned);
 - key issues emerging from Internal Audit work;
 - management response to audit recommendations;
 - changes to the Periodic Plan;
 - any resourcing issues affecting the delivery of Internal Audit objectives;
- a progress report from the External Audit representative summarising any work done and emerging findings.

As and when appropriate, the Committee will also be provided with:

- proposals for the Terms of Reference of Internal Audit;
- the Internal Audit Strategy;
- the Head of Internal Audit's Annual Opinion and Report;

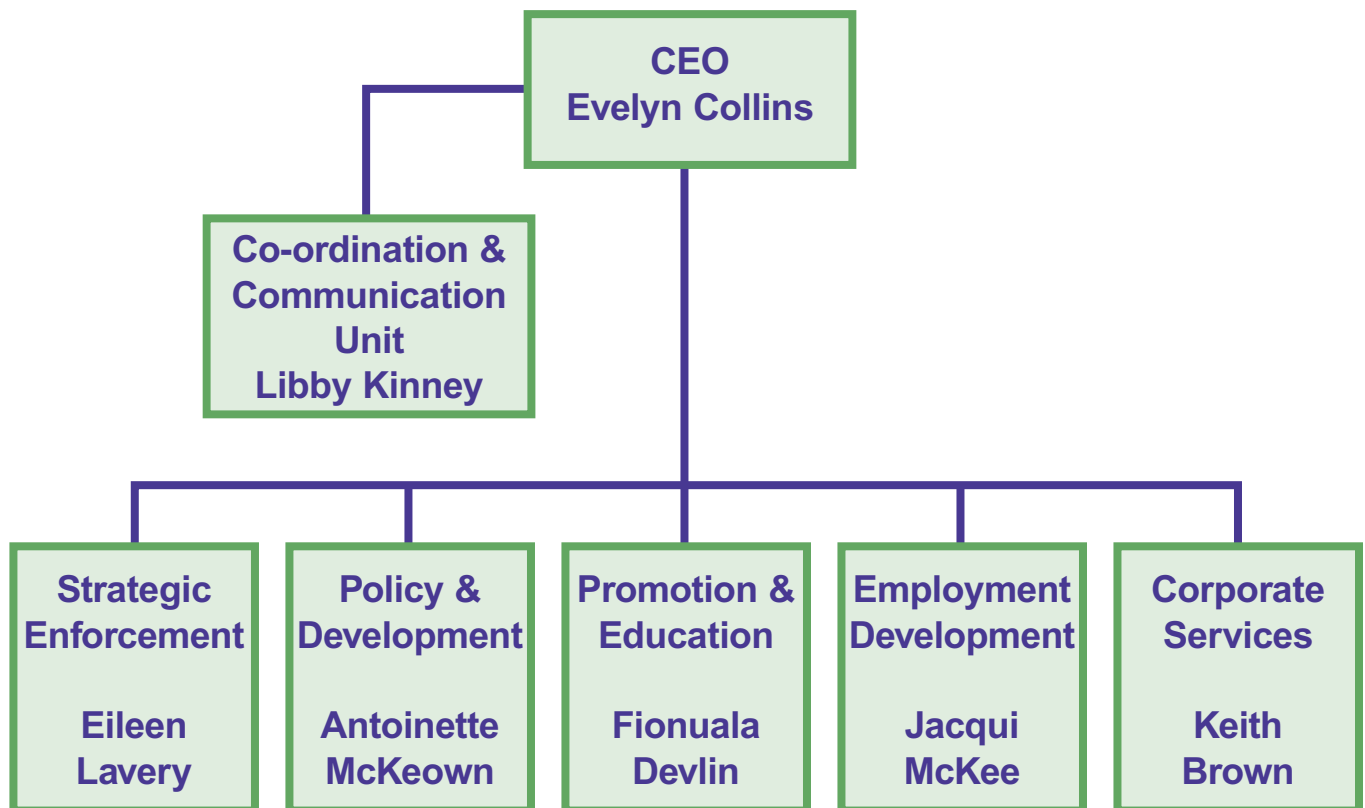


- quality assurance reports on the Internal Audit function;
- the draft accounts of the organisation;
- the draft Statement of Internal Control;
- a report on any changes to accounting policies;
- NIAO's Report to those charged with Governance;
- a report on any proposals to tender for audit functions;
- a report on co-operation between Internal and External Audit;
- a copy of every Internal Audit assignment report.



APPENDIX THREE

Equality Commission Organisational Structure





APPENDIX FOUR

Community Background and Gender composition of Equality Commission Staff at 1 January 2009

Grade	Total	P	RC	ND	M	F
Senior Mgt Team %	6	3 (50.0)	3 (50.0)	-	1 (16.7)	5 (83.3)
All Staff %	141	48 (34.0)	90 (63.8)	3 (2.1)	49 (34.8)	92 (65.2)

The composition of the working age population in Northern Ireland at the time of the last census in 2001 was [57.3%] Protestant and [42.7%] Roman Catholic. The composition of the population (age 16-35) at the time of the census was [50.6%] Protestant and [49.4%] Roman Catholic.

The 2006 Labour Force Survey would suggest continuing decline in the Protestant composition – [54%] – and a younger working age Roman Catholic composition of greater than [50%]. The composition of undergraduates attending the two universities in Northern Ireland is predominantly Roman Catholic. The composition of undergraduate students at the University of Ulster is [33%] Protestant and [67%] Roman Catholic and at Queen’s University Belfast is (44.2%) Protestant and (55.8%) Roman Catholic.

Developments in 2008-09

During this year the Commission completed its third triennial review of workforce composition and employment practices, as required under Article 55 of FETO. Following on from the review a new affirmative action plan was prepared. The plan, agreed by the Commission in March 2009, focuses on a number of key areas:



- **Recruitment Processes** – particularly on the introduction of increased external input into recruitment panels and piloting the outsourcing of recruitment.
- **Education, training and work experience** – including working with community organisations on religion specific training projects, work experience placements and preparation for recruitment exercises. This work will be particularly focussed on Protestant communities.

The Plan also targets exploring the potential for encouraging graduate and other 'returners' directly, or through participation on ongoing Government initiatives.

- **The Wider Community** – improving Commission interaction with local and other communities and making Equality House more accessible to those groups.
- **Political and Public Perceptions** – continuing and developing our communications work on the links we have established with MLAs and other 'opinion formers', particularly those representing the Protestant and Unionist communities.

During the year internal audit completed a review of a sample of recruitment exercises. No major problems were identified. A number of recommendations were considered and these will be implemented in 2009-10.

A disability action plan was in preparation at the year end and during the year an equal pay audit was initiated. These will be completed next year.

In 2008-09, the Commission prepared a new Equal Opportunities Policy and procedures for setting starting pay. A new Grievance Policy was introduced and the Commission's Equality Working Group was reconstituted.

Further work on policy review and equality training will be undertaken in 2009-10.



Equality Commission for Northern Ireland

Financial Statements

For 12 months ended
31 March 2009



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Statement of Commission's and Chief Executive's Responsibilities

Under Paragraph 7(2)(a) of Schedule 8 of the Northern Ireland Act 1988, the Commission is required to prepare for each financial year a statement of accounts in the form and on the basis determined by the Office of the First Minister and Deputy First Minister, with the approval of the Department of Finance and Personnel. The accounts are prepared on an accruals basis and must give a true and fair view of the Commission's state of affairs at the year-end and of its income and expenditure, recognised gains and losses and cash flows for the financial year.

In preparing the accounts the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

- observe the Accounts Direction issued by the Office of the First Minister and Deputy First Minister, including the relevant accounting and disclosure requirements, and apply suitable policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed and disclose and explain any material departures in the financial statements;
- prepare the financial statements on an ongoing concern basis.



The Accounting Officer of the Office of First Minister and Deputy First Minister has designated the Chief Executive of the Equality Commission for Northern Ireland as the Accounting Officer of the Commission. The Chief Executive's duties as Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for the keeping of proper records and for safeguarding the Commission's assets, are set out in Non-Departmental Public Bodies Accounting Officer's Memorandum issued by the Department of Finance and Personnel and published in Managing Public Money Northern Ireland.

Signed by:

Evelyn Collins CBE
Chief Executive and Accounting Officer
8th July 2009



Statement on Internal Control 2008-09

Scope of Responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Commission's policies, aims and objectives, whilst safeguarding the public funds and Commission assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money Northern Ireland.

The relationship between the Commission and its sponsoring Department OFMdfM is set out in the Management Statement. The Management Statement defines the financial and administrative framework within which the Commission operates, sets out the conditions on which grant-in-aid is paid and the delegations within which the Commission operates. The Management Statement has been given Ministerial approval and is supplemented by a Financial Memorandum agreed with the Commission and approved by the Department. A new Management Statement was agreed with OFMdfM and approved by DFP in April 2008.

The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place in the Commission for the year ended 31 March 2009 and up to the date of approval of the annual report and accounts, and accords with DFP guidance.



Capacity to handle risk

The Commission has appropriate procedures in place to ensure that it has identified its objectives and risks and determined a control strategy for its strategic risks. A corporate approach to risk, involving Commissioners, the Executive Team and other staff is taken. The Chief Executive, as the Accounting Officer, has overall responsibility for the Commission's corporate business and decisions and ensuring the effective management of the key associated risks. Ownership of risks has been allocated to the appropriate staff at appropriate levels and they have received relevant training to assist them in handling these risks. Risk management is cascaded down the organisation and Risk Registers are produced for each Division. Yearly stewardship statements are completed by corporate risk owners and forwarded to the Accounting Officer. These provide her with assurance that risk management processes are effective and operating in line with the Commission's risk management framework. During 2007-08, internal audit reviewed the Commission's arrangements for Corporate Governance and Risk Management and Substantial assurance was provided.

The risk and control framework

The key elements of the Commission's risk management strategy are outlined in its formal Risk Management Policy. The policy outlines the respective roles and responsibilities of the Accounting Officer, Commission, Audit and Risk Committee and Management Board.

Consideration of risk forms the basis of the strategic internal audit programme which is mapped to the Corporate Risk Register.

The Commission has ensured that procedures are in place for verifying that risk management and internal control are regularly reviewed and reported on. The Commission receives periodic reports concerning internal control. The appropriate steps are being taken to manage risks in significant areas of responsibility and monitor progress reports on key projects. Corporate Risk is routinely reviewed by the Management Board and at each Audit and Risk Committee meeting and the corporate risk register updated as necessary.



The Equality Commission is proactive in developing and implementing policies and procedural guidance to manage Information Risk. Information risk management is a key element of information governance and is an integral part of good management. A range of work plans and activities, including self-assessment and contribution to wider public sector assessments has been undertaken with the aim of meeting existing and emerging standards and to ensuring good practice across the Commission.

During the year ending 31 March 2009, internal audit completed reviews of the Commission's ICT infrastructure and security arrangements and of its arrangements for Data Protection and Freedom of Information. With regard to ICT system security and Freedom of Information, Satisfactory assurance was provided. In relation to Data Protection arrangements, assurance was Limited. By the year end the Data Protection Policy and guidance to staff had been reviewed. Further recommendations from these audits including: a review of information guidance, a new Freedom of Information policy and procedure, further guidance on the retention and disposal of data and refresher training for staff, are being implemented to address the risk for 2009-10. Key information security risks will be included in the Commission's Corporate and other risk registers.

Review of effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Commission who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have been advised on the implications of the result of my review of the effectiveness of the system of internal control by the Commission and its Audit and Risk Committee and plans to address weaknesses and ensure continuous improvement of the system are in place. The Commission's Internal Audit gave an overall Satisfactory assurance for the year.

Commissioners have individual and collective responsibility for ensuring that the Commission fulfils its functions in accordance with its statutory remit and that its control, regulation and monitoring of its activities ensure value for money within a framework of best practice, regularity and propriety.



The Commission has an Audit and Risk Committee, which oversees internal audit arrangements and ensures that they are conducted in accordance with the objectives and standards set out in the Government Internal Audit Standards. Minutes of Audit and Risk Committee meetings are provided to the full Commission and the Chair of the Committee reports to Commission meetings at regular intervals.

The Commission has an internal audit service, provided by the Internal Audit Unit of PricewaterhouseCoopers LLP, which operates to standards defined in the Government Internal Audit Standards. They submit reports, which include the Head of Internal Audit's independent opinion on the adequacy and effectiveness of the Commission's system of internal control together with recommendations for improvement. During 2008-09 the Commission accepted all recommendations made by internal audit and put progress plans in place to implement the recommendations.

Significant internal control problems

In addition to the internal audit reviews outlined above, during the course of the year, internal audit undertook two non-assurance reviews covering the Commission's recruitment and selection processes and the potential for implementation of enhanced time-recording arrangements. They also undertook a follow up review of progress on all recommendations made by them during the course of the year. In the follow up review, internal audit verified that progress on all of the recommendations was ongoing and none were outside of their agreed timetables for completion, 39% of the recommendations had already been completed.

Priority one recommendations were made with regard to the Commission's information governance arrangements, refresher training for employees on Freedom of Information and Data Protection and in relation to more formal Freedom of Information guidance. These will be progressed in 2009-10.

There were no incidents of fraud or suspected fraud during 2008-09.

Signed by

Evelyn Collins CBE
Chief Executive and Accounting Officer
8th July 2009



Equality Commission for Northern Ireland

The Certificate and Report of The Comptroller and Auditor General to The Northern Ireland Assembly

I certify that I have audited the financial statements of the Equality Commission for Northern Ireland for the year ended 31st March 2009 under the Northern Ireland Act (1998). These comprise the Income and Expenditure Account, the Balance Sheet, the Cashflow Statement and Statement of Recognised Gains and Losses and related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Commission, Chief Executive and Auditor

The Commission and Chief Executive as Accounting Officer are responsible for preparing the Annual Report, which includes the Remuneration Report and the financial statements in accordance with the Northern Ireland Act 1998 and Office of the First Minister and deputy First Minister directions made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Commission's and Chief Executive's Responsibilities.

My responsibility is to audit the financial statements and the part of the Remuneration Report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Northern Ireland Act 1998 and Office of the First Minister and deputy First Minister directions made thereunder. I report to you whether, in my opinion, the information which comprises the Management Commentary included in the Annual Report is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by the Assembly and the financial transactions conform to the authorities which govern them.



In addition, I report to you if the Equality Commission for Northern Ireland has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by the Department of Finance and Personnel regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal control reflects the Equality Commission for Northern Ireland's compliance with the Department of Finance and Personnel's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or form an opinion on the effectiveness of the Equality Commission for Northern Ireland's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises the Chief Commissioner's Foreword, Chief Executive's Report, Performance against Targets, the unaudited part of the Remuneration Report and the appendices. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinions

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Commission and Chief Executive in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the Equality Commission for Northern Ireland's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that in all material respects the expenditure and income have been applied to the purposes intended by the Assembly and the financial transactions conform to the authorities which governs them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.



Opinions

In my opinion:

- the financial statements given a true and fair view, in accordance with the Northern Ireland Act 1998 and directions made thereunder by the Office of the First Minister and deputy First Minister, of the state of the Equality Commission for Northern Ireland's affairs as at 31st March 2009 and of its net expenditure, recognised gains and losses and cash flows for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Northern Ireland Act 1998 and the Office of the First Minister and deputy First Minister directions made thereunder; and
- information which comprised the Management Commentary included within the Annual Report, is consistent with the financial statements.

Audit Opinion on Regularity

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by the Assembly and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

*JM Dowdall CB
Comptroller & Auditor General
Northern Ireland Audit Office
106 University Street
Belfast BT7 1EU*

July 2009



Income and Expenditure Account for 12 months ended 31 March 2009

	Notes	12 months to 31/03/09 £	12 months to 31/03/08 Restated £
INCOME from Activities			
E U Revenue Grants		Nil	50,000
Other Income	2	99,022	88,766
		<hr/>	<hr/>
		99,022	138,766
 Operating Costs			
Staff salaries and Commissioners' fees	3	(4,424,057)	(4,290,005)
Operating Costs	4	(1,694,621)	(1,573,494)
Notional Cost of Capital		1,807	5,542
Programme costs	5	(1,235,048)	(1,318,052)
		<hr/>	<hr/>
Operating costs for financial year		(7,252,897)	(7,037,243)
Reversal of Notional Cost of Capital		(1,807)	(5,542)
		<hr/>	<hr/>
Net expenditure for financial year		(7,254,704)	(7,042,785)

All activities are derived from continuing operations

The notes on pages 76 to 91 form part of these accounts.



Statement of Recognised Gains and Losses for 12 months ended 31 March 2009

	Notes	12 months to 31/03/09 £	12 months to 31/03/08 £
Gain/(Loss) on revaluation	6	8,602	9,185

The notes on pages 76 to 91 form part of these accounts



Balance Sheet as at 31st March 2008

	Notes	12 months to 31/03/09 £	12 months to 31/03/08 Restated £
Fixed Assets			
Intangible Assets	6	7,802	10,438
Tangible Assets	6	185,263	213,194
		<hr/>	<hr/>
		193,065	223,632
Current Assets			
Debtors & Prepayments	7	93,123	107,900
Cash at Bank and in Hand	8 & 13c	247,512	282,284
		<hr/>	<hr/>
		340,635	390,184
Current Liabilities			
Creditors; Amounts falling due within 1 year	9	(46,641)	(80,748)
		<hr/>	<hr/>
Net Current Assets/Liabilities		293,994	309,436
Total Assets less Current Liabilities		487,059	533,068
Provisions for Liabilities and Charges	10	(284,118)	(309,485)
		<hr/>	<hr/>
		202,941	223,583
		<hr/> <hr/>	<hr/> <hr/>
Represented by;			
General Reserve	11	174,601	203,305
Revaluation Reserve	12	28,340	20,278
		<hr/> <hr/>	<hr/> <hr/>
		202,941	223,583

The financial statements on pages 72 to 91 were approved by the Commission and signed on their behalf by

Evelyn Collins CBE
Chief Executive and Accounting Officer
8th July 2009



Cash Flow Statement for 12 months ended 31 March 2009

	Notes	12 months to 31/03/09 £	12 months to 31/03/08 £
Net cash in/(out)flow from operating activities	13a	(7,189,184)	(7,150,181)
Capital Expenditure	6 & 13b	(71,588)	(82,707)
Financing	13b	7,226,000	7,294,000
Increase/(decrease) in Cash		<u>(34,772)</u>	<u>61,112</u>

The notes on pages 76 to 91 form part of these accounts



Notes to the Accounts for 12 months ended 31 March 2009

1 Statement of Accounting Policies

These financial statements have been prepared in accordance with Paragraph 7(2) of the Northern Ireland Act 1998 and the 2008/09 Government Financial Reporting Manual (FReM) issued by the Department of Finance and Personnel for Northern Ireland. The accounting policies contained in FReM follow UK generally accepted accounting practices for companies (UK GAPP) to the extent that is meaningful and appropriate to the public sector.

Where FReM permits a choice of accounting policy, the accounting policy which has been judged to be the most appropriate to the particular circumstances of the Commission for the purposes of giving a true and fair view has been selected. The Commission's accounting policies have been applied consistently in dealing with items considered material in relation to the accounts.

These financial statements have been prepared on an accrual basis with charges and income allocated to the appropriate period to which they relate.

1.1 Changes in Accounting Policy

Financial Instruments: FRS 25, 26 and 29 Financial assets and liabilities are recognised in the ECNI balance sheet when ECNI becomes a party to the contractual provision of the instrument.

Financial Assets

Financial assets are classified into the following specified categories: at fair value through profit or loss ("FVTPL"); held-to-maturity investments, "available-for-sale" ("AFS") financial assets and "loans and receivables". The classification depends on the nature and purpose of the financial assets and is determined at the time of the initial recognition. ECNI's financial assets are classified as Loans and Receivables and are held at cost which approximates to fair value because of their short maturities.



Financial Liabilities

Financial liabilities of ECNI including trade and other payables, are initially measured at cost which approximates to fair value because of their short maturities.

1.2 Grant in Aid

Grant in Aid received, used to finance activities and expenditure which support the statutory and other objectives of the Commission, are treated as financing. They are credited to the General Reserve because they are regarded as contributions from a controlling party.

1.3 Fixed Assets

The fixed assets additions are fully funded by the Office of the First Minister and Deputy First Minister.

Tangible fixed assets have been valued at the historic cost revalued by indices published by the National Statistics Office.

A capitalisation threshold of £500 is applied

Depreciation is provided on non-current assets at rates calculated to write off the cost of each asset over its expected life with rates of annual depreciation as follows;

I T Equipment	25 – 33%
Office Equipment	10 – 33%
Furniture	10%
Fixtures & Fittings	10 – 33%
Intangible Assets	33%

1.4 Pension Costs

Staff have the opportunity to join the Principal Civil Service Pension Scheme (NI). The PCSPS(NI) is an unfunded defined benefit scheme which produces its own resource accounts, but the Commission is unable to identify its share of the underlying assets and liabilities. The most up to date actuarial valuation was carried out at 31 March 2007 and these details are available in the PCSPS(NI) resource accounts.

1.5 Value Added Tax

The Commission does not have any income which is subject to output VAT. Accordingly the Commission is not registered for VAT and cannot recover any input tax.



1.6 Provisions

The Commission makes provisions for liabilities and charges where, at the balance sheet date, a legal or constructive liability exists (i.e. a present obligation from past events exist), where the transfer of economic benefits is probable and a reasonable estimate can be made. Where the time value of money is material, the provision is discounted to its present value using a standard Government discount rate which currently stands at 3.5% p.a.

1.7 Notional Costs

The operating costs include the notional cost of capital employed by the Commission, reflecting the cost of capital utilised by the Commission. It is calculated at the Government's standard rate of 3.5% p.a. in real terms on the average of total assets less total liabilities and excluding bank balances used during the year.

1.8 Leased Assets

Where assets are financed by leasing arrangements that give the rights approximating to ownership (finance leases) the assets are treated as if they had been purchased outright. The corresponding leasing commitments are shown as obligations to the lessor. Depreciation is charged to the income and expenditure account on a straight line basis over the shorter of the lease terms and the useful lives of equivalent owned assets.

Lease payments are treated as consisting of capital and interest elements with the interest charged to revenue in proportion to the reducing capital element outstanding. Rentals under operating leases are charged to revenue as incurred.

1.9 Investments

The Commission does not undertake any investment activities.

1.10 Stocks

The value of stocks of consumables is immaterial and the Commission does not attribute a value for stocks in the accounts.

1.11 Legal Fees

The Commission provides for legal work authorised but not yet undertaken.



2 Income from activities

	Notes	12 months to 31/03/09 £	12 months to 31/03/08 £
Other Income			
Recovered staff costs		68,768	64,206
Service level agreements income		30,254	24,560
		<u>99,022</u>	<u>88,766</u>

3 Salaries (including Commissioners)

Commissioners' fees	3(a)	195,980	179,729
Staff salaries	3(b)	3,308,574	3,195,952
Social Security costs		241,768	238,061
Pension costs		573,938	552,501
Agency costs		103,797	123,762
		<u>4,424,057</u>	<u>4,290,005</u>



3 (a) Commissioners' Fees

Chief Commissioner's fees	89,697	72,275
Social Security costs	9,477	7,461
Pension costs	16,221	15,538
	<hr/>	<hr/>
	115,395	95,274
Other Commissioners' fees	80,001	83,843
Social Security costs	584	612
	<hr/>	<hr/>
	195,980	179,729
	<hr/> <hr/>	<hr/> <hr/>

3 (b) Staff Costs

Salary	Gross £	Social Security Costs £	Pension Costs £	Agency Costs £	12 months to 31/03/09 £	12 months to 31/03/08 £
Integrated/New areas	1,127,527	78,611	196,017	32,727	1,434,882	1,929,182
Disability	166,494	11,728	28,912	6,192	213,326	120,530
Religion & Politics	463,870	31,199	81,453	26,197	602,719	467,002
Gender	133,659	9,432	23,218	4,698	171,007	83,287
Race	270,669	19,860	47,334	3,844	341,707	104,979
Stat. Duty	244,557	17,017	42,200	0	303,774	337,330
Resources	461,041	34,822	68,306	30,139	594,308	556,046
Executive	440,757	39,099	86,498	0	566,354	511,920
TOTAL	3,308,574	241,768	573,938	103,797	4,228,077	4,110,276



3 (c) Staff

	12 months to 31/03/09			12 months to 31/03/08		
	Permanent	Other	Total	Permanent	Other	Total
Integrated/New areas	45	2	47	67	2	69
Disability	6	0	6	4	0	4
Religion & Politics	21	2	23	11	2	13
Gender	5	0	5	3	0	3
Race	10	0	10	3	0	3
Stat Duty	10	0	10	8	0	8
Resources	21	1	22	17	2	19
Executive	8	0	8	9	0	9
TOTAL	126	5	131	122	6	128

Under Schedule 8 Paragraph 5 (2) of the Northern Ireland Act 1998, the Commission is required to give details of how resources have been divided between the functions previously exercised by the bodies dissolved at the time of its formation. With the Commission's ongoing development and the need to coordinate and integrate its work in the most efficient and effective manner possible, an increasing amount of costs and staff numbers are categorised as "Integrated/new areas" rather than being specific to any individual issue. The Commission has also been given responsibility for additional areas of legal protection not covered in the remit of the Equality Commission at its inception e.g. sexual orientation, age, additional disability responsibilities. The description "integrated/new areas" in tables 3(b) and 3(c) therefore includes work undertaken across all areas, including work on age, disability, gender, race, sexual orientation and fair employment issues. Though impacting on the presentation of staffing costs and full time equivalents it does not reflect a diminution of effort in any area of activity. Note 5 "Other Costs" provides a breakdown of the programme spend by issue.

Work on new areas and 'integrated' work impacts on the analysis of costs and full time equivalents. In this year's analysis the work undertaken by specific teams has, where possible, been allocated to specific issues; the work undertaken in strategic enforcement has been apportioned on the basis of the number of cases assisted in each area.

For 2008/09 employer contributions of £610,564 (2007/08 £568,039) were payable to PCSPS(NI) at one of four rates of pensionable pay based on salary bands. These rates were increased on 1 April 2005 as a result of the latest actuarial valuation to between 16.5% and 23.5%. The contribution rates reflect



benefits as they are accrued, not when the costs are actually incurred and reflect past experience of the scheme.

4. Operating Costs

	12 months to 31/03/09	12 months to 31/03/08 Restated
	£	£
General Costs		
Travel and subsistence	37,111	27,978
Staff Recruitment	46,800	51,531
Staff Costs	17,423	Nil
Postage	32,568	45,086
Telephones	45,919	57,475
Audit	16,000	4,500
Insurance	17,107	19,125
Miscellaneous	13,829	18,297
Office Consumables	64,952	55,499
R & M office equipment	764	97
Annual contracts	75,102	60,122
Legal costs	12,535	27,409
Corporate services	19,923	1,110
Early retirement costs	168	628
	400,201	368,857
Premises Costs		
Rents	663,520	663,254
Rates	179,399	173,160
Service charge	39,826	3,421
Electricity/gas	70,879	61,579
R & M buildings	71,255	14,799
Facilities management	159,324	173,944
	1,184,203	1,090,157
Non cash costs		
Depreciation	106,846	112,972
Revaluation of fixed assets	3,371	1,508
	110,217	114,480
	1,694,621	1,573,494

The above costs include £680,280 (2008 £662,340) paid in respect of operating leases for equipment and premises.



5 Programme Costs

							12 mnths to 31/3/09 £	12 mnths to 31/3/08 £
Commission Expenses							22,709	21,127
	Intergrated New Areas £	Disability £	Religion & Politics £	Gender £	Race £	Stat Duty £		
Education and Advice	263,326	4,318	8,331	4,557	123,334	18,201	422,067	478,110
Legal Fees	123,213	130,100	147,935	42,203	61,795	1,725	506,971	528,998
Investigations Research & Consultancy	244,877	727	5,100	1,079	10,565	20,953	283,301	289,817
	631,416	135,145	161,366	47,839	195,694	40,879	1,212,339	1,296,925
							1,235,048	1,318,052



6 Fixed Assets

	Intangible Assets £	Information Technology £	Office Equipment £	Furniture & Fittings £	Fixtures £	Total Tangible £
Valuation at 31/3/08	36,031	344,234	88,940	323,816	80,916	837,906
Revaluation	0	(20,380)	4,687	14,053	5,147	3,507
Additions	6,898	48,827	0	10,350	5,513	64,690
Disposals	0	(54,742)	0	0	0	(54,742)
Valuation at 31/3/09	42,929	317,939	93,627	348,219	91,576	851,361
Accum. Depreciation At 31/3/08	25,593	296,345	61,832	217,078	49,457	624,712
Revaluation	0	(17,009)	3,259	9,421	3,145	(1,184)
Depreciation for period	9,534	41,518	9,164	34,720	11,910	97,312
Depreciation on Disposals	0	(54,742)	0	0	0	(54,742)
Accum. Depreciation At 31/3/09	35,127	266,112	74,255	261,219	64,512	666,098
Net Book Value at 31/3/09	7,802	51,827	19,372	87,000	27,064	185,263
Net Book Value at 31/3/08	10,438	47,889	27,108	106,738	31,459	213,194



7 Debtors: amounts due within 12 months

	31/03/09 £	31/03/08 £
(a) Analysis by type		
Prepayments	85,052	80,985
Debtors	8,071	26,915
	<u>93,123</u>	<u>107,900</u>
(b) Intra-Government balances;		
Balances with other central government bodies	0	0
Balances with bodies external to government	93,123	107,900
	<u>93,123</u>	<u>107,900</u>

8 Cash at Bank and in Hand

	31/03/09 £	31/03/08 £
Cash in Bank	247,413	282,235
Cash in Hand	99	49
	<u>247,512</u>	<u>282,284</u>

9 Creditors: amounts falling due within 12 months

	31/03/09 £	31/03/09 £
(a) Analysis by type		
Trade creditors	0	43,531
Accruals	46,641	37,217
	<u>46,641</u>	<u>80,748</u>
(b) Intra-Governmental balances		
Balances with other central government bodies	16,000	17,000
Balances with bodies external to government	30,641	63,748
	<u>46,641</u>	<u>80,748</u>



10 Provisions for Liabilities and Charges

	Internal Costs £	Legal Costs £	Total £
Provisions at 31/3/08	51,875	257,610	309,485
Additional in period	Nil	558,247	558,247
Unused provision written back	(534)	(154,400)	(154,934)
Utilised in year	(51,341)	(377,339)	(428,680)
Provision at 31/3/09	Nil	284,118	284,118

At 31 March 2009 there were no cases against the Equality Commission on employment practices outstanding. One of the key strategic objectives of the Commission is to combat discrimination and to promote equality of opportunity. In working towards this objective the Commission offers support to complainants in cases of alleged discrimination. A provision for legal fees of £284,118 together with accrued legal expenditure covers all presently committed funds in respect of these cases.



11 Reconciliation of movements in General Reserve

	31/03/09 £	31/03/08 £
At 31st March 2008	203,305	(47,910)
Finance from OFMdfM	7,226,000	7,294,000
Net for financial year	(7,254,704)	(7,042,785)
At 31st March 2009	<u>174,601</u>	<u>203,305</u>

12 Revaluation Reserve

	31/03/09 £	31/03/08 £
At 31st March 2008	20,278	11,093
Surplus arising in year	8,062	9,185
At 31st March 2009	<u>28,340</u>	<u>20,278</u>



13 Notes to Cash Flow Statement

(a) Reconciliation of result for period to net cash outflow from operating statement

	31/03/09 £	31/03/08 £
Net expenditure for financial year	(7,254,704)	(7,042,785)
Adjustment for non-cash transactions	106,846	112,972
Depreciation		
Revaluation of fixed assets	3,371	1,508
Increase/(decrease) in provisions	(25,367)	(34,935)
Adjustments for movements in working capital	14,777	(11,328)
Decrease/(increase) in debtors		
(Decrease)/increase in creditors	(34,107)	(175,613)
Net cash flow from operations	<u>(7,189,184)</u>	<u>(7,150,181)</u>

(b) Analysis of financing

	31/03/09 £	31/03/08 £
Grant in Aid (OFMDFM)	7,226,000	7,294,000
Applied towards the purchase of fixed assets	(71,588)	(82,707)
Grant in Aid applied to financing	<u>7,154,412</u>	<u>7,211,293</u>

(c) Reconciliation of net cash inflow to movement in net funds

	31/03/09 £	31/03/08 £
Opening cash	282,284	221,172
Net cash inflow/(outflow)	(34,772)	61,112
Closing cash	<u>247,512</u>	<u>282,284</u>



14 Financial Commitments

Commitments existed at 31st March 2009 under operating leases in respect of rentals which expire:

Land and Buildings

	2009	2008
Within 1 year	1,095	953
Within 2-5 years	631,441	634,528
Over 5 years	Nil	Nil

Equipment

	2009	2008
Within 1 year	6,163	Nil
Within 2-5 years	32,692	38,898
Over 5 years	Nil	Nil

Commitments under finance leases £Nil

15 Contingent Liabilities

There are no known contingent liabilities

16 Capital Commitments

There are no capital commitments



17 Financial instruments

Categories of financial instruments

FRS29 Financial Instruments: requires disclosure that enables evaluation of the significance of financial instruments for the Commission's financial position and performance, the nature and extent of risks arising from financial instruments to which the Commission is exposed during the period and at the reporting date, and how the Commission manages those risks. As a result of the nature of its activities and the way in which Government Agencies are financed, the Equality Commission is not exposed to the degree of financial risks faced by business entities.

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset and financial liability are disclosed in Note 1 "Accounting Policies".

The Commission's financial assets are classified as loans and receivables and comprise trade and other debtors (Note 7) and cash at bank and in hand. The Commission's financial liabilities comprise trade creditors (Note 9). These financial assets and liabilities are held at cost which approximates to fair value because of their short maturities.

Cash at bank and in hand comprises cash and demand deposits with banks. As at 31 March 2009 the carrying value of cash at bank approximates its fair value due to its short term nature.

18 Related Party Transactions

The Equality Commission for Northern Ireland is a non-departmental public body sponsored by the Office of the First and Deputy First Minister (OFMdFM). OFMdFM is regarded as a related party. During the year the Commission had various material transactions with OFMdFM, the Northern Ireland Commission for Children and Young People for which OFMdFM is regarded as the parent body and the Northern Ireland Human Rights Commission.



No Commissioner or key management executive has undertaken any material transactions with the Equality Commission. There were no other related party transactions.

19 Post Balance Sheet Events

The Financial Statements were authorised for issue on 8th July 2009 by the Accounting Officer. There were no events after the balance sheet date that require disclosure.



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