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PRESS RELEASE

Investigation Report on Department for Social Development's compliance with its Equality Scheme commitments

The Equality Commission has found that the Department for Social Development failed to comply with a number of its Equality Scheme commitments in relation to two housing policy proposals '*Facing the Future: Housing Strategy for Northern Ireland 2012-2017*' and '*Building Successful Communities*'.

The Commission became concerned that a number of housing policy proposals were being taken forward, apparently without the application of the Department's Equality Scheme commitments in respect of screening and, where appropriate, equality impact assessment. Following consideration, the Commission formed the belief that the Department may have failed to comply with its commitments and, as a consequence, initiated an Investigation under Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998.

The Commission concluded that, in regard to the '*Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017*', the Department failed to meet its screening and equality impact assessment (EQIA) commitments in a timely manner. The Commission also concluded that the Department failed to meet its Equality Scheme commitments in respect of screening and equality impact assessment when '*Building Successful Communities*' was launched, specifically with respect to the selection of pilot areas.

As part of the Investigation, the Equality Commission also considered two other documents - the "*Housing Strategy Action Plan 2012-2017*" and the "*Social Housing Reform Programme*". It concluded that the Department did not fail to comply with the commitments relating to screening and equality impact assessment set out in its relevant Equality Scheme in respect of these.

"The Commission wishes to acknowledge the full co-operation and the substantial and detailed work undertaken by the Department for Social Development during the course of the investigation," Dr Michael Wardlow, Chief Commissioner of the Equality Commission, said, "We also recognise that a considerable amount of screening was completed after the investigation commenced".

“The Section 75 duties established by the Northern Ireland Act require public bodies to ensure that equality of opportunity and good relations considerations are at the core of policy development, implementation and review and of service delivery by public authorities” Dr Wardlow said. “It is therefore vital that public authorities use screening and equality impact assessment as part of their policy making process, rather than identify impacts later, when the policy has been established. It is also important that this is applied to all policies including high level strategies and is carried out in a timely manner. The Commission’s recommendations to the Department reflect this.”

The Commission’s Investigation Report makes three recommendations. These are that the Department should:

- comply fully with its Equality Scheme commitments to screen and, where appropriate, undertake equality impact assessments of ongoing development and implementation of revised housing policies;
- in respect of high level strategies, use screening and equality impact assessments as part of its development process rather than identifying impacts later when the policy has been established;
- ensure that screening decisions on whether or not to conduct equality impact assessments are robust; provide an opportunity to improve decision making; support ‘evidence based’ policy making; and provide tangible evidence of how the Department has given due regard to the promotion of equality of opportunity and regard to the desirability of promoting good relations, in the initial stages of policy development.

The Investigation Report also recommends that the Department reports to the Commission within 9 months with regard to compliance with these recommendations.

- [Investigation Report - Department for Social Development: Housing Policy Proposals](#) (pdf, 781kb)

Ends

Notes:

- The Paragraph 11 Investigation focused on four housing policy proposals/areas, namely:
 - ‘Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017’
 - ‘The Housing Strategy Action Plan 2012- 2017’
 - ‘Action 25 – Building Successful Communities’ (which was also referred to as ‘a housing led approach to regeneration’)
 - ‘Action 33 – Social Housing Reform Programme’

- The Commission authorised the Investigation in April 2014 and the final report was sent to the Department in November 2015.
- In relation to the 'Housing Strategy Action Plan 2012-2017' the Commission concluded that, due to its nature (a list of actions and a timetable, not a policy), the decision not to equality screen the Action Plan itself was not a breach of the Department's Equality Scheme commitments.
- In relation to the Social Housing Reform Programme, the Commission noted that aspects of decision making in respect of it sit with a number of public bodies; that key components of it are currently being screened as they develop; and that proposals which have issued for public consultation have been equality screened. The Commission concluded that the Department had not failed to comply with its 2013 Equality Scheme Commitments in relation to the Social Housing Reform Programme.
- Section 75 of the NI Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status, or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without.
- Public authorities are also required to have regard to the desirability of promoting good relations between people of different religious belief, political opinion or racial group.
- Each public authority is required to draw up an equality scheme and submit it for approval to the Equality Commission. This must state, among other matters, the public authority's arrangements for assessing and consulting on the likely impact of existing and proposed policies on the promotion of equality of opportunity and for monitoring any adverse impact of policies.
- Investigations of alleged breaches of Equality Schemes by the Equality Commission are governed by paragraphs 10 and 11 of Schedule 9 of the Northern Ireland Act 1998.
- As a result of an investigation, the Commission may recommend action by the public authority concerned, including recommending action to address any breach of Scheme.

Further information about the Equality Commission's investigations is available online:
www.equalityni.org/Investigations