



EQUALITY COMMISSION FOR NORTHERN IRELAND

**Response to the Executive's
consultation on a draft Programme
for Government Framework**

- Key Point Briefing -

July 2016

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- 1.1 In January 2016¹ the Equality Commission for Northern Ireland (“the Commission”) set out and published priority issues and recommendations it wished to see advanced through the forthcoming Programme for Government (PfG) and Budget, in order to address key inequalities and promote equality of opportunity.
- 1.2 The Commission welcomes the opportunity to respond to the subsequent consultation on a draft Programme for Government Framework.
- 1.3 Overall, we welcome and strongly support a focus on achieving outcomes, specifically given the potential that this offers to advance equality of opportunity and good relations for those who live with and experience inequalities and the absence of good relations.
- 1.4 We also support the Executive's approach to focus on the impact on people rather than solely on the actions taken within Government. Further, we support the emphasis on working across Government and on full engagement and co-design with stakeholders. We also support the proposed intention to ‘report progress quickly and openly’. In general, such an approach has the potential to be transformative and to deliver tangible outcomes.
- 1.5 We look forward to the opportunity to work closely with the Executive to advance equality of opportunity and good relations through the Programme for Government, in line with our key role as the independent body with a statutory remit to challenge discrimination and promote equality of opportunity.

Summary of Recommendations

Overarching Key Recommendations

- 1.6 Whilst there are a number of clear references relating to the promotion of equality and good relations in certain areas of the draft

¹ [ECNI \(2016\) Recommendations: Programme for Government \(PfG\) and Budget](#) (published Jan 2016, updated May 2016)

PfG Framework, there appears to be limited mainstreaming of equality *across* the PfG Framework as a whole.

- 1.7 The Commission **recommends** that the PfG Framework, including its *Foreword* and *Introduction*, makes clear that the promotion of equality of opportunity and good relations is central to, and at the heart of, the PfG Framework and the delivery of associated societal outcomes.
- 1.8 Further, in order to ensure that the promotion of equality and good relations is comprehensively embedded across the PfG Framework, the Commission **recommends** that promoting equality of opportunity and good relations should be cross-cutting themes across all Government strategies, policy development and actions – including the PfG.
- 1.9 In practical terms, we envisage that this could be accomplished by the Executive ensuring that all relevant² PfG measures (and all relevant indicators and all outcomes) are not only tracked in aggregate but also tracked for the impact on individuals from each of the Section 75 grounds.
- 1.10 We **recommend** that the PfG makes explicit that all relevant PfG measures (and as such all relevant indicators and all outcomes) are tracked in aggregate AND for each of the Section 75 grounds.
- 1.11 Further, we **recommend** that, where the PfG includes a particular targeted focus on advancing equality of opportunity for a specific equality group (for example, children and young people, people with disabilities or of different community backgrounds), this targeted focus is clearly explained in the PfG Framework, along with the rationale underpinning this priority focus.
- 1.12 Taking the above points in tandem, while *measures* would thus be tracked for ALL Section 75 grounds, this would be discrete from any targeted actions aimed at advancing equality of opportunity for specific (e.g. currently disadvantaged) Section 75 groups. Such an approach would not only ensure that the outcome of targeted actions was tracked, but would provide a robust evidence base to assess equality of opportunity, compared to the population as a whole and to other equality groups. It would also provide a firmer basis for the identification of future targeted actions, and for the fulfilment of the statutory equality and good relations duties.

² The Commission considers *relevant* measures to be all those that directly relate to individuals

Recommendations regarding proposed 'Outcomes'

- 1.13 We *support* a number of the proposed outcomes as having the potential to advance equality of opportunity and good relations, including those which most closely align with our published PfG recommendations - such as the proposed outcomes relating to a *more equal society; shared society; safe community; health; employment; caring for others; and confident society*³ .
- 1.14 However, we note that, apart from limited references in the proposed '*equal society*' and '*shared society*' outcomes to Section 75 groups, there are (with the exception of a proposed outcome relating solely to children and young people) no other references in the other proposed outcomes to improving outcomes for *other Section 75 groups*; such as women, disabled people, minority ethnic communities (including asylum seekers and refugees), Lesbian Gay Bisexual (LGB) people and older people.
- 1.15 In our full response, we set out specific comments and recommendations in relation to a number of proposed outcomes. For example:
- within the proposed '*equal society*' outcome, we **recommend** the inclusion of Executive commitments to ensure compliance with international human rights Conventions; address key gaps in equality data; ensure that effective equality and good relations strategies are created, implemented and updated across the range of equality grounds; and ensure that equality legislation is amended to not only provide the necessary protection to those who need it, but to harmonise protections for the benefit of individuals, employers and service providers;
 - as regards the proposed '*shared society*' outcome, we **recommend** the inclusion of additional specific measures and commitments aligned to ensuring an increase in sharing more generally – i.e. in education, in work, in housing and in society in general; as well as tackling hate crime and gender based violence.

Recommendations regarding proposed 'Indicators/Measures'

- 1.16 We support the general focus of a number of proposed indicators - in particular, the proposed indicators relating to good relations;

³ Specifically the draft outcomes are; *we have a more equal society; we are a shared society that respects diversity ; we have a safe community where we respect the law, and each other ; we enjoy long, healthy, active lives; we have more people working in better jobs ; we care for others and we help those in need; we are an innovative, creative society, where people can fulfil their potential; we are a confident, welcoming, outward-looking society;*

employment; education; health; housing; looked after children; adults with care needs; reducing crime.

1.17 However, we note that, when indicators are read in conjunction with their sole lead measure, the focus of the indicator becomes substantially more narrowly defined than a reading of the indicators alone may suggest. For example, we highlight the fact that the proposed indicator on *shared space* is measured only in relation to certain facilities (e.g. leisure centres). As a consequence, the PfG Framework does not contain any indicator/measures on shared space more generally, or for example sharing in employment, education or housing etc. As such the proposed measure misses measures of equality of opportunity and good relations which are potentially fundamental to the achievement of the stated outcomes.

1.18 We therefore **recommend** that the Executive ensures that PfG measures are sufficient to track progress fundamental to achieving the stated outcomes.

1.19 In our full response, we set out specific comments and recommendations in relation to a number of the proposed indicators and associated lead measures.

1.20 For example, we **recommend** the inclusion of additional indicators or measures in the following key areas; increasing the participation of under-represented Section 75 groups in public life; increasing sharing in education and in housing; reducing hate crime and gender based violence; and reducing prejudice based bullying in schools.

Statutory equality and good relations duties and Equality Scheme advice

1.21 The PfG Framework will set the parameters for delivery and actions for all public authorities and public services. It is therefore vital that the Executive and the Departments agree outcomes, indicators and measures in a way that will enable all public authorities to fulfil their duties to have due regard to the need to promote equality of opportunity and have regard to the desirability of promoting good relations.

1.22 Hence the recommendations elsewhere in this response that all relevant PfG measures (and as such all relevant indicators and all outcomes) are not only tracked in aggregate but also tracked for the impact on individuals from each of the Section 75 grounds.

- 1.23 The Commission also provided advice to the Executive Office on its obligations under Section 75 of the Northern Ireland Act 1998 prior to the draft PfG being published. The Commission advised that the Executive Office should carry out a comprehensive screening exercise on the draft PfG, ensuring that the screening adhered to its Equality Scheme commitments. The screening exercise referred to in the consultation document is not presented. Consultees are therefore not able to see the Department's assessment of equality or good relations impacts, nor indeed whether there would be opportunities to promote equality of opportunity and good relations.
- 1.24 We **recommend** that the Department review the evidence base already gathered for the PfG through the lens of Section 75. This evidence should be set out and inform the assessment of impacts via screening and/or EQIA documentation. We also remind the Executive Office that its work and functions at this level, including with other Departments and Councils to deliver the PfG high-level outcomes, are subject to the statutory equality and good relations duties, and that Equality Scheme commitments should be applied.

Further Information

- 1.25 Further information on the Commission's priority recommendations for inclusion in the Programme for Government, including a copy of our full response to this consultation, can be found at:
www.equalityni.org/pfg