

Equality Commission

FOR NORTHERN IRELAND



Annual Review

of our work
2017-2018



Welcome

It's a great pleasure to present this review of the Commission's activities last year, which gives a flavour of our work to promote equality of opportunity and challenge inequalities in Northern Ireland.

Compared to five years ago, we took 10% more calls to our discrimination advice line, 20% more general advice calls from employers and provided equality training to 110% more people. This demonstrates the ongoing importance of the Commission's work to people's lives here.

The results of our Equality Awareness Survey showed that equality is important to people in Northern Ireland – 68% of those surveyed thought that equality was as important, or more important, to them than it was 12 months earlier and 94% knew that they were protected against discrimination on at least one equality ground. Attitudes towards different equality groups overall were more positive than in previous surveys; in particular, attitudes to LGB and trans people were more positive than ever before.

Our work takes place in the context of reducing budgets and staff - the Commission's operating budget was £2 million less in 2017-18 than ten years previously – a reduction of 28%. This has led to a significant reduction in staffing levels and it remains a huge challenge for staff to continue to meet a high level of demand for our services on reduced budgets. Inevitably, some of our activities have been curtailed.

Thanks are due to the staff, to the people who come to us for advice and help and to our wide ranging partners for their work during the year to advance equality and good relations in Northern Ireland.

DR EVELYN COLLINS CBE
CHIEF EXECUTIVE

Full report available online at
www.equalityni.org/publications

Meeting our objectives 2017-2018

100% targets fully met



14 objectives to meet

Our four key strategic areas:

1

Putting the legislation to work

2

Challenge and support government to advance equality and good relations

3

Champion equality and good relations

4

Deliver equality effectively and efficiently

STRATEGIC AREA 1: Putting the law to work

Our powers and duties

advice

education

oversee

audit

undertake investigations

enforce the law

promote and train

advise and assist people with complaints of discrimination

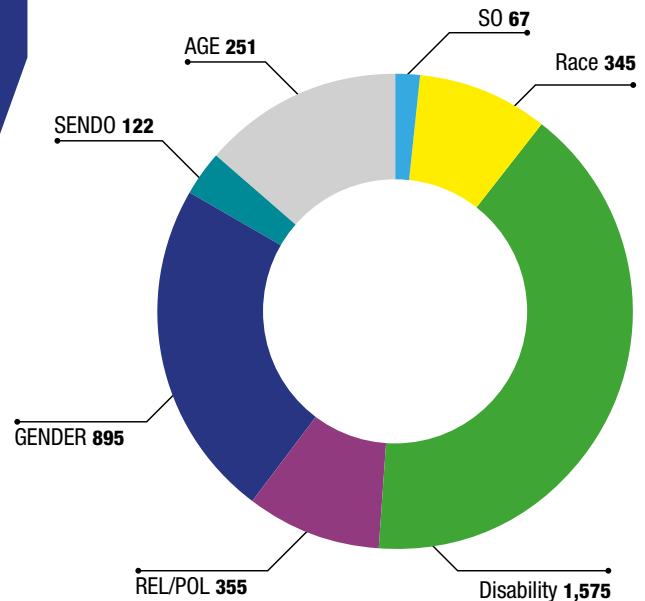
Challenging discrimination

Legal casework

Most of the 3,500+ people who contacted our discrimination advice team this year were able to resolve their cases without going to court, by using our advice and information. Around 8% applied for assistance to pursue a legal case in the county court or the Industrial Tribunals. Of these, around 17% were granted support under the Commission's Policy on the Provision of Legal Advice and Assistance.



**New cases assisted:
52**



In 2017-18, we had three successful decisions at tribunal. Another two cases were dismissed. We settled 26 cases outside court. These settlements included compensation and agreements by organisations to work with us to improve practices, policies and procedures.

Taking settlements and case outcomes for complainants together, on average each year satisfactory outcomes are reached in more than 90% of supported cases. Publicising case outcomes is important – a survey we published this year showed that 77% of people who had heard of us knew about us via stories in the media. And more people (71%) know that we help people with complaints of discrimination than any of our other activities.

71%

People know that we help people with complaints of discrimination.

BERNARD BARLOW

The Industrial Tribunal found that Bernard Barlow (66), who worked for JTI (formerly Gallaher Limited) for 27 years, was discriminated against on the grounds of his age when he was excluded from its enhanced severance package when its factory in Ballymena closed. Remedies were agreed at the year end.



HELEN SCOTT

Helen Scott was awarded £20,736 compensation by the Fair Employment Tribunal, which found that while working for Stevenson & Reid Ltd, Belfast, she had been discriminated against, harassed and victimised on the grounds of religious belief or political opinion, and had been constructively dismissed.



MARIE-CLAIRE McLAUGHLIN

Marie-Claire McLaughlin was awarded £11,840 by an Industrial Tribunal when she brought a case against her former employer under the Disability Discrimination Act. The Tribunal found that Charles Hurst Limited failed in its duty to make reasonable adjustments for her when she was employed there as a Customer Service Advisor.



Promoting equality of opportunity

We are putting our powers and duties to work to encourage improvements in organisational practice, extend good practice and challenge poor practice. We work with employers to make them aware of the duties the law imposes on them and how we can help them comply.



95.8% employers know we provide equality advice and information

91.9% aware that we provide publications on equality at work

82.8% aware that we provide equality training, seminars and events

2,893 attendees (+ 39%) at 121 training and advice events (+ 9%)

3,621 requests for advice from organisations (+ 12%)

New for this year were three training sessions focusing on pregnancy and maternity at work, attended by 120 people representing 80 employers and sessions on supporting employees with cancer at work.

We offered new events for public authorities on their Section 75 duties, events for organisations who have committed to the Mental Health Charter and three large-scale employer update events.

We also successfully used social media and a follow-up mechanism to improve attendance at employer training sessions.

Employers have told us that a big issue for them is managing employees affected by cancer. We ran our first specialised cancer event delivered in partnership with MacMillan and the late David Shutts of ASTRIID. We published short form guidance and ran follow-up training sessions.

40%

Of all employers that had interaction with us made some change to their organisations

Ensuring compliance

Fair employment monitoring

We provide assistance to employers to ensure that they can comply with their duties under FETO and every year we publish an analysis and summary of the monitoring returns we received from all registered employers. We appreciate the work put in by employers to compile the information and in assessing the composition of their workforces by community background and gender.

90%

Of employers would come to us if they had an equality problem.

The monitored workforce:

employees of **all** public authorities

employees of private concerns employing **11+ people**

that's an estimated **two thirds** of all those in employment in Northern Ireland

FETO work this year

3,683 returns received

3,248 (88.2%) audited and authorised

>99% compliant with FE regulations

96 Art.55 employer reviews received, 92 (95.8%) audited

31 Art.55 reviews examined and discussed with employers

Employers' top web pages

The Employer Training Programme this year made it into the top 10 most visited pages on our site

Private sector employers are interested in

- Fair Employment monitoring
- pregnancy and maternity at work
- recruitment and redundancy
- sex discrimination in the workplace

Public authorities' most visited pages are

- Section 75 duties
- disability duties
- employment issues

Section 75 statutory equality and good relations duties

Investigations

A Paragraph 11 investigation carried out last year and published after the year end found that the Department for Communities failed to comply with its approved Equality Scheme commitments on screening and equality impact assessment relating to funding decisions for the Líofa Gaeltacht Bursary Scheme for 2017 and the Community Halls Pilot Programme.

Paragraph 10 complaints (from people complaining about public authorities' compliance with equality and good relations duties) totalled a record 36 this year.

Advice to public authorities on complying with statutory duties

We consulted on our S75 report 'Acting on the evidence of public authority practices' this year and the report and consultation report were approved by Commission for publication in 2018-19.

We've paid particular attention this year to improving the quality of Section 75 equality assessments.

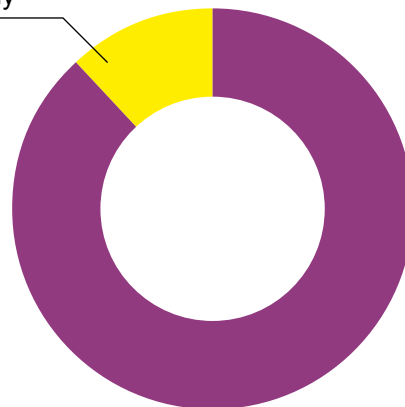
We published new guidance, 'Effective Section 75 Equality Assessments: Screening and EQIAs', which is one of the most visited public sector web pages. Our new forum for large public authorities, set up with the aim of improving equality assessments, has met four times this year. Actions underway include training sessions and a session with NISRA on developing an evidence base. We've also written to permanent secretaries and the chief executives of the Health & Social Care trusts about their statutory S75 duties when setting budgets.

90%

Of public authorities who should have an equality scheme have one. We're working with the others to help them comply.

Disability Action Plans (DAPs)

11% - do not have a DAP and we're working to help them comply



89% actually have a DAP

Securing protection under the law

Brexit

As the UK is working to exit from the European Union, our focus has had to shift from working to strengthen equality law here to working to protect existing rights and seeking to ensure advocacy and adoption of our position in wider EU exit developments and debates.

We engaged in the debate here, at Westminster and more widely to

ensure that equality and good relations are considered priority issues in Brexit negotiations. We saw positive references to our policy positions and recommendations in discussions at EU and inter-governmental level, in Parliament and more locally. Importantly, our recommendations were reflected in the Protocol on Ireland/NI of the European Commission's Draft Withdrawal Agreement.

UNCRPD - the United Nations Convention on the Rights of People with Disabilities

We were part of the team which secured UN advocacy of key Commission positions following its examination of the UK. The UNCRPD Committee Vice-Chair, Coomaravel Pyaneandee came to Northern Ireland, reinforced these positions with government officials and called for disability law reform.

He also spoke at an event we organised jointly with the NIHRC and was interviewed on BBC Radio Ulster about the UK's shortcomings in the implementation of the Convention.



Attitudes and Awareness – the

We published the results of the most recent Equality Awareness Survey this Spring. The findings have important implications for the work of government and organisations and of course will inform how we plan and implement our own work. The full reports and the technical report are on our website but here are some of the key points.

A Question of Attitude

The survey follows similar studies in 2005, 2008 and 2011, which allows some comparisons on attitudinal change to be drawn.

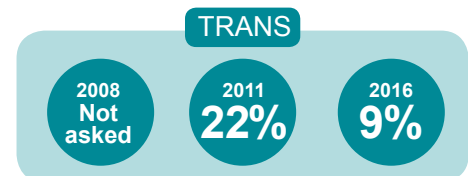
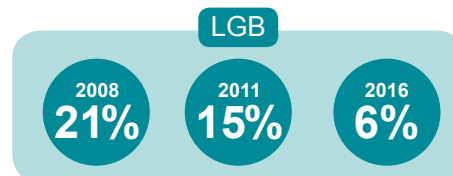
We asked respondents how positive or negative they felt towards different equality groups. We found that, overall, attitudes were much more positive than in previous surveys.

Even with this welcome reduction in negative attitudes, it seems some prejudices remain deep-seated, particularly with regard to those of a different race or nationality.

The five most negatively viewed groups were all racial groups. The sixth and seventh most negatively viewed groups were trans and lesbian, gay and bisexual people.

Racial Groups	% negative
Travellers	19%
Roma	18%
Asylum seekers/refugees	15%
Migrant workers	11%
Minority ethnic groups	10%

Sixth and seventh on the list were trans people (9%) and LGB (6%).



e Equality Awareness Survey

Equality Matters

It was clear that equality matters to people in Northern Ireland – 68% of those surveyed said equality issues were as important as or more important than a year before.

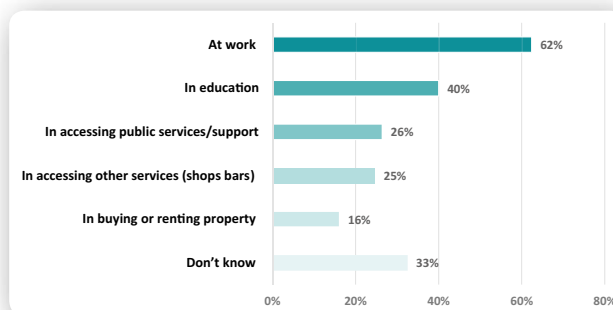
More than half (54%) agreed that there is a need for equality and anti-discrimination laws in Northern Ireland and almost half (47%) agreed that equality and anti-discrimination law should be strengthened.

Although over two thirds of people consider equality is important, only one third think that we have equality for all in Northern Ireland. The key areas where we need to see action include employment, housing, gender and education.

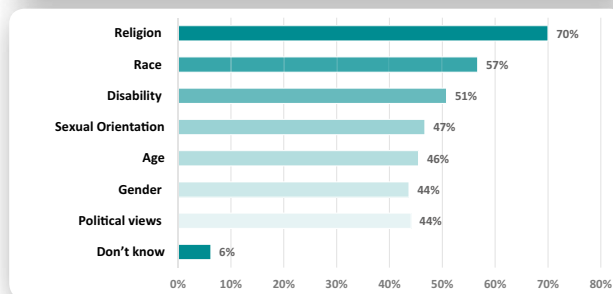
Working for Change

The good news from this survey was that 100% of employers and service providers asked knew about the Commission and our responsibilities to promote equality and challenge discrimination. Nearly 90% had had dealings with us in the last three years. 90% would come to us if they

In order to get a sense of the level of awareness of the areas protected by anti-discrimination laws in Northern Ireland, we presented respondents with a list of six areas that are currently covered by law. We asked them to choose the areas under which they thought they were protected. This is what they told us:



Generally, for all areas, people who were over 65 years old, people with no qualifications, and those from a lower social class (C2DE) were least likely to know an area covered by anti-discrimination law.



We then presented the seven equality grounds which are protected by various laws to those respondents who had been aware of the areas covered by anti-discrimination law. We asked them if they knew under which of those seven grounds the law protects people in Northern Ireland.

had a problem with equality or discrimination to deal with.

We asked the general public about their awareness of their rights and of the Commission.

www.equalityni.org/EqualityAwarenessSurvey

Views of public on their rights & the Commission

94%

94% of respondents knew that they were protected by the law on at least one equality ground

77%

77% of those who had heard of the Commission had heard of us via the media

49%

Almost half, 49%, were aware of the Commission

7%

7% said they had experienced discrimination

STRATEGIC AREA 2: Challenge and support Government to advance equality and good relations

In the absence of an Executive, progress on this objective is slower than we would have liked.

We continue to work with departments to ensure that the recommendations we made on the draft Programme for Government and delivery plans are reflected in the strategies and programmes of work to be delivered.

We sit on a range of working groups to secure the adoption of our policy recommendations for example in education and in housing.

We have made some progress on getting Commission recommendations reflected in key equality frameworks, for example in the Executive Office's review of racial equality legislation.

Key Inequalities

We work to improve the evidence base for key inequalities, updating and publishing statements on key inequalities in Northern Ireland.

Key Inequalities in Housing was launched in June 2017 and generated a good deal of media and public interest and debate. A booklet was accompanied by a series of videos showcasing people who have experienced or are experiencing inequality in housing provision.

This year, we completed the Statement on Key Inequalities in Employment and it was published after the year end. The draft Statement on Key Inequalities in Participation in Public Life was completed and will be published later in 2018.

International Equality Frameworks

- **Convention on the Elimination of Racial Discrimination (CERD)**
- **Framework Convention for the Protection of National Minorities (FCNM)**
- **European Commission against Racism and Intolerance (ECRI)**

We have secured support for our key racial equality policy positions with these organisations and have seen some steps towards the formal adoption of some of our recommendations eg a draft Refugee Integration Strategy.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

We worked with local partners on preparations for the formal examination of the UK in 2019.

Key Inequalities in Housing - publication, videos and stories
online at www.equalityni.org/KeyInequalities-Housing



STRATEGIC AREA 3: Championing equality and good relations

Our communications used stories originating in the work of the Commission, reactions to issues in the news and, importantly, a new approach to outreach to inform our communications work this year.

Media coverage 2017-18 in numbers

More than 31 million opportunities for people to see or hear our messages in the media.

On average, 80% of coverage was proactively placed, compared to 70% last year.

93%

Positive media coverage this year 4% negative
3% neutral.

Top stories of the year in terms of the number of people seeing them were legal cases.

The ongoing debate about McCreesh Park, Newry, the hearing by the Supreme Court of the Ashers appeal and the publication of the Equality Awareness Survey were the other big issues in the media.

In 2017-18, we publicised outcomes of 12 legal cases, compared to seven the previous year.

LEGAL CASES FOR 2017-18 BY OPPORTUNITIES TO SEE	k
Chefai - race	363
McCullough - sex harassment	673
Barlow - age	752.7
McLaughlin - disability	851.6
MH Belfast Trust - disability	919.6
McKeith - associative disability	1115
O'Donnell - disability	1130
Huang-Porterfield - sex harassment	1200
Scott - FETO	1210
SENDO cases x 3	1300
Shanks - disability	1355
Magorrian - pregnancy	1700

Social media

Twitter followers last year went up 17% to just over 6,000.

People are most engaged with events, photos, videos and timely blogs, such as welfare reform and sexual harassment. Engagement tends to be higher when we're working in partnership or aiming at groups such as the youth, LGBT or disability sectors. Legal cases do consistently well on Twitter.

The single best performing tweet of the whole year was that posted to mark the visit of Mervyn Gibson and Chris Brown of the Orange Order to the Commission in March 2018.



Black Box event, Belfast

On LinkedIn, our follower figures have risen a further 29% and stand at 654 after 18 months. Numbers are small, but it's a much more tightly targeted audience.

It's interesting that it is easier to get traction for issues such as the Employer Training Programme and publicising events on social media than in traditional media. Legal cases are well used, as are other work issues, notably this year cancer and mental health at work.

We started a Facebook page at the end of 2017, at the four month mark it has just over 200 followers.

Ezines

24 ezines were issued to more than 10,000 subscribers

- 69% Employers & Service Providers
- 21% Stakeholders
- 7.5% Public Authorities
- 2.5% Political

Website:

64,000 users visited the site 95,000 times, viewing 288,000 pages.

We upgraded our content management system this year, improving security and ensuring compatibility with multiple browsers and online devices.

Commissioners and staff out and about

We are making use of our contacts to spread our message as widely as we can. For example, we marked International Women's Day in association with Reclaim the Agenda. Commissioner Judith Gillespie travelled to address an audience of female engineers at Terex, Dungannon, Head of Advice & Compliance Eileen Lavery went to Hyster Yale in Craigavon, Commissioner Eileen Chan Hu to the Falls Women's Centre and our Chief Commissioner Dr Michael Wardlow went to Belfast City Hall to meet Lord Mayor Nuala McAllister.



Working in Partnership

We worked with Armagh Traveller Support Group, the Cedar Foundation, Craigavon Travellers Support Committee, Mencap, NIACRO, South Tyrone Empowerment Programme and Wolfhill Community Centre to produce a booklet and videos on inequalities in housing.

A Question of Attitude

This was a real first for the Commission – an event which was part of the Imagine Belfast Festival of Ideas and Politics. We had a full house for this and very positive feedback, also new and improved relationships.

This event was principally a listening exercise. Our job was to start a public discussion about equality issues that are actually important to people, which we did using an invited panel and a professional chair to lead the debate. Our Chief Commissioner and Chief Executive were in the audience. We also had Tim McGarry doing a short comedy introduction to get things going.

12.5M

Opportunities to see our legal casework in the media last year.



STRATEGIC AREA 4: Delivering equality effectively and efficiently

Our grant in aid in 2017-18 was £5.378m and continues a steady downward trend in funding from 2007-08. In ten years, our grant in aid has fallen by 28%.

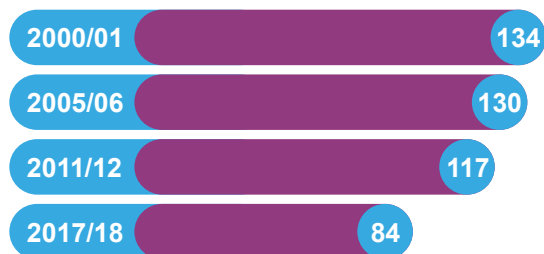
As people are our greatest cost, cuts in funding have a disproportionate impact on staffing levels. Staff numbers this year fell to 84 wte, down 32 (28%) since 2012-13.

We have sought to mitigate these reductions in funding by generating additional sources of income, reducing overheads and delivering efficiency savings where possible.

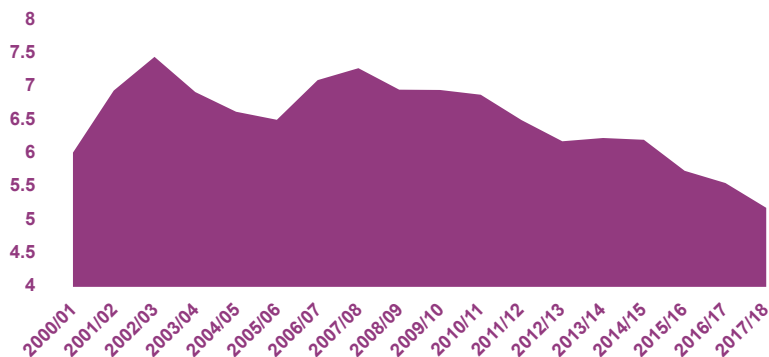
Audit outturns:
All five internal audit reports provided satisfactory assurance.

Corporately, we have focused on core governance and internal control alongside a drive to greater sustainability and a commitment to continuous improvement.

Staffing Levels (wte)



Grant in Aid (£m)



FULL DETAILS OF FINANCES, AN ACCOUNTABILITY REPORT AND STAFF REPORT ARE IN THE FULL ANNUAL REPORT

Despite these constraints, this year was one of achievements:

- **We supported 52 cases to tribunal or court**

It's always good when an issue we raise moves beyond a news item and becomes a topic for public debate. This happened with the sign language issue following publicity around the case of Gillian Shanks and her mother Mary Carson. Because a sign language interpreter was not available in a hospital, Gillian had to tell her profoundly deaf father that his illness was terminal. This case generated awareness of the shortage of signers and calls for recognition of BSL and ISL as languages.



- **We spoke to thousands of people at events, schools and workplaces.** Belfast Mela attracts massive crowds every year – we were there last August with our information stand. Deputy Chief Commissioner Lesley Carroll represented the Commission.



- **We answered 3,621 queries from employers and service providers.**

Our survey showed that 86% of respondents who had been in touch with us were asking about employment issues, and of these, 84% had a question about their annual Fair Employment monitoring return.



- **We grew and developed the Every Customer Counts and Mental Health Charter initiatives,**

with 89 organisations now signed up to the Mental Health Charter, committing to helping their staff through difficult periods of mental ill health. 78 organisations are now signed up to Every Customer Counts, our initiative to help businesses become more welcoming to disabled people.



- **We helped more than 3,500 people who contacted us with complaints of discrimination with free and confidential help and advice.**



About the Equality Commission for Northern Ireland

We are a non-departmental public body established under the Northern Ireland Act 1998.

Our powers and duties derive from equality laws which provide protection for everyone in Northern Ireland against discrimination on the grounds of age, disability, race, religious belief and political opinion, sex and sexual orientation.

We also have responsibilities arising from the Northern Ireland Act 1998 in respect of the statutory equality and good relations duties which apply to public authorities.

Our sponsor department is the Executive Office, which carries responsibilities for equality policy and legislation in the Northern Ireland Executive.

Our services

- Giving advice and support to individuals with potential complaints under the anti-discrimination legislation
- Giving guidance to employers and service providers about their obligations under the law and good practice advice
- Encouraging public authorities to promote equality of opportunity and address inequalities in fulfilling their equality and good relations duties
- Ensuring that equality considerations are central to decision-making by focusing particular attention in a number of key public policy areas.

Vision

Our vision is of a society in Northern Ireland where there is equality for all and a common understanding of the benefits of a more equal society.

Mission

Our mission is to improve people's lives through the effective implementation of our statutory responsibilities.

www.equalityni.org/publications

Equality Commission

FOR NORTHERN IRELAND

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Autumn 2018

