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PRESS RELEASE

Chief Executive of Arts Council NI settles Age Discrimination Case for £12,000

The Arts Council of Northern Ireland has settled a case with its Chief Executive Roisin McDonough for £12,000, without admission of liability. She brought the case alleging age discrimination and victimisation, with the support of the Equality Commission for Northern Ireland.

Ms McDonough has been Chief Executive since October 2000. In January 2017 she applied to the Chairperson of the Arts Council for flexible retirement. She wished to reduce her working hours from five days to four days per week from 1 April 2017, having previously indicated that this might be for a limited time as she was considering retirement.

Over the next period, no decision was taken on her request and she alleged that she was asked instead, on a number of occasions, about her plans to fully retire and if she had decided on a final retirement date. She became aware of speculation within the workplace about when she would retire and who might apply for the post. Ms McDonough considered this inappropriate and undermining to her position as Chief Executive.

Due to the failure to progress her request for flexible retirement, Ms McDonough commenced an internal grievance procedure and subsequently lodged proceedings claiming discrimination under the Employment Equality (Age) Regulations (NI) 2006. An internal panel upheld her grievance complaint and recommended that her flexible retirement request be processed immediately. She commenced flexible retirement in September 2017.

Ms McDonough said: "I want to thank the Equality Commission for supporting me in my case. It's important if people feel their rights at work are not being upheld that they know they can seek independent support and they will be listened to. Public sector workers, at whatever level they are employed in an organisation, are entitled to the same rights as anyone else."

"I believed my flexible retirement request was in line with the organisation's Human Resources policies. I was disappointed that my request was not being progressed and felt under pressure to provide a definite date for retirement. I believed that this was inappropriate and that any decision on my retirement should be mine and mine alone."

Anne McKernan, Head of Legal Services, ECNI said: “In settling the case, the Arts Council has acknowledged and regrets the hurt and injury to feelings experienced by Roisin McDonough. It has reaffirmed its commitment to the principle of equality of opportunity in employment and will liaise with the Commission and review its policies and procedures concerning age. It will ensure that these policies and procedures relating to age are communicated to all staff and to Board members and that appropriate training is provided.”

“Since the introduction of the Age Discrimination Regulation in 2006 and the abolition of the default retirement age in 2011, many people choose to work longer and many employers offer schemes such as flexible retirement. This helps our workplace retain talented and experienced members of staff for longer periods, which must be welcomed,” concluded Anne McKernan.