



Response by the Equality Commission for Northern Ireland to the consultation by the Department for Communities: Draft Section 75 Equality Action Plan 2019-2022

November 2019

1 Introduction

- 1.1 The Equality Commission for Northern Ireland welcomes the opportunity to respond to the Department for Communities' *Draft Section 75 Equality Action Plan: Consultation Document*.
- 1.2 In addition, we welcome the draft Section 75 Action Plan's proposals to address inequalities, as they relate to the Department's specific functions, in; economic inactivity and unemployment; poverty and disadvantage; area based deprivation; good relations; sports and arts; housing; public appointments; and community empowerment.
- 1.3 We continue to proactively highlight the link between poverty and social exclusion, and the inequalities faced by individuals protected under equality legislation. We welcome the inclusion of 'poverty and disadvantage' within the draft action plan and continue to stress the need for urgent action to address poverty and social exclusion experienced by individuals across the range of equality categories.
- 1.4 Our response sets out our broad views aligned to the Department's draft Section 75 Action Plan and notes that implementation is pending the appointment of a Minister. Nonetheless, we hope that our response will be of value in informing the consultation.

Commission's policy response to the Department for Communities consultation on a draft Section 75 Equality Action Plan.

2 Economic Inactivity and Unemployment

- 2.1 The Commission welcomes the proposed investments by 31 March 2020, of approximately £11.5m for Employability Programmes and £6.5m to support benefit claimants into sustained employment.

- 2.2 **The Commission recommends that the Government take positive steps to close disability equality gaps in employment¹.**
- 2.3 People with a disability are more likely to be not working and not actively looking for work (economically inactive) than people without disabilities; consequently, they are much less likely to be in employment than people without disabilities. In addition, the gap in the employment rate between people with and without disabilities is persistent, having shown little change between 2006 and 2016².
- 2.4 For people with disabilities, gaps in educational attainment may partially account for the large employment gap between people with and without disabilities. However, even when attainment is accounted for, participation in employment is still lower for people with disabilities than non-disabled people with equivalent qualifications³.
- 2.5 Among people with disabilities, people with mental health issues and/or a learning disability are less likely to be employed compared to people with hidden disabilities, progressive or other disabilities, physical disabilities and / or sensory disabilities⁴.
- 2.6 **The Commission recommends that the Department for Communities progress actions aimed at addressing legislative gaps in protection, including gaps that exist between disability equality law in Northern Ireland and Great Britain, to guarantee disabled employees' and job applicants' effective legal protection against discrimination.**
- 2.7 The Equality Act 2010, strengthened, simplified and harmonised disability equality law for disabled people in Great Britain. We have called on the NI Executive to change the law here, as significant gaps exist in disability equality legislation in Northern Ireland.
- 2.8 We are recommending urgent reform of the disability equality legislation protecting disabled people in Northern Ireland⁵. Whilst recognising the important legislative protection that disabled people already have, it is nonetheless clear that there are significant gaps that need to be addressed⁶.
- 2.9 **We recommend the inclusion of actions designed to ensure training and programmes to enable people to get into or stay in work are accessible and inclusive for all.**

¹ UK Independent Mechanism: [Disability Rights in the UK](#), paragraph 54, pages 17-18.

² Equality Commission NI (2018): [Key Inequalities in Employment](#), paragraph 4.4, pages 24-25.

³ Equality Commission NI (2018): [Key Inequalities in Employment](#), paragraphs 4.5-4.6, page 25

⁴ Ibid, paragraphs 4.13-4.14, page 27.

⁵ Equality Commission NI (2012): [Strengthening Protection for Disabled People](#)

⁶ In summary our recommendations are to: Strengthen, simplify and harmonise the legislation; Improve protection against different types of discrimination; Reform the definition of disability, including removal of the list of capabilities; Protect carers, family and friends of disabled people; Protect against harassment outside employment; Prohibit pre-employment disability questions; Place a duty on schools to provide auxiliary aids and services, where reasonable; and Provide additional protection for disabled tenants.

- 2.10 We note that within the draft Programme for Government there are a number of planned interventions 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).
- 2.11 Indicator 14 of the draft delivery plan within the draft PfG (2016), 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. In addition, the Indicator set 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.
- 2.12 The Commission recommends 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 categories.
- 2.13 For young people aged 18 to 24 years old, we **recommend targeted actions, advice and support to reduce the proportion of young people who are Not in Education, Employment or Training (NEET)**⁷.
- 2.14 Effective targeted action is required, particularly for those who may face additional barriers to training and the labour market due to Section 75 identities. For example, lone parents who are predominately women, may require assistance with childcare, while disabled people may require support in relation to transport, additional costs and/or securing reasonable adjustments. Government should use regular monitoring and disaggregated reporting to ensure maximum uptake of opportunities and subsequent progression into employment.
- 2.15 In addition, the share of people in Northern Ireland classed as long-term unemployed is higher for the over 50s age group. The Commission **recommends that the Departments for the Economy and Education should work in partnership to deliver co-ordinated actions to reduce long-term unemployment amongst older people**⁸.
- 2.16 Targeted action is needed to tackle perceived and actual barriers facing older people in returning to, and remaining in, work – including with regard to stereotypes; life-long learning and education; training and development opportunities; and pathways to work.
- 2.17 We further recommend, with regard 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**

⁷ Equality Commission NI (2017): [Age Equality: Policy Priorities and Recommendations – Full Report](#)

⁸ Ibid

categories. This includes addressing the particular barriers faced by discrete Section 75 groups in accessing and remaining in work, and taking positive action, where appropriate.

2.18

The Commission recommends that the Department ensure that the ‘Employment Strategy for People with Disabilities’ is fully implemented, including the following key areas:

- Review ‘Pathway to Employment’ outcomes, to ensure service accessibility and to increase awareness of the employment options available⁹: The Commission recommends that in developing the service, consideration is given to the requirements of Article 8 and 9 of the UNCRPD¹⁰, in order to make persons with disabilities, including those with intensive support requirements, fully aware of the training, work experience and employment options open to them.
- Extend flexibilities within existing programmes and services to support disabled people in part-time employment and pre-employment opportunities: The Commission welcomed the flexible approach to the application of the ‘Access to Work’ scheme piloted in 2014 at Queen’s University, Belfast which enabled disabled persons with complex support requirements to gain twelve months work experience (previously the scheme had excluded pre-employment measures)¹¹.
- Secure mainstream funding for the Supported Employment model: The Commission urged the Executive to take into account the emphasis in the UNCRPD on the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development¹².
- Ensure that social clause requirements in public procurement create paid employment opportunities for disabled people: The Commission recommends that the Department for Finance keep outcomes arising from the Buy Social public procurement requirements under review to ensure that social clauses deliver meaningful opportunities for people with disabilities¹³.
- Ensure that disabled voices are represented on the Disability Employment Stakeholder Forum: The Commission recommends that representation of disabled people in the Disability Stakeholder Forum should be given further consideration by the Department with a view to

⁹ Equality Commission NI (2015): [Response to Department for Employment and Learning \(DEL\) consultation on a Strategy for ‘improving the job prospects and working careers of people with disabilities in Northern Ireland’](#), paragraph 2, page 1

¹⁰ Article 8: Awareness Raising: Article 9: Accessibility

¹¹ Equality Commission (2015): Op. Cit, paragraphs 36-39, pages 10-11.

¹² Ibid, paragraph 1, page 1 and paragraphs 26-27, page 7.

¹³ Equality Commission NI and Department of Finance (2008): [Equality of Opportunity and Sustainable Development in Public Sector Procurement](#)

ensuring that the multiple identities of persons with disabilities are better reflected and that the risk of tokenism is avoided¹⁴.

3 Poverty and Disadvantage

- 3.1 When addressing the receipt of benefits, the Commission would **recommend that consideration is given to assessing the impact of Universal Credit on low income mixed age couples**¹⁵.
- 3.2 The introduction of Universal Credit provisions relating to Pension Credit may have an adverse financial impact on low-income couples where one partner is aged below the State Pension Age. Under the new provisions¹⁶, couples on low income will not be able to claim Pension Credit until both parties reach the State Pension Age.
- 3.3 Targeting of low income pensioners below the 'Guarantee Credit' income should be a priority in the Department for Communities, for example through an extension to the 'Make the Call' service.
- 3.4 For members of any specific equality groups who are receiving their full entitlement and yet remaining in poverty, action is required.
- 3.5 The Commission **recommends that the Department protect the most vulnerable from the adverse impact of welfare reform by identifying and committing to specific measures that will mitigate the adverse impact of welfare reform on the promotion of equality of opportunity, or any alternate policies which might better promote equality of opportunity**¹⁷.
- 3.6 The Commission has voiced considerable concerns about the overarching effect of welfare reform and adverse impacts on Section 75 equality groups, particularly on people with disabilities and women, and the barriers experienced by minority ethnic communities (including asylum seekers and refugees)¹⁸.
- 3.7 The Commission has highlighted four main areas of concern as: disability benefit reform; lone parent conditionality; the housing benefit cap; and aspects of the Universal Credit proposal¹⁹.
- 3.8 The Commission has a number of concerns relating to ensuring disabled people are able to live independently and have an adequate standard of living and social protection. These include:

¹⁴ Equality Commission NI (2015): [Response to Department for Employment and Learning \(DEL\) consultation on a Strategy for 'improving the job prospects and working careers of people with disabilities in Northern Ireland'](#), paragraph 43-44, pages 12-13.

¹⁵ Equality Commission NI (2017): [Age Equality: Policy Priorities and Recommendations – Full Report](#)

¹⁶ Introduced in NI on 15 May 2019

¹⁷ Equality Commission NI (2016): [PFG Priorities – Social Protection](#); [Social Protection \(Welfare Reform\): Priorities and Recommendations](#)

¹⁸ ECNI (2016): [Social Protection \(Welfare Reform\): Priorities and Recommendations](#)

¹⁹ Ibid.

- The higher qualification criteria for the Disability Living Allowance (DLA) and the equivalent Personal Independence Payment (PIP).
- The assessment process and the very high percentage rate of successful appeals for those refused Disability Living Allowance.
- We note there will only be two components under Personal Independence Payment (PIP) in relation to daily living. We believe that people who are currently in receipt of the DLA care component lose out given the strict and objective criteria laid out in the proposed new test, which determines whether a person receives support under PIP²⁰.

- 3.9 In our joint role with the Northern Ireland Human Rights Commission as UNCRPD²¹ Independent Mechanism for Northern Ireland (IMNI), the Commission produced a paper examining the operation of the Personal Independence Payment (PIP) system in Northern Ireland (NI), particularly in relation to its assessment process and the impact on the rights of people with disabilities²².
- 3.10 This highlights the 2017 Concluding Observations and 2016 Inquiry recommendations of the United Nations Committee on the Rights of Persons with Disabilities (UN CRPD Committee).
- 3.11 In its 2017 Concluding Observations, the UN CRPD Committee expressed its concern about the impact of austerity measures and anti-poverty initiatives that were introduced by the UK Government following the 2008-2009 financial crisis, noting these measures resulted in “severe economic constraints” among persons with disabilities and their families. The Committee stated it was concerned about the negative impact on the standard of living of persons with disabilities arising from the reductions in social support, including independence payments. The Committee noted in particular the introduction of the Personal Independence Payment, which has reduced the number of recipients of disability-related allowances²³.
- 3.12 The paper also set out a series of recommendations to take into consideration the interim response to the Independent Review of the PIP assessment process commissioned by the Department for Communities.
- 3.13 The Commission is also concerned about the identified impact arising from introduction of a size criterion in the assessment of Housing Benefit²⁴. We

²⁰ Ibid.

²¹ [United Nations Convention on the Rights of Persons with Disabilities](#).

²² Independent Mechanism for Northern Ireland (2019): [Report on the Department for Communities Response to Independent Review of PIP Process and Compliance with Recommendations of the UN CRPD Committee](#)

²³ UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 58 (c), page 13.

²⁴ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#), paragraphs 7.1-7.8, pages 43-44.

reiterate our recommendation that the mitigation of negative benefits of welfare reform continues on a long-term basis²⁵.

- 3.14 This is of concern in the case of tenants who may be disabled and need room for carers or specialist equipment, or housing adaptations resulting in extensions to the property. It would also impact on separated parents, who may need additional rooms to accommodate visiting children. There is a risk that such tenants may suffer a reduction in benefits due to 'under occupancy'.
- 3.15 While the EQIA notes 'Households containing a disabled adult and with a non-resident carer will be assessed as having a reasonable requirement for an additional room. This will have the effect of reducing the number of disabled claimants affected by the measure', it is not clear if this extends to those with fluctuating conditions.
- 3.16 The Commission is also concerned that a tenant's ability to move house may be restricted due to the unavailability of appropriate social housing stock, in relation to one or two-bedroom accommodation, introducing a size criterion to assessment for Housing Benefit²⁶.
- 3.17 This is of concern in the case of tenants who may be disabled and need room for carers or specialist equipment, or housing adaptations resulting in extensions to the property. It would also impact on separated parents, who may need additional rooms to accommodate visiting children. There is a risk that such tenants may suffer a reduction in benefits due to 'under occupancy'.
- 3.18 The Commission is also concerned that a tenant's ability to move house may be restricted due to the unavailability of appropriate social housing stock, in relation to one or two-bedroom accommodation.

4 Good Relations

- 4.1 The Commission set out key recommendations and priorities for delivery via the NI Executive over the Programme for Government's (PfG) 2016-2021 mandate. **We called on the Executive to ensure that:**
- there is a clear commitment to addressing key inequalities experienced by the Section 75 equality groups, as well as to promoting good relations;
 - promoting equality of opportunity and good relations are cross-cutting themes across all Government strategies, policy development and actions - including the PfG.

²⁵ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#), paragraphs 7.1-7.8, pages 71-78.

²⁶ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#), paragraphs 7.1-7.8, pages 43-44.

- 4.2 The Commission **recommends action to advance sharing in housing, while ensuring that objectively assessed housing need is met**²⁷. We restate our view on the value of shared housing and that segregated housing in Northern Ireland is not the way forward for our society. We also recognise that people need to feel safe where they live, and consider that actions are needed to encourage and incentivise integration.
- 4.3 While reiterating the importance of ensuring that housing demand is met on the basis of objectively assessed need, actions which advance sharing in housing could also serve to expand housing markets; increase opportunities to meet objectively assessed housing need; and sharing more generally in Northern Ireland.
- 4.4 **We recommend actions designed to incentivise and advance safe, shared housing and communities based on equality, dignity and respect**²⁸.
- 4.5 The Commission considers that actions to advance sharing should also extend beyond a narrow focus on community background. We reiterate our recommendations that the focus of actions to advance sharing should be across all Section 75 grounds; and across a range of public policy domains. Shared communities should include shared housing, as well as shared education, employment, shopping and places of leisure.
- 4.6 As set out in our 2013 Submission to the Panel of Parties (Haass)²⁹ we highlight the importance of political leadership and recommend the regulation of the display of flags, based on the principles contained in the Flags (NI) Order. We recommend a range of steps to facilitate expressions of identity in a sensitive and non-divisive manner, while also recommending consideration of the extent to which flags and emblems on private property increase community tensions and discourage the two communities from sharing public spaces.
- 4.7 **We recommend that the Government makes clear how progress in this area will be tracked (including for all Section 75 categories)**³⁰. We also continue to recommend that the Programme for Government include an additional indicator to track progress in securing increased sharing in housing.

5 Sports & Arts

- 5.1 The Commission acknowledges the proposed actions within sports and arts to increase and promote inclusion of women, older people and people with disabilities in sport and physical recreation. However, we **recommend further**

²⁷ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

²⁸ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#)

²⁹ Equality Commission NI (2013): [Submission to the Panel of Parties](#).

³⁰ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#)

action by the Executive, in partnership with the sports sector to tackle homophobia in sport³¹.

- 5.2 We recommend action to: better understand the nature and extent of homophobia in sport in Northern Ireland; raise public awareness of homophobic prejudice in sport; encourage sporting organisations, schools and local clubs to visibly challenge homophobic behaviour; and encourage openly lesbian, gay and bisexual (LGB) sporting role models in a range of sports.
- 5.3 ‘A Literature Review of Sexual Orientation in Sport’³² undertaken across the United Kingdom concluded that whilst there is a basic understanding that there were issues relating to LGB people as regards participation, discrimination and homophobia in sport, there was a lack of expertise (and in some cases desire) to do what was required to address them.
- 5.4 In addition, it recognised that sport can be a powerful influence both on young people’s own personal development and on their attitudes to others, so young people’s openness to diversity is likely to continue even after their personal involvement in sport ceases.’
- 5.5 The Commission **recommends that further consideration is given to the removal of Access Barriers:** to information, the physical environment, public services, housing, and transport.
- 5.6 Research has identified the persistence of physical barriers so that disabled people can participate fully in all areas of life continues to be a priority issue, including in terms of access to leisure and sporting activities³³.
- 5.7 Disability Action and The Detail reported that major shortfalls have been identified in disability access at many of Northern Ireland’s most popular visitor, tourist, cultural and sporting attractions³⁴. Their 2016 survey found that:
- 25% of venues surveyed were not fully accessible to wheelchair users without assistance.
 - 50% said printed material was not available in larger format, while 68% said printed material was not available in Braille. A number said such material was available on request.
 - 98% had disabled toilet facilities, but just 15% had a Changing Places bathroom that has significant extra features.
 - 73% said front facing staff had no training in British or Irish sign language; 43% said front facing staff had not received any disability training in the last three years;

³¹ Equality Commission NI (2013): [Promoting Sexual Orientation Equality: Priorities and Recommendations – Full report](#)

³² Brunel University commissioned by SportUK, SportNI, Sport Wales and Sport England (Dec 2008): [A Literature Review of Sexual Orientation in Sport](#).

³³ Byrne, B., et al (2014): ‘[Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD](#)’, page 71.

³⁴ The Detail (2016): [Access Denied: Shortfalls Revealed in Disability Provision At Venues Across N.I.](#)

- 30% did not have an audio loop system for hearing aid users.³⁵

6 Housing

- 6.1 The Commission is aware of the proactive steps taken by a range of bodies, including government departments and the housing sector more broadly, to promote equality across the Section 75 grounds.
- 6.2 Whilst we both recognise and welcome this work, it is clear that challenges remain within the extent of housing stress within the growing social housing waiting list.
- 6.3 The Commission **recommends addressing the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person**³⁶ and welcomes the department's proposed response to the Fundamental Review of Social Housing Allocations consultation to present findings and next steps where possible.
- 6.4 The Commission reiterates the importance of ensuring that housing need is met on the basis of objectively assessed need. Where stock availability (supply-side factors) differs from individual housing needs and preferences (demand-side factors), longer waiting lists can ensue. In Northern Ireland, this has a particular impact on households with a Catholic religion household reference person.
- 6.5 Analysis of access to social housing in Northern Ireland should take into account a range of factors which shape supply and demand. For example, generally applicable issues of residential preferences, personal safety, particular housing needs, and the availability of appropriate housing stock and/or development land in specific areas must also be considered in the context of segregated residential patterns in Northern Ireland.
- 6.6 On the demand-side, steps which might both widen areas of preference for those in housing need and sharing more generally, could serve to expand housing markets and increase opportunities to both meet objectively assessed housing need and advance increased sharing. We also recommend joint working, including with those working and living within communities, so as to further build trust and confidence between divided communities.
- 6.7 The Commission responded to the focussed consultation on a draft Design Guide for Travellers Sites in Northern Ireland and we reiterate our comments and queries contained within our response³⁷.
- 6.8 We continue to advocate the need for an adequate programme of accommodation to meet the cultural needs of the Irish Traveller community and remain concerned by the lack of progress in securing planning permission for

³⁵ Ibid.

³⁶ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

³⁷ Equality Commission NI (2019): [Focussed consultation on draft design guide for Travellers' sites in Northern Ireland](#)

sites in the areas identified as most in need in the NIHE Traveller Accommodation Needs Assessment³⁸.

- 6.9 The Commission notes that within the Section 75 category of race there is no consideration given to individuals from minority ethnic groups. We **recommend action to ensure greater awareness of the rights, responsibilities and housing options relevant to minority ethnic groups**³⁹.
- 6.10 Research suggests there is potentially limited awareness of rights and/or limited accommodation choices available to migrants and minority ethnic groups. Furthermore, these groups may lack a wider network of family and friends with knowledge of the Northern Ireland housing market, which would enable them to make better-informed choices. Our Statement on Key Inequalities in Housing and Communities⁴⁰ noted that migrant workers were often at risk of being subject to 'tied accommodation' with poor conditions and overcrowding. Greater awareness of rights and the market could act to empower potential tenants to explore the full range of options open to them.
- 6.11 Such information should be provided in methods and formats accessible to the identified audience both in terms of language and dissemination channels.
- 6.12 We further **recommend that frontline staff (including those from the NIHE, Housing Associations and advice centres) are trained on the entitlements of EU and other migrants to benefits and more broadly on the rights and responsibilities of refugees and asylum seekers**⁴¹. We also reiterate our recommendation that government should take account of the need to provide support and advice to asylum seekers as regards emergency and subsequent accommodation.
- 6.13 Whilst welcoming the proposed action to increase the number of wheelchair design standard homes built by the Housing Association sector, and providing support to vulnerable people to live independently, the Commission would **recommend the application of accessible housing standards to all new builds, to better facilitate individuals to secure a home and remain in it**⁴².
- 6.14 The Lifetime Homes Standard uses a set of 16 design criteria to build homes that are inclusive, accessible and adaptable. It is complemented by wheelchair standard housing *'the designs of which have been evolving to meet the needs of assisted wheelchair users and carers'*⁴³.

³⁸ NI Housing Executive (2015): Traveller Accommodation Needs Assessment 2014

³⁹ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

⁴⁰ ECNI (2017) Statement on Key Inequalities in Housing and Communities.

⁴¹ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

⁴² Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

⁴³ NI Housing Executive (2013): Interdepartmental Review of Housing Adaptation Services.

- 6.15 Over time, the universal application of accessible standards would significantly reduce the need for formal care services and costly home adaptations in the future.
- 6.16 In addition, the Commission **recommends providing information regarding the availability of accessible accommodation**⁴⁴. Accessible housing is most likely to be found within social housing⁴⁵. However, NIHE's 2012 Audit of Inequalities⁴⁶ notes *'anecdotal evidence suggests that demand may be rising [within the private rented sector] as more people find themselves in inaccessible private rented property, either because of the shortage of social housing, or because they cannot afford / get a mortgage to purchase a property'*.
- 6.17 We note and welcome that an interim accessible housing register for social housing is live and that a rolling programme is planned to increase its coverage including to housing association stock and private accommodation.
- 6.18 **The Commission recommends that the Department take action to ensure that people with disabilities can live independently, enjoying an adequate standard of living and access to social protection.**
- 6.19 The Commission has recommended that consideration is given to extending the Independent Living Fund (ILF) to new applicants who would meet the current eligibility criteria to receive support from the existing ILF, as and when places become available⁴⁷.
- 6.20 Article 19 (the right to live independently) of the UN Convention on the Rights of Persons with Disabilities makes clear that disabled people have the right to determining how to live their own lives, particularly with respect to personal decisions regarding their living arrangements, including with respect to personal care and support. We welcomed the Department's acknowledgement, in the 2017 draft delivery plan for Programme for Government indicator 42⁴⁸, of the need for cross cutting actions, including improving independent living and the provision of suitable homes for people with disabilities.
- 6.21 We recognise the importance of the Supporting People programme in supporting individuals to live independently. A 2016 action plan identified 13 recommendations following a review of the programme. We encourage their urgent implementation, particularly as regards how they address the barriers to independent living as set out above.

⁴⁴ Equality Commission NI (2019): [Equality in Housing and Communities – Policy recommendations - Full report](#).

⁴⁵ NI Statistics and Research Agency (2013): Census 2011, Table DC4413NI.

⁴⁶ NI Housing Executive (2012): Audit of Inequalities.

⁴⁷ Equality Commission NI (2014): [Response to the Department of Health, Social Services and Public Safety \(DHSSPS\) Consultation on the future support of Independent Living Fund \(ILF\) Users in Northern Ireland](#), pages 2-4.

⁴⁸ Average life satisfaction score of people with disabilities.

7 Public Appointments

- 7.1 The Commission welcomes the Department for Communities proposed actions to have equality reflected in board membership and at chair level by 31 March 2021.
- 7.2 In order to support your target we would **recommend priority areas for action to increase diversity in government public appointments**.⁴⁹
- establish and promote support measures, and targeted actions to increase the participation in public life of people with disabilities;
 - ensure early implementation of an action plan to achieve the Executive's 2016 target for gender equality in board and chair public appointments;
 - implement the cross-departmental diversity strategic action plan to address under-representation and support participation, including to give effect to the 2014 recommendations of the Commissioner for Public Appointments for Northern Ireland.
- 7.3 **Improve data analysis to enhance public services:** address gaps in disability data collection and analysis to better inform public decision making and evaluation⁵⁰.
- 7.4 The Department should regularly collect data to meet the requirements of Article 31 of the UNCRPD, disaggregating by disability and all other protected characteristic groups, and by impairment type.
- 7.5 In addition to the above actions, there is a need to improve equality data collection and disaggregation. We **recommend action to address identified gaps in equality data; and ensure that data is sufficiently disaggregated to allow meaningful equality analysis and better inform public policy development**.⁵¹
- 7.6 The Department's draft Section 75 action plan makes reference to engagement with disability and women's representative groups to raise awareness. We would urge the Department to progress its commitment to establishing a central regional disability forum, involving people with disabilities, to have oversight responsibility for Programme for Government Indicator 42.
- 7.7 In light of the guidance document on Independent Mechanisms issued by the UN CRPD Committee⁵², **the Department should ensure that the Northern Ireland Independent Mechanism is sufficiently resourced to meet the functions**

⁴⁹ Equality Commission NI (2019): [Equality in Participation in Public Life: Policy Recommendations - Full report](#)

⁵⁰ Ibid.

⁵¹ Equality Commission NI (2019): [Equality in Participation in Public Life: Policy Recommendations - Full report](#)

⁵² UN Committee on the Rights of Persons with Disabilities (2016): [Guidelines for Establishment of Independent Monitoring Frameworks](#).

outlined in the document, including effective involvement of disabled people.

8 Community Empowerment

- 8.1 In addition to the Department for Communities' 'Women in Community Transformation' programme the Commission **recommends advancing the active and meaningful participation of women in peace building and post conflict reconstruction**⁵³. We continue to recommend steps, including temporary special measures, to increase the representation of women in political and public life, including in peace building and post conflict reconstruction in Northern Ireland.
- 8.2 We have welcomed initiatives designed to ensure greater involvement of women in peace building, including the 2014 publication⁵⁴ of a strategic guide and toolkit. This guide recommended a gender mainstreaming approach including the inclusion of gender perspectives in all strategies, institutions and arrangements for peace building.
- 8.3 The guide also recommended greater support for women, women's groups and networks to manage the mental health challenges resulting from the conflict and civil unrest and the continuing challenges of paramilitarism and gender-based violence, abuse and threat. It is our understanding that, to date, this recommendation has not been actioned. We call on government to do so as a matter of urgency and to address other recommendations in the toolkit in respect of gender mainstreaming.
- 8.4 In addition, the Commission would also highlight the following recommendations relating to people with a disability that have relevance to the plan more broadly: **Co-ordinate Actions to Advance Disability Equality:** ensure the effective development, implementation, oversight and review of a co-ordinated, cross-departmental disability strategy and action plan⁵⁵.

9 Conclusion

- 9.1 If you have any queries regarding the Commission's policy response, please contact Naomi Roberts, Policy Officer on 028 90 500 645 or email nroberts@equalityni.org.

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⁵³ Equality Commission NI (2019): [Equality in Participation in Public Life: Policy Recommendations - Full report](#)

⁵⁴ Hinds B, Donnelly D (2014): WPS Toolkit 'Women, Peace and Security: Women's Rights and Gender Equality, developing and applying women, peace and security practice in Northern Ireland'.

⁵⁵ See the Equality Commission's priorities for Disability Equality [here](#)