

Equality Commission: Response to draft Delivery plans for Indicators 16 (seasonally adjusted employment rate 16-64), 18 (A Better Jobs Index) and 34 (employment rate by council area) and Indicators 14 (proportion of workforce in employment qualified to level 1 and above, level 2 and above, level 3 and above and level four and above) and 41 (proportion of local graduates from local institutions in professional or management occupations or in further study six months after graduation).

- 1.1 In January 2016, the Equality Commission ('the Commission') highlighted¹ priority issues. In January 2016, the Equality Commission ('the Commission') highlighted² priority issues and recommendations to be advanced through the Programme for Government (PfG) and Budget. In our July 2016 response to the Programme for Government Framework consultation³, the Commission reiterated that the PfG should include actions to:
- support women's economic participation, including through access to appropriate, accessible and affordable childcare;
 - address the exploitation of migrant workers and the concentration of some minority ethnic workers in low paid employment;
 - support people with disabilities to access and remain in the workplace;
 - ensure training and programmes to enable people to access and, progress in, work are accessible and inclusive for all.
- 1.2 The Commission considers that promoting equality of opportunity and good relations should be cross cutting themes across all Government strategies, policy development and actions. This includes the PfG framework and associated delivery plans, including the delivery plans for the proposed Indicators 16, 18 and 34⁴ and 14⁵ and 41⁶, as well as the Budget and key Strategies, such as the Economic, Social and Investment Strategies.
- 1.3 We note that the PfG is to be supported by an updated Investment Strategy; a revised Economic Strategy, as well as a new Social Strategy. We note that there are proposals to consult and engage on these draft Strategies. We wish to see our specific PfG recommendations advanced through the Programme for Government and these Strategies. The work of government generally should ensure the

¹ [ECNI \(2016\), Equality Commission recommendations for the 2016-19 Programme for Government \(PfG\) and Budget \(first published January 2016, refined May 2016\)](#) .

² [ECNI \(2016\), Equality Commission recommendations for the 2016-19 Programme for Government \(PfG\) and Budget \(first published January 2016, refined May 2016\)](#) .

³ [ECNI \(July 2016\) PfG Framework - Full Response](#)

⁴ Seasonally adjusted employment rate (16-64); A Better Jobs Index; Employment rate by council area.

⁵ Proportion of the workforce in employment qualified to level 1 and above, level 2 and above, level 3 and above and level four and above.

⁶ Proportion of local graduates from local institutions in professional or management occupations or in further study six months after graduation.

mainstreaming of equality of opportunity and good relations in the key outcomes to be achieved in PfG.

- 1.4 The following considers the content of the delivery plans (version downloaded on 25 January 2017) against the key inequalities and policy priorities highlighted by the Commission in January 2016.
- 1.5 We hope that this information, in tandem with our response to the consultation on the draft PfG⁷, will be of assistance in the further development of the delivery plans.

We recommend further actions to support women’s economic participation, including through the provision of childcare.

- 1.6 We note that the draft delivery plan (Indicators 16, 18, 34) identifies a number of key inequalities that require consideration. This includes that certain groups, including women, have significantly lower employment rates than others⁸. Accordingly we welcome the commitment to target the gender (and age) profile of specific groups with lower employment rates under the ‘*Enabling Success*’ Strategy⁹. We also welcome the commitment in this draft delivery plan to support female entrepreneurship through introducing a new women’s programme.
- 1.7 The draft delivery plan for Indicators 16, 18, 34 in the section on “*key inequalities to be considered*”, also indicates that it is envisaged that the introduction of Universal Credit will provide support in a number of areas including by providing childcare payments for eligible claimants.
- 1.8 Whilst across the draft PfG delivery plans there is a reference to giving further consideration to proposals to expand childcare¹⁰, as well as a commitment to provide better access to childcare provision for disabled children through the Childcare Strategy¹¹, we have made it clear in our response to the draft PfG that we are concerned that there is a lack of specific actions to deliver a comprehensive strategy and actions for appropriate, accessible and affordable childcare as recommended by the Commission – including to support the economic

⁷ ECNI (2016), [Response to the Executive’s consultation on a draft Programme for Government 2016-21](#)

⁸ Younger and older workers, as well as those living in certain geographical areas, are also identified as having significantly lower employment rates than others. Also the draft PfG identifies care leavers as requiring particular support in training and employment (and education).

⁹ DEL & DETI (2015) ‘[Enabling Success’- Supporting the transition from economic inactivity to employment](#)

¹⁰ There is a commitment to explore the feasibility (with DE) to extend free childcare provision available to working parents for up to 38 weeks per child for 3 / 4 years old. There is also a reference to the fact that “*the impact of childcare on employability will also be addressed, at least in part, by Universal Credit, which will pay up to 85% of childcare costs to lone parents and couples (where both members are in work).*” In addition, it states: “*To ensure that work pays, under Universal Credit claimants can work less than 16 hours and still receive support with the cost of childcare, in contrast to current rules*”.

¹¹ There is a commitment to “work with our colleagues in Education and Universal Credit regarding childcare and the implementation of the Childcare Strategy in order to provide better access to childcare for parents of children with disabilities and children of parents who have disabilities”.

participation of those with childcare responsibilities. We have recommended that this is addressed in the final PfG¹².

- 1.9 In our response to the draft PfG we noted that in the draft delivery plan for other employment related Indicators (17, 32 and 33¹³) access to affordable childcare is highlighted as a barrier to increased employability for lone parents and families on low incomes (with a particular impact on women). We highlighted, however, that in the latter draft delivery plan 'lack of access to childcare' is considered a '*personal circumstance*', with no reference made to it as a structural barrier to employment.
- 1.10 We consider that lack of access to childcare should be considered a 'structural barrier' to employment. We also consider that enhanced and improved childcare provision can provide not only for the child, but also for those with childcare responsibilities – with particular potential to support and maximise economic participation¹⁴, including as aligned to the delivery plans for which you have responsibility (for example, maximising employment rates; workforce proportions with higher qualifications; workforce proportions in management occupations or further study etc). We recommend that the delivery plans for which you have responsibility ensure an approach which is consistent with overcoming childcare as a structural barrier.
- 1.11 We further recommend the adoption of a gender sensitive approach to identifying key actions. We are concerned that there is no specific mention of actions in draft PfG delivery plans aimed at addressing the concentration of women in low paid, part-time employment¹⁵ or mitigating the impact on gender equality of rebalancing the economy; nor to promoting flexible working or to encouraging men to share family roles / responsibilities¹⁶. We recommend that these points are addressed via the delivery plans for Indicators 16, 18, 34, 14, 41 and via the finalised PfG.
- 1.12 We also note there is no reference in the draft PfG or the draft delivery plans to taking action to eliminating occupational and industrial segregation experienced by men and women within the labour market. Whilst we welcome a range of initiatives by the former Department for Employment and Learning, in conjunction with the Commission, on improving the gender balance in Science Technology, Engineering and Maths (STEM), including the development of a STEM

¹² ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

¹³ Grouped indicators 17 (economic inactivity rate excluding students), 32 (employment rate of 16-64 year olds by deprivation quintile), and 33 (% people working part time who would like to work more hours)

¹⁴ ECNI (2013) [Maximising the Economic Participation of those with childcare responsibilities, Summary](#).

¹⁵ Whilst there is a reference to lower employment rates for women compared to men, there is no specific reference to addressing the concentration of women in part-time work that is low paid.

¹⁶ See ECNI (2016) [Gender Equality Policy Priorities and Recommendations](#) for further details on our recommendations aimed at promoting gender equality in employment. These include eliminating occupational and industrial segregation – for example, increasing the representation of women in Science Technology, Engineering and Maths (STEM) related professions.

Charter¹⁷, there would appear to be no reference in the draft PfG or draft delivery plans to improving the gender balance in STEM¹⁸.

- 1.13 Whilst there is also a commitment in the draft delivery plan for Indicator 14 to the development of apprenticeships at higher levels and in a wider range of occupations, we note that there is no reference to proposed action to address occupational segregation in apprenticeships; including for example the under-representation of women in apprenticeships in STEM related areas¹⁹.
- 1.14 The Commission have recently set out in our [Gender Equality Policy Priorities and Recommendations](#) a series of recommendations to advance gender equality in access to, and progression within, employment, including to ensure women's economic independence, that we wish to see progressed²⁰. This information may be of assistance to you / your colleagues in further developing the delivery plans.
- 1.15 We recommend that the above points are addressed in the final PfG and via revised delivery plans linked to the above Indicators.

We recommend actions to address the exploitation of migrant workers and the concentration of some minority ethnic workers in low paid employment.

- 1.16 We note that there are no specific actions aimed at tackling the concentration of some minority ethnic workers in low paid employment in the draft delivery plans linked to the above Indicators. We also note that, whilst there is a reference to tackling modern slavery in the draft delivery plan for Indicator 1, actions aligned to this are not clear, and there thus appear to be no specific reference or actions to tackling the exploitation of migrant workers.
- 1.17 The Commission's formal investigation into the *Role of the Recruitment Sector in the Employment of Migrant Workers*²¹ (2010) found evidence of exploitation of migrant workers in Northern Ireland and revealed that despite a considerable body of legislation governing the sector, not all recruitment agencies worked within these legislative terms and barriers to equality of opportunity existed for those who used their services.
- 1.18 Addressing these issues is, for example, relevant to the proposed Indicator 18 (A Better Jobs Index) and the intention of the Executive, as set out in the draft delivery plan linked to this Indicator, "*to focus on creating well paid, secure jobs whilst also*

¹⁷See ECNI [STEM](#)

¹⁸ There is a reference to STEM in the draft delivery plan for indicator 14. In particular, STEM is recognised as 'at the heart of the forecasted skills needs' in the delivery plan for indicator 14 but the related ongoing skills intervention is to 'examine the potential to expand' STEM and other qualifications in line with the forecast. There is no specific reference to improving the gender balance in STEM.

¹⁹ See STEM Business Group (2013) [Addressing gender imbalance: Reaping the gender dividend in STEM](#), and [DEL Statistics 2015](#)

²⁰See ECNI (2016) [Gender Equality Policy Priorities and Recommendations](#) ,

²¹ ECNI (2010) [Role of the Recruitment Sector in the Employment of Migrant Workers](#)

addressing the longer term challenge of improving living standards for those on lower wages”.

- 1.19 We recommend that actions to address these recommendations are included in the delivery plan for Indicators 16, 18 and 34, 14, 41 and the final PfG.

We recommend commitments to support disabled people into employment are underpinned by effective action measures and resources.

- 1.20 We note from the draft delivery plan for Indicators 16, 18 and 34 that long term sick and disabled people are reported as making up 27% of those who are economically inactive. We welcome the commitments to take a range of measures across PfG to support disabled people to access employment, including through the ‘*Enabling Success*’ Strategy^{22 23}, as well as to upskill disabled people and to support them in further / higher education²⁴.
- 1.21 We consider that there is further potential for the delivery plans linked to Indicators 16, 18 and 34, and Indicators 14 and 41, to recognise and underpin these commitments by setting out specific actions, and associated resources, including as regards the delivery of the *Disability Employment Strategy*²⁵.

We recommend the inclusion of actions designed to ensure training and programmes to enable people to get into or stay in work that are accessible and inclusive for all.

- 1.22 We note that there are a number of planned interventions²⁶ in the draft PfG delivery plans designed to improve the overall employment rate and to target all people who are economically inactive (including disabled people and those with caring responsibilities). There is also a focus on supporting care leavers in training and employment (and education).

²² DEL & DETI (2015) [‘Enabling Success’- Supporting the transition from economic inactivity to employment](#)

²³ There are commitments to: introduce job trails for those who are not sure about what they can and cannot do in the context of their health condition and work; to trial direct access to occupational health support to a small number of GPs aimed at young adults with mental health conditions; to support people living with cancer with a focus on work support, finances, health and wellbeing. There is a commitment to “explore support options that will enable more young people with disabilities to access pre-employment, educational and vocational programmes”; to “implement the Employment Strategy for people with a disability to create a pathway that will help more young adults move into work”; to “ensure that disabled people who are economically inactive are, where possible, helped back into the labour market”

²⁴ There is an action to “Identify the main barriers which inhibit different groups of learners from participating in provision “relating to further education. which includes a focus on young people and disabled people and those experiencing economic inactivity

²⁵ Department for Communities (2016): [‘Supporting Equality Through Inclusive Employment – An Employment Strategy for People with Disabilities’](#).

²⁶ For example, a *Work, Health and Wellbeing Framework* to support people to find work and support employers to fill jobs.

- 1.23 We note that the draft delivery plan for Indicator 14 sets out an action for the Department for Communities and voluntary and community groups for the Neighbourhood Renewal Scheme to work with people disengaged from mainstream education and skills opportunities. The Commission has recommended²⁷ that Government ensures planned actions are effective in addressing the high proportion of young people not in employment education and training – in aggregate and for specific Section 75 equality categories²⁸.
- 1.24 We also note the draft delivery plan for Indicator 14 sets out the proposed development of an Economic Social Inclusion Framework to enable people of working age to improve their skills through the provision of training and support. We welcome the fact that it is anticipated that this Framework will aim to identify any under-represented groups across the Department's programmes.
- 1.25 From the detail available across the PfG draft delivery plans, it is not clear if actions will be taken generally to ensure that training and programmes are accessible and inclusive for all, across the Section 75 categories. We recommend that actions aimed at identifying / addressing under-representations occur across all Section 75 categories.
- 1.26 We further recommend, with regards to improving economic participation, the inclusion of actions so as to ensure that work-related training and programmes are accessible and inclusive for all, across the Section 75 categories. This includes addressing the particular barriers faced by discrete Section 75 groups in accessing and remaining in work, and taking positive action, where appropriate²⁹.

We recommended additional actions aimed at challenging prejudicial attitudes, behaviour and discrimination in the workplace.

- 1.27 Whilst there is a focus in the draft delivery plan for Indicator 42 on challenging attitudes to disabled people in the employment sector, in general there is an absence in the PfG and across delivery plans of wider actions to recognise and challenge prejudicial attitudes and behaviour in the workplace.
- 1.28 For example, there appears to be no reference in the draft PfG delivery plans or the PfG to challenging prejudicial attitudes or negative stereotypes in the workplace experienced by other individuals / groups covered by the Section 75 categories; for example, Lesbian, Gay, Bisexual (LGB) people, transgender people, older people, minority ethnic communities, and women (including negative attitudes towards pregnant employees and working mothers).

²⁷ ECNI (2016) [Age equality: draft policy position and recommendations](#)

²⁸ We have recommended that steps to gain skills include targeted careers advice and support for those at or approaching school leaving age. Targeted action is required in general and for those with multiple identities who may face additional barriers to training and in the labour market.

²⁹ For further information on taking positive action in employment see ECNI (2016) [Guide on Outreach Positive Action](#)

- 1.29 We recommend additional actions in the delivery plans for Indicators 16, 18, 34, 14 and 41; and in the PfG aimed at removing barriers to accessing, and remaining in, employment that are experienced by individuals / groups covered by the Section 75 categories. This should include actions aimed at challenging prejudicial attitudes and behaviour in the workplace, reducing discrimination, and tackling barriers in employment experienced by individuals/ groups across the Section 75 categories.
- 1.30 By way of assistance, the Commission has set out a series of specific recommendations aimed at promoting equality of opportunity in the workplace for a range of individuals/ groups covered by the Section 75 categories³⁰.
- 1.31 We also consider that there is potential for the PfG and associated delivery plans to convey key next actions in ongoing work – for example, we do not see reference to work currently being taking forward by the Department of Communities to develop a Strategy, including an action plan, on eliminating differences in the pay of male and female employees; or to the introduction in 2017 of new employer gender pay reporting requirements under Employment (NI) Act 2016.

We recommend actions to address key shortfalls in Northern Ireland to ensure compliance with obligations under international human rights conventions, including the UN Convention on the Rights of People with Disabilities.

- 1.32 In our response to the draft PfG we recommended that the high-level commitments in the draft PfG, to compliance with international human rights conventions and the Sustainable Development Goals (SDGs), should be mainstreamed into the specific actions associated with the PfG indicators and into delivery plans.
- 1.33 We also recommended specific actions to address key shortfalls in Northern Ireland to ensure compliance with obligations under international human rights conventions³¹, including UNCRPD. The Commission has identified a range of shortfalls³² with regards to potential gaps in compliance with international obligations which may be of assistance in addressing this recommendation³³.

³⁰ See, for example, ECNI specific recommendations on as outlined in the following publications: ECNI (2016) [Full Report: Gender Equality Policy Priorities and Recommendations](#) ECNI (2014) Full Report: [Race Equality Policy Priorities and Recommendations](#) and ECNI (2014) [NI 'Parallel' Jurisdictional Report](#), Working Paper at p28 (published with NIRHC in our joint role as 'Independent Mechanism for Northern Ireland' under the UNCRPD).

³¹ These include, for example, the UN Convention on the Rights of People with Disabilities (UNCRPD), the International Convention on the Elimination of all forms of Racial Discrimination (CERD), the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the UN Convention on the rights of the Child (CRC)

³² For example – see ECNI (2014) [NI 'Parallel' Jurisdictional Report](#), Working Paper

³³ We have highlighted, for example, that there are key gaps, in terms of policies and programmes, aligned to a number of UNCRPD Articles, including Article 14 (Education) to be addressed. See also Harper, C., McClenahan, S., Byrne, B. and Russell, H. (2012): [Disability programmes and policies: How does Northern](#)

- 1.34 We consider that the delivery plans for Indicators 16, 18, 34, 14 and 41 have a clear opportunity to demonstrate how they will contribute to advancing international obligations, including those committed to under the UNCRPD.
- 1.35 In our response to the draft PfG we also noted that the SDGs include goals and targets on tackling poverty and reducing inequalities, as well as a specific goal on achieving gender equality. We identified³⁴ a wide range of actions that we recommended were taken in support of achieving the SDGs across the Section 75 categories.
- 1.36 We recommend that these actions are progressed via the delivery plans.

We recommend all relevant PfG indicators are tracked for the impact across Section 75 categories and gaps in equality data are addressed.

- 1.37 We continue to recommend that all relevant PfG indicators are not only tracked in aggregate but also for the impact on individuals from each of the Section 75 categories.
- 1.38 In our response to the draft PfG we noted and welcomed the introductory high level PfG commitment to addressing key inequalities, particularly those experienced by the Section 75 equality groups, and to tracking progress for these groups in relevant PfG population indicators or associated performance indicators.
- 1.39 However, we were concerned that planned actions across the PfG and delivery plans may fall short. We also highlighted in our response to the draft PfG the lack of data disaggregation in relation to some equality grounds, such as ethnicity, disability and gender. We recommended that the final PfG and delivery plans should contain clear commitments to address these recommendations³⁵.
- 1.40 Where robust data for Indicators 16, 18 and 34, and Indicators 14 and 41 is not currently available across all Section 75 grounds, we recommend there is a commitment in the relevant delivery plan to progress further work, at the earliest possible opportunity, to address such gaps in equality data, as well as the lack of data disaggregation, including through a timetabled data development agenda.
- 1.41 Finally, we note the proposed indicator 18 (A Better Jobs Index) has yet to be developed. We also note that it is proposed that this Index will include measures relating to 'earnings quality', job security and job satisfaction (Including work that utilises skills, provides opportunities to develop and decent working conditions). We recommend that this Index should be utilised to evaluate progress on addressing inequalities across the range of Section 75 categories, including, for example, in relation to the exploitation of migrant workers and the concentration of

[Ireland measure up? Monitoring Implementation \(public policy and programmes\) of the United Nations Convention on the Rights of Persons with Disabilities in Northern Ireland,](#)

³⁴ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

³⁵ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

some migrant workers into low paid employment as well as women's concentration in part time and often low paid work.

January 2017