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PRESS RELEASE

Equality Commission reports findings of investigation into Department of Finance

The Equality Commission has published the report of its investigation into the Department of Finance's failure to comply with its approved Equality Scheme in preparation of the Budget for Northern Ireland 2019-20.

The investigation was conducted under Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998.

The Commission found that the Department of Finance failed to comply with the commitments in its approved Equality Scheme on Equality Impact Assessment in preparing the Budget 2019-20. In particular, the Department failed to comply in the way it carried out its equality assessment and in what was presented to the decision maker on the Budget. The Assembly was suspended at the time the budget was prepared, so the Budget decision making was the responsibility of the then Secretary of State.

The Commission also found that the Department of Finance failed to comply with its approved Equality Scheme in relation to its commitment to consult on Equality Impact Assessments. It presented what was called an Equality Impact Assessment of its spending plans for the Budget to the Secretary of State, but as it had carried out no consultation on it, this did not conform to its Equality Scheme commitments.

There was no public consultation during the budget development process for 2019-20, either on a draft Budget and spending plans/draft budget allocations, or on any Equality Impact Assessment of those plans.

The Commission has made a series of recommendations which focus on how the Department should improve practices and ensure that the appropriate equality assessment of the policy proposals is available and considered when decisions on the Budget are made. These recommendations are also relevant for other departments in future Budget preparations, recognising the unique role within the Department of Finance to compile both financial information and the equality assessment of that information for a Northern Ireland Budget from all Departments.

Commenting on the investigation findings, Chief Commissioner Geraldine McGahey said: "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; screening and equality impact assessment should be central to the policy making process. This is a legal requirement, compliance is not optional, and compliance with the duties is a vital building block for good governance and accountability within a public authority.

“In this case, the Department of Finance was compiling information for the budget for all our public services - a key policy that affects us all. Consideration of the need to promote equality of opportunity and the desirability of promoting good relations while developing Northern Ireland’s budget should be fundamental to the policy making process and not be side-stepped as it was in relation to the 2019-20 Budget. Our politicians and senior officials must lead by example and ensure that they are equipped with the right information so that equality considerations are given the right place in policy making and decisions taken.”

- [Download the full investigation report \(pdf\)](#)

Notes to editors

- The duties in Section 75 of the Northern Ireland Act 1998 require that a public authority has due regard to the need to promote equality of opportunity, and has regard to the desirability of promoting good relations, when it carries out its functions in Northern Ireland. The Department of Finance is a public authority for the purposes of the Section 75 duties.
- The Commission identified potential issues in the way the Department had prepared the Budget for Northern Ireland for 2019-20. These related to the Department’s statutory duty to have due regard to the need to promote equality of opportunity when carrying out its functions, as required by Section 75 of the Northern Ireland Act 1998. Specifically, the Commission was concerned about how the Department had carried out the Budget preparations in compliance with its Equality Scheme commitments.
- The Budget for Northern Ireland 2019-20 was announced by the then Secretary of State, Karen Bradley MP, on 28 February 2019.
- For the investigation, the Commission has considered documentary evidence on the matter, supplemented by an investigation meeting held with Departmental representatives on 18 December 2019. The Commission has assessed this evidence against the commitments the Department has made in its equality scheme, and the Commission’s advice and guidance.