



# **EQUALITY COMMISSION FOR NORTHERN IRELAND**

## **Response to consultation: Strategic Investment Board – Investment Strategy for Northern Ireland 2050**

**April 2022**

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## **Executive Summary**

- i. The Equality Commission welcomes the opportunity to respond to the Strategic Investment Board's (SIB) consultation on the draft Investment Strategy for Northern Ireland (ISNI).
- ii. Overall, whilst we welcome a number of initiatives and commitments in the draft Investment Strategy which have the potential to advance equality of opportunity for Section 75 equality groups, we consider that there is additional scope for the promotion of equality and good relations to be embedded and mainstreamed across the Strategy.

### ***Key Recommendations***

- iii. Departments and other public authorities, including the SIB, should ensure that they fulfil their statutory equality and good relations duties.
- iv. The draft Strategy should have a clear commitment to stakeholder involvement through co-design and in the rolling monitoring and review of impacts, particularly across the Section 75 equality categories.
- v. SIB should consider and act on ECNI feedback on the EQIA process.
- vi. SIB should clearly set out which mitigating actions it specifically intends to take, as well as how it will use its influence and leadership role to ensure that others involved in the delivery of specific projects take appropriate actions.
- vii. The Strategy should include a high-level commitment to address key inequalities experienced by equality groups, as well as to promote good relations and ensure that the promotion of equality of opportunity and good relations are cross-cutting themes.
- viii. The Strategy should also include a clear commitment to ensure compliance with the UK Government's obligations under international human rights conventions, including the UNCRPD.

- ix. The Strategy should set out the specific mechanisms by which it will ensure that they take account of, and give full effect to, other relevant work and Strategies.
- x. The Strategy should take account of how particular equality groups may face different challenges regarding infrastructure.
- xi. The objectives and associated strategic investment priorities should take account of known inequalities and ensure that actions and investments are appropriately targeted to address the needs of particular equality groups.
- xii. The proposed prioritisation framework should incorporate criteria to tackle key inequalities, and promote equality of opportunity and good relations.
- xiii. Measures to improve delivery should take account of known inequalities and promote equality of opportunity and good relations.
- xiv. Comprehensive equality data should routinely be collected to identify equality impacts and shape targeted actions to advance equality.

# 1 Introduction

- 1.1 We welcome the opportunity to respond to the Strategic Investment Board (SIB)'s consultation on the draft Investment Strategy for Northern Ireland (ISNI)<sup>1</sup>, as well as the engagement undertaken to date.
- 1.2 We acknowledge the consideration given to a range of our publications in the EQIA, including the Commission's [Programme for Government and Budget recommendations](#).
- 1.3 We have set out in our Programme for Government (PfG) recommendations<sup>2</sup> the priority issues that we wish to see advanced through the Executive's PfG, delivery plans and associated Strategies.
- 1.4 These include specific recommendations across a number of areas relevant to the Investment Strategy, including employment, housing, and health. They also include recommendations on ensuring compliance with international human rights conventions, addressing gaps in equality data and ensuring that all relevant PfG measures are tracked for the impact on individuals from each of categories in Section 75 of the Northern Ireland Act 1998.
- 1.5 The Commission has responded only to the issues raised within the consultation document that are within its remit and expertise. Our role and remit is summarised in Annex A.
- 1.6 Overall, whilst we welcome a number of initiatives and commitments in the draft Investment Strategy which have the **potential to advance equality of opportunity** for Section 75 equality groups, we consider that there is **additional scope** for the promotion of equality and good relations to be embedded and mainstreamed across the Strategy.

## 2 Overarching comments

- 2.1 The Investment Strategy has the potential to improve the lives of many people living here. However, the Strategy also has the

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<sup>1</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#).

<sup>2</sup> ECNI (2022) [Programme for Government and Budget Recommendations](#)

potential to adversely impact groups with particular equality characteristics, leading to new or exacerbated inequalities.

- 2.2 Equality of opportunity and good relations must be central to all public policy development and implementation. Many key inequalities experienced by Section 75 equality groups remain persistent and hard to tackle.
- 2.3 The draft Strategy should have a **clear commitment to stakeholder involvement** through co-design and in the rolling monitoring and review of impacts, particularly across the Section 75 equality categories.
- 2.4 We recognise that it is intended this Investment Strategy will be followed by a Medium-Term Infrastructure Finance Plan, an Executive Infrastructure Investment Plan and Departmental Investment Plans.
- 2.5 SIB should use its leadership role to ensure that the **recommendations below inform the development of those subsequent Plans**. Any Plans or policies flowing from the Investment Strategy should be carefully considered, and fulfil statutory equality and good relations duties.

### ***Section 75 of the Northern Ireland Act***

- 2.6 We have set out in 2015 guidance<sup>3</sup> how Section 75 duties and equality scheme commitments apply to the budget processes. As highlighted in this guidance, in the preparation of budget proposals, including capital budgets, Departments and other public authorities, including the SIB should ensure that they **fulfil their statutory equality and good relations duties**.
- 2.7 Through application of their equality scheme arrangements, specifically through the methodologies for assessing the likely impacts of investments in infrastructure (i.e. through the tools of screening and equality impact assessment (EQIA)), Departments and other public bodies will be able to fulfil their statutory equality duties.
- 2.8 Further, both screening and EQIA methodologies prompt for the identification of mitigation and alternative policies. In circumstances of budget reductions, measures to mitigate

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<sup>3</sup> ECNI (2015) [Section 75 and Budgets: A Short Guide](#)

adverse impacts and alternative policies which might better achieve the promotion of equality will be important for consideration.

- 2.9 Decisions to change, reduce or withdraw investments in infrastructure, particularly in times of budget reduction, whether on a temporary, interim or pilot basis, should be treated as “policies” for the purposes of equality scheme commitments.
- 2.10 We **recommend** that early options are presented with screening or that options appraisal has incorporated screening. We also **recommend** that Departments and other public bodies embed equality of opportunity and good relations in their procurement practices.

### ***Feedback on EQIA process***

- 2.11 ECNI welcomes that SIB is following the 7-step process recommended by ECNI in its guidance [Practical guidance - EQIA](#). However we have outlined some feedback in relation to the steps below:

#### Data / Evidence

- 2.12 There appears to be little Section 75 monitoring data available in relation to the impact of the previous investment strategy and moving forward it will be important to ensure that adequate systems are in place to measure the impact of the new strategy on individual Section 75 groups. SIB has identified data gaps in relation to some of the Section 75 groups. Relevant, reliable and up-to-date information is essential and a lack of data does not mean that there is no adverse impact or opportunity to better promote equality and good relations. SIB should **endeavour to engage with those Section 75 groups for whom there is limited or no information available** relevant to the Investment strategy, to seek their views on any potential adverse impact, opportunities to better promote equality and good relations and suggested mitigations.

## Consultation

- 2.13 Although an easy read document of the draft strategy is available, the EQIA itself is very long and complex and a summary or easy read version of this could have made it easier for consultees to engage with it. In particular, the use of coding in the section on assessment of impacts could be difficult for some people to navigate. SIB should **seek the advice of representative groups and relevant agencies** to ensure that the most affected individuals and groups are helped to engage in the consultation process. This could include providing a summary of key findings and conclusions, using plain / jargon-free language, use of graphics, and where appropriate, including specific questions or issues for discussion with particular target audiences.

## Mitigations and alternative options

- 2.14 Although SIB has set out possible mitigations some of these are vague and it is not clear who will have responsibility for taking these forward. We **recommend** that SIB clearly sets out which actions it specifically intends to take as well as how it will use its influence and leadership role in relation to the investment strategy to ensure that others involved in the delivery of specific projects take appropriate actions.

## Monitoring

- 2.15 As stated previously, and discussed below, SIB should ensure **arrangements are put in place to measure the impact of ISNI on each of the Section 75 groups** i.e. to ascertain which groups are or aren't benefitting from capital investment, and if intended positive impacts are being realised e.g. in relation to improved services, employment opportunities arising ISNI etc.
- 2.16 Monitoring is not an end in itself, but provides the data for the next cycle of policy review. SIB should annually review and publish the results of ongoing monitoring and include a summary of this in its annual report on progress to the Equality Commission. Guidance on Section 75 monitoring is available on the Commission's website, [S75 monitoring guidance](#).



### 3 Specific comments

#### *Part A: Vision*

- 3.1 We note the suggested vision that ‘We have the infrastructure that enables everyone to lead a healthy, productive and fulfilling life; that supports sustainable economic development and protects our environment’.
- 3.2 The Commission **recommends** that the Investment Strategy:
- includes a **high level commitment to address key inequalities** experienced by the Section 75 equality groups, as well as to promote good relations;
  - makes it clear that the **promotion of equality of opportunity and good relations are cross-cutting themes** within the Strategy;
  - includes a clear commitment to **ensure compliance with the UK Government’s obligations under international human rights conventions**, including the UNCRPD.
- 3.3 In our PfG recommendations<sup>4</sup>, we made clear that equality of opportunity and good relations must be central to all public policy development and implementation and that promoting equality of opportunity and good relations should be cross cutting themes across all Government strategies, policy development and actions.
- 3.4 We note that there is no reference in the text supporting the draft vision, or in the wider draft Strategy, to a commitment to ensure compliance with the UK Government’s obligations under international human rights conventions, including the UN Convention on the Rights of Persons with Disabilities (UNCRPD).
- 3.5 Further, the Strategy should **set out the specific mechanisms** by which it will ensure that they take account of, and give full effect to, other relevant work and Strategies, including those named in the consultation, such as the 10x Economic Strategy, Green Growth Strategy, the Housing Supply Strategy and Anti-

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<sup>4</sup> ECNI (2022) [Programme for Government and Budget Recommendations](#)

Poverty Strategy. However, other Executive and Departmental Strategies should be considered, including the planned Childcare Strategy and the range of social inclusion strategies (Disability, LGBTQI+ and Gender Equality Strategies).

- 3.6 We note there is a definition of infrastructure in the ‘Easy Read’ version of the consultation document<sup>5</sup>. However, it may be useful to also articulate a **definition of infrastructure** in the main consultation paper, to ensure a shared understanding of the term.

### ***Part B: Strategic Context***

- 3.7 We note recognition of the challenges relating to the ‘changing population’, in particular the trend towards smaller households and the aging population<sup>6</sup>, and welcome the recognition that ‘our infrastructure be adapted to support healthier, active lives for longer’.

- 3.8 However, the differing needs of particular equality groups should be considered, including the needs of those with multiple identities. When identifying challenges facing infrastructure over the next thirty years, it is vital to **take account of how particular equality groups may face different challenges** regarding infrastructure.

### ***Part C: Investment Needs, Objectives and Priorities***

- 3.9 We **recommend** that the objectives and associated strategic investment priorities should **take account of known inequalities** and ensure that actions and investments are **appropriately targeted** to address the needs of particular Section 75 equality groups.

- 3.10 We note the proposed five objectives, but are concerned that they do not set out how each will be used to advance equality of opportunity and good relations. For example, it is unclear how the objective of ‘strengthening our essential services’ will be delivered so as to address key inequalities and barriers for specific equality groups.

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<sup>5</sup> SIB (2022) [The Investment Strategy for Northern Ireland: Draft Consultation Document Easy Read](#), pp.2, 5.

<sup>6</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), p. 18.

- 3.11 Further, we note that, although there is discussion of schools, childcare and related infrastructure is not considered in the consultation paper. The Commission has made a range of recommendations relating to childcare, including calling for appropriate, accessible and affordable childcare provision to meet the needs of all children<sup>7</sup>. Childcare may be particularly relevant for objectives 2 (to strengthen essential services) and 3 (to enhance our communities and places).

### Objective 1: To Decarbonise our Economy, Assets and Society

- 3.12 Flexible and adaptable housing, if it ensures adequate, sustainable and long-term independent living provision, is likely to benefit older people and those with disabilities, as previously **recommended** by the Commission<sup>8</sup>.
- 3.13 The Commission has also previously noted<sup>9</sup> the effects of fuel poverty on older people and **recommended** measures to further advance energy efficiency, which may include retrofitting.
- 3.14 Fuel poverty impacts most on older people across both social and private housing tenures in Northern Ireland. Similar to 2006 and 2011, 57% of households, in 2016, who were fuel poor were headed by persons aged 60 or more. In 2016, 25% of people aged 60 to 74 years were in fuel poverty, rising to 38% of those aged 75 years and over, compared to 17% for households headed by persons aged between 40 and 59 and 13% for persons aged between 25 and 39<sup>10</sup>.
- 3.15 While progress has been made, including improvements in energy efficiency through the Affordable Warmth Scheme and the requirements of an Energy Performance Certificate<sup>11</sup>,

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<sup>7</sup> ECNI (2013) [Policy Positions on Childcare: Maximising the Economic Participation of those with childcare responsibilities](#)

<sup>8</sup> ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#), para 5.21-5.29.

<sup>9</sup> ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#), paras 5.30-5.35.

<sup>10</sup> NI Housing Executive, the Research Unit. [House condition survey: Main Report 2016](#). Research is currently being updated for the 2022 House Condition Survey.

<sup>11</sup> From 2008 all properties, including new builds and properties for sale, are required to hold an Energy Performance Certificate. The EU Performance of Buildings Directive (Part F) has been introduced in stages into NI building requirements.

addressing fuel poverty should remain a priority for action, as highlighted in the Active Ageing Strategy 2016 – 2022<sup>12</sup>.

## Objective 2: To Strengthen our Essential Services

- 3.16 We **recommend** that action is taken to ensure that comprehensive equality characteristics are mainstreamed across existing and new public authority systems and also proactively captured as part of all large scale public surveys. Doing so will ensure government have access to comprehensive data to identify equality impacts and shape targeted actions to advance equality. Such data will enable Departments and wider users to not only track key measures in aggregate, but also for the impact on individuals from each of the equality grounds. It will enable the early identification of inequalities; the shaping the design and delivery of policies and services; and the monitoring of resultant outcomes.
- 3.17 We note reference to the Encompass programme<sup>13</sup>, which the consultation document outlines ‘will transform patient records management and administration across all our health and social care services’.
- 3.18 The Commission **recommends** exploration of how the Encompass system can be adapted to capture data relating to the S75 categories.
- 3.19 We have also **recommended**<sup>14</sup> the establishment of robust, reliable education information systems to address existing equality data gaps and provide more disaggregated data.
- 3.20 Education information systems (such as C2K) should collect and disaggregate data by equality ground to identify any differential impact of the COVID-19 outbreak on educational access, attainment or progression.
- 3.21 Further, we **recommend** action to identify and remove barriers to health, social care and well-being experienced by particular Section 75 equality groups, including older people; lesbian, gay and bisexual (LGB+) people; trans people; Irish Travellers and other minority ethnic communities; and people with disabilities. These include barriers relating to prejudice, information,

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<sup>12</sup> Department for Communities (Nov 2020) [Active Ageing Strategy 2016-2022](#)

<sup>13</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), p. 32.

<sup>14</sup> ECNI (2018) [Equality in Education: Policy Recommendations](#), paras 4.1-4.13.

language, culture and, particularly for those living in rural areas, lack or affordability of transport.

### Objective 3: To Enhance our Communities and Places

- 3.22 We welcome recognition of the importance of ensuring high-quality housing which will meet the needs of communities, including those relating to an aging population<sup>15</sup>. Good quality, affordable housing in safe, sustainable communities is essential to ensuring health, well-being and a prosperous society.
- 3.23 We note and welcome that the EQIA has included review<sup>16</sup> of our [Statement on Key Inequalities in Housing and Communities in Northern Ireland](#). The resulting document, [Equality in Housing and Communities: Policy Recommendations](#), may be of use when considering this objective.
- 3.24 The Commission has **recommended** action to ensure everyone has access to a sustainable home and enjoys the right to independent living<sup>17</sup>.
- 3.25 Housing requirements are unlikely to be the same for all people across all equality groups and so the steps needed to ensure an accessible, adequate and sustainable home may differ for one person or family to another, depending upon a number of factors, including their equality characteristics or identities.
- 3.26 We continue to **recommend** the need to ensure application of accessible housing standards to all new builds. Over time, the universal application of accessible standards would significantly reduce the need for formal care services and costly home adaptations in the future<sup>18</sup>.
- 3.27 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’*<sup>19</sup>. The 2013 Interdepartmental

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<sup>15</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), pp. 42-43.

<sup>16</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), p. 19.

<sup>17</sup> ECNI (2019) [Equality in Housing and Communities](#), pp. 17-30.

<sup>18</sup> Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#), p.141

<sup>19</sup> NIHE (2013) [Interdepartmental Review of Housing Adaptation Services](#)

Review of Housing Adaptations Services<sup>20</sup> states that *‘Lifetime homes standards have limitations when needs become more complex and therefore some people may require the use of purpose designed wheelchair dwellings’*.

- 3.28 Further, regarding accessibility more widely, while an audit of the accessibility of public buildings in Northern Ireland has not been carried out, in 2013 Commission research<sup>21</sup> measured access to services as experienced by people with disabilities. It identified the need for improvements to how the premises of service providers were used. This would include entry to and use of buildings’ facilities. For example, consideration of the need for accessible facilities, such as, WCs and changing places toilets.
- 3.29 We **recommend** actions designed to incentivise and advance safe, shared housing and communities based on equality, dignity and respect.
- 3.30 We reiterate our **recommendation**<sup>22</sup> 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.
- 3.31 We have also **recommended** that the specific housing needs of particular equality groups be addressed.
- 3.32 When assessing future housing need and places in which homes are located we note research carried out on behalf of the Northern Ireland Housing Executive<sup>23</sup>. It reported that ‘whilst sheltered housing may initially meet residents’ needs’ it can become increasingly difficult for people to remain in such accommodation as they age<sup>24</sup>. However, it is also the case that sheltered housing has become less attractive to fit, active older people<sup>25</sup> and further research in 2019 found that

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<sup>20</sup> NIHE (2013) [Interdepartmental Review of Housing Adaptation Services](#)

<sup>21</sup> ECNI (2013) [ABC – Audit, Benchmark, Change. State of Disability Access Report](#)

<sup>22</sup> ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#) paras 4.1-4.14

<sup>23</sup> Fiona Boyle Associates (2019) [Housing and Older People: Housing Issues, Aspirations & Needs. A report for the Northern Ireland Housing Executive.](#)

<sup>24</sup> Fiona Boyle Associates (2019) [Housing and Older People: Housing Issues, Aspirations & Needs. A report for the Northern Ireland Housing Executive.](#) p. 61

<sup>25</sup> Professor Paris, C, Emeritus Professor of Housing, Ulster University (Mar 2013) [Future need and demand for appropriate models of accommodation and associated services for older people](#) p. 66.



participants in a focus group aged 55-69 were ‘particularly determined to remain in their own homes’<sup>26</sup>.

- 3.33 The Commission has called for action to address the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person<sup>27</sup>. We reiterate 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.
- 3.34 The Commission has **recommended** action<sup>28</sup> to consider, for example, how appropriate stock and land for development can be made available to ensure that objectively assessed housing need is more effectively met in areas of high demand.
- 3.35 Regarding the proposed priority in the consultation document<sup>29</sup> to promote active travel, any support to encourage behavioural change should consider the needs of different equality groups. For instance, some modes of active travel may not be appropriate for all groups, and providing support to access energy efficient modes of travel may be more important for some.

#### Objective 4: To Build a Strong, Connected and Competitive Region

- 3.36 The Commission welcomes the progress of the provision of accessible transport in Belfast and Greater Belfast<sup>30</sup> but has **recommended**<sup>31</sup> consideration be given to the extension of accessible public transport, particularly in rural areas.
- 3.37 Accessibility audits of seven towns in Northern Ireland by IMTAC (Inclusive Mobility and Transport Advisory Committee)

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<sup>26</sup> Fiona Boyle Associates (2019) [Housing and Older People: Housing Issues, Aspirations & Needs. A report for the Northern Ireland Housing Executive.](#)

<sup>27</sup> ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#), paras 6.1-6.10.

<sup>28</sup> ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#), paras 6.1-6.10.

<sup>29</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), pp. 39, 43.

<sup>30</sup> The Department for Infrastructure in 2018 introduced the Glider service between the East and West of Belfast to provide easy to use, efficient and accessible public transport

<sup>31</sup> ECNI (2019) [Equality in Participation in Public Life: Policy Recommendations](#), para 8.41.

in 2015 highlighted the persistence of a number of unnecessary physical barriers<sup>32</sup>.

### Objective 5: To Maximise the Benefits from Emerging Technologies

- 3.38 We welcome the recognition of the importance of ensuring that ‘no-one will be left behind in the transition to a more digital-focused future’<sup>33</sup>. Communication and digital needs should be met across the equality grounds<sup>34</sup>.
- 3.39 As public services increasingly move to ‘digital by default’ whereby information is provided and accessed online, public bodies should ensure safeguards are in place necessary for individuals from across the Section 75 categories to participate fully. Particular issues may arise for those who do not have access to the internet or who may require assistance to use it.
- 3.40 2020 UK wide data from the ONS<sup>35</sup> found that there was lower usage of the internet by older people and people with disabilities than the general population. 81.4% of adults with disabilities had used the internet during the previous three months, compared to 92.1% of the general population.
- 3.41 While not disaggregated by age, 2020 data showed that whilst Northern Ireland internet usage has increased by 11 percentage points since 2014, it remains the lowest internet users of any UK region at 88% compared to 90% in Scotland, 90% in Wales and 95% in London and the South East<sup>36</sup>.
- 3.42 Further, as the consultation document notes, COVID-19 ‘highlighted the need for affordable, reliable broadband connectivity and access to devices’. The Commission highlighted<sup>37</sup> that a shift to digital based teaching and digital curriculum support materials had a range of potential impacts. Differential access to home computing and/or internet access, might limit access to teaching / curriculum support materials,

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<sup>32</sup> IMTAC (2015) [Valuing Pedestrian Journeys – Lessons Learned from ‘Walking Audits’](#)

<sup>33</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), p. 52.

<sup>34</sup> ECNI (2019) [Equality in Participation in Public Life](#), paras 8.40-8.43, 850-8.511.

<sup>35</sup> ONS (Apr 2021) [Internet users. UK: 2020](#)

<sup>36</sup> ONS (Apr 2021) [Internet users. UK: 2020](#)

<sup>37</sup> ECNI (2020) [COVID-19 and Education: Equality Considerations](#)



and/or opportunities to engage in virtual learning or discussions.

## ***Part D: Approach to Strategic Infrastructure Investment***

### Proposed Investment Prioritisation

- 3.43 The proposed prioritisation framework for the Executive Infrastructure Investment Plan should incorporate **criteria to tackle key inequalities, and promote equality of opportunity and good relations.**
- 3.44 As above, **Section 75 duties on public authorities should be adhered to**, including when considering which investment projects to prioritise. The Commission's [Budgets and Section 75: A Short Guide](#), may be of use when developing a prioritisation criteria.
- 3.45 The law requires that public authorities, in carrying out their functions, have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations. In the preparation of budget proposals, including capital budgets, Departments and other authorities should ensure they can fulfil their statutory equality and good relations duties. The Commission recommends that early options are presented with screening or that options appraisal has incorporated screening.
- 3.46 In understanding that due regard/regard must be paid at the time of a decision, an assessment of impacts must precede the decision and the information from that assessment be known to the decision maker. The full application of equality scheme commitments, such as screening and the publication of templates and results, will enable authorities to provide greater clarity and transparency in the decision making. Maintaining consistency with the arrangements in the scheme aids clarity, using the methods understood and expected by consultees.
- 3.47 In relation to the proposed investment prioritisation criteria<sup>38</sup>, we note that there is some reference to equality, asking if the

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<sup>38</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Consultation Document](#), pp. 59-60

proposed investment is ‘inclusive and equitable/equal’. However, we would suggest that it would be more appropriate if the criteria referenced tackling key inequalities and promoting equality of opportunity and good relations. ‘

- 3.48 Further, rather than considering whether the proposals addresses ‘imbalances’, inequalities across the Section 75 categories should be considered when prioritising investments.
- 3.49 It is unclear from the proposals listed in the consultation document what weighting will be given to different criteria when developing a prioritisation framework.
- 3.50 We welcome the inclusion of co-design and co-delivery processes in the prioritisation criteria. This should include prioritising projects which will include **stakeholder involvement in delivery, monitoring and review of impacts**. Such an approach has the potential to be transformative and to deliver tangible outcomes for equality groups.
- 3.51 We also welcome that there must be a clear strategic fit between the proposed investment and the achievement of the outcomes set out in the Programme for Government and this Investment Strategy.
- 3.52 The inclusion of the UN Sustainable Development Goals is to be welcomed. However, this should be broadened to include commitment to ensure compliance with the UK Government’s obligations under international human rights conventions, including the UNCRPD.

### Improving Delivery

- 3.53 Measures to improve delivery should **take account of known inequalities and promote equality of opportunity** and good relations.
- 3.54 We note reference to the need to improve skills in the construction sector<sup>39</sup>. As noted in the EQIA, women experience industrial segregation and are underrepresented in industries

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<sup>39</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Draft Equality Impact Assessment](#), p. 65.

associated with STEM, and are significantly underrepresented in construction<sup>40</sup>.

- 3.55 The Commission has **recommended**<sup>41</sup> action to eliminate occupational and industrial segregation, encourage men and women in non-traditional roles, including in STEM related industries, and challenge gender stereotypes.
- 3.56 The Commission has previously **recommended**<sup>42</sup> targeted action to reduce the proportion of young people who are Not in Education, Employment or Training (NEET), and the Strategy may present an opportunity to support this group.
- 3.57 Mentoring, targeted careers advice and wider support for those at, or approaching, school leaving age could help match aspirations to job prospects; encouraging actions to gain required skills and/or deal with any wider issues. A close match between the available training courses and labour market opportunities may also support more direct access to employment.
- 3.58 With any training scheme or apprenticeships, we **recommend** co-ordinated action is needed to provide effective targeted action and support to young people.
- 3.59 The Commission has noted<sup>43</sup> the potential for the COVID-19 pandemic to exacerbate existing inequalities. In this regard, targeted action and support is needed for those who may face additional barriers to training and the labour market due to their particular Section 75 identities. For example lone parents, who are predominately women<sup>44</sup>, may require assistance with childcare, while disabled people may require support in relation to transport, additional costs and/or securing reasonable adjustments.
- 3.60 During the pandemic we repeated our call for the development of a Childcare Strategy<sup>45</sup>, and highlighted the exacerbation of

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<sup>40</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Draft Equality Impact Assessment](#), p. 72

<sup>41</sup> ECNI (2016) [Gender Equality: Policy Priorities and Recommendations](#), paras 7.11-7.22, 7.26.

<sup>42</sup> ECNI (2017) [Age Equality: Policy Priorities and Recommendations](#), paras 5.3-5.14.

<sup>43</sup> ECNI (2020) [Data is a key component in tackling the impacts of COVID-19 pandemic](#)

<sup>44</sup> Dr Russell, R. (Jun 2014) [Census 2011: Key Statistics at Northern Ireland and LGD level](#)

<sup>45</sup> ECNI (2020) [Childcare Strategy – Equality Commission response to Dept of Education update on progress \(equalityni.org\)](#)

employment inequalities on the basis of gender<sup>46</sup>, race<sup>47</sup>, disability<sup>48</sup> and pregnancy / maternity<sup>49</sup>. The pandemic has demonstrated the fundamental importance of childcare and early-years support in facilitating the economic participation of parents / carers, and ensuring the development and progression of children from a range of equality categories<sup>50</sup>.

- 3.61 As noted in the EQIA<sup>51</sup>, the principles of equality of opportunity and good relations should be enshrined in the practice of project delivery. As above, the Strategy should set out how it will ensure that others involved in the delivery of specific projects take appropriate actions.

### Measuring Progress and Impact

- 3.62 The draft Strategy, and the resulting Plans, should have a **clear commitment to stakeholder involvement** in the rolling monitoring and review of impacts, particularly across the Section 75 equality categories.
- 3.63 We note the proposal that monitoring will include a 'retrospective impact assessment', including equality and good relations impacts. We repeat our general recommendation that **comprehensive equality data should routinely be collected to identify equality impacts and shape targeted actions to advance equality**.
- 3.64 Overall, our general advice is that all **key measures should not only be tracked in aggregate, but also for the impact on individuals from each of the equality grounds**<sup>52</sup>.
- 3.65 The data used for headline measures should additionally be broken down to consider which equality groups are performing less well /benefitting less than others on those key measures.

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<sup>46</sup> ECNI (2020) [Childcare Strategy – Equality Commission response to Dept of Education update on progress \(equalityni.org\)](#)

<sup>47</sup> ECNI (2021) [ECNI - Racial equality - a need for ongoing action \(equalityni.org\)](#)

<sup>48</sup> ECNI (2020) [ECNI - Blog - People with disabilities must not be left behind by response to COVID-19 \(equalityni.org\)](#); [ECNI - News, Press Releases, Equality Commission, Northern Ireland \(equalityni.org\)](#)

<sup>49</sup> ECNI (2021) [ECNI - 'View from the Chair' - Pregnancy and Maternity in the Workplace \(equalityni.org\)](#)

<sup>50</sup> ECNI (2020) [Childcare Policy Position. Update August 2020.](#)

<sup>51</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Draft Equality Impact Assessment](#), p. 88.

<sup>52</sup> For example see <https://www.equalityni.org/pfg> and <https://www.equalityni.org/equalitydata>

Actions can then be targeted to those particular groups and their related barriers / enablers, to the benefits of not only the members of those equality groups, but also to the overall headline measure(s) and the overall success of the strategy itself.

- 3.66 Such data collection would aid performance monitoring, and allow remedial actions to be taken as necessary. It would also aid planning and decision-making for future projects.
- 3.67 Aligned to the above, and recognising the references to data gaps in the EQIA<sup>53</sup>, we **recommend** that the Strategy includes a commitment to take action to address these gaps in equality data and to improve equality monitoring in areas relating to the Investment Strategy.
- 3.68 For example, our Statement on Key Inequalities in Employment<sup>54</sup> identified significant and specific data gaps across a number of themes in relation to a number of equality groups, specifically: gender identity and sexual orientation. In addition, there is a lack of data disaggregation in relation to disability; ethnicity; and, dependency status. In our PfG recommendations<sup>55</sup>, we call for action to address the key gaps in equality data, including on the grounds of gender identity, sexual orientation and race and to rectify the lack of data disaggregation in relation to ethnicity, disability and gender.
- 3.69 Overall, the absence of key equality data means that it is difficult for the Executive, Departments and others to assess the nature and extent of key inequalities, as well as to track progress in achieving agreed equality and good relations outcomes.

## 4 Conclusion

- 4.1 Overall, we welcome a number of initiatives and commitments in the draft Investment Strategy which have the potential to advance equality of opportunity for Section 75 equality groups.

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<sup>53</sup> SIB (2022) [Draft Investment Strategy for Northern Ireland: Draft Equality Impact Assessment](#)

<sup>54</sup> ECNI (2018) [Key Inequalities in Employment](#), para 1.6.

<sup>55</sup> ECNI (2022) [Programme for Government and Budget Recommendations](#)

4.2 However, we consider that there is additional scope for the promotion of equality and good relations to be embedded and mainstreamed across the Strategy.

**Equality Commission NI  
April 2022**

## **5 Annex A: Role and remit of the Equality Commission NI**

- 5.1 The Equality Commission for Northern Ireland (“the Commission”) is an independent public body established under the Northern Ireland Act 1998.
- 5.2 Our powers and duties derive from a number of statutes enacted over the last decades. These provide protection against discrimination in employment and in the provision of goods, facilities and services on grounds of disability, race, religion and political opinion, sex and sexual orientation. On the grounds of age, protection against discrimination is available only in respect of employment.
- 5.3 We also have responsibilities arising from the Northern Ireland Act 1998 and Disability Discrimination Act 1995 in respect of the statutory equality and good relations duties which apply to public authorities - the s75 duties and the disability duties.
- 5.4 The Commission, with the Northern Ireland Human Rights Commission, has been designated under the United Nations Convention on the Rights of Disabled Persons (UNCRPD) as the independent mechanism tasked with promoting, protecting and monitoring implementation of UNCRPD in Northern Ireland.
- 5.5 The European Union (Withdrawal Agreement) Act 2020 gave new duties and powers to the Commission, and to the Northern Ireland Human Rights Commission (NIHRC), effective from 1 January 2021. These enable the Commission to monitor, advise and report on, and enforce the UK Government’s adherence to its commitment set out in Article 2 (1) of the Ireland/Northern Ireland Protocol to the Withdrawal Agreement. This commitment is to ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from the UK’s withdrawal from the Union, including in the area of protection against discrimination.
- 5.6 In general terms, our statutory remit provides that we are to:
- promote equality of opportunity and affirmative action
  - work towards the elimination of unlawful discrimination and harassment

- keep relevant legislation under review
- promote good relations between persons of different racial groups and good disability practice
- oversee the effectiveness of statutory equality duties on public authorities.