

Welcome

This review sets out our achievements in 2019-2020, the first year of our new Corporate Plan 2019 – 2022.

I trust that you will see, from the following summary of our work, how the use of the range of our powers and duties contributes to the delivery of our objectives. I trust, too, that the partnerships we have maintained and developed are evident, as working in partnership is core to our new outcome-based approach.

The year marked the Commission's 20th anniversary, providing opportunity to reflect on progress and on what remains to be done. We were delighted to organise a public lecture to mark the occasion, together with the Northern Ireland Human Rights Commission, by Lord Patten of Barnes. He spoke on the politics of identity in Belfast City Hall on 26 February, at an event attended by around 200 of our stakeholders.

The year has been characterised by significant changes. The return of the Northern Ireland Assembly in January 2020 enabled us to re-engage with elected representatives and raise issues that are important for equality here. This includes issues highlighted in New Approach – age discrimination law for goods, facilities and services and strategies for racial equality, for childcare, gender, disability and sexual orientation.

We said good-bye and many thanks for their contributions to Chief Commissioner Michael Wardlow and other Commissioners and we welcomed some new Commissioners during the year, including new Chief Commissioner, Geraldine McGahey OBE, who took up office in March 2020.

Also in March, in response to the Covid-19 pandemic, we closed our offices and staff started delivering all our services remotely. Given what we know about the differential equality impacts of the pandemic, addressing equality issues has never been so important. Identification and consideration of equality issues is vital in the responses to the pandemic and we have been promoting the need to ensure that the existing framework of equality duties is central in decision-making during this difficult time.

A further change is ahead, as we expect to leave the European Union by the end of December and have work to do to ensure no diminution of equality rights, as committed to by the UK Government in the Ireland/Northern Ireland Protocol to the Withdrawal Agreement. We have new powers and duties and additional resources for this and are committed to delivering on this work.

Thanks are due to our staff for their ongoing commitment to delivering on our statutory remit and to high standards of public service, and also to the many people who use our services. I would also like to thank our many partners who make such a valuable contribution to our work.

Dr Evelyn Collins CBEChief Executive

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Out & About



Chief Commissioner speaking at IWD



Chief Commissioner with Lord Patten at 20th anniversary event



Employer session on employing a disabled worker, Bobbin Cafe, Nov 2019



Chief Executive at signing of Mental Health Charter by Alan Armstrong of ALMAC



Chris McCrudden, Eileen Lavery and Rosemary Connolly at the Lord Patten lecture



Legal officers Sinead Eastwood and Lisa Taggart spoke at Trans event, April 2019



Commissioner Duane Farrell at the LGBTQ+Kids are Alright conference



Current Commissioner Dawn Purvis and former Commissioner Judith Gillespie, International Women's Day 2020



Mela August 2019

Our priorities for 2019-2022

We have identified four priority areas for our work from 2019 to 2022:

Employment

Education

Access & Participation

Mainstreaming & championing equality

This Annual Review presents some of the key achievements this year in these priority areas of work.

Under the new Corporate Plan, we have sought to focus our resources on the equality issues that have emerged as the most urgent and demanding, in the areas of employment, education, access and participation and mainstreaming and championing equality. We have also sought to align our work, through an outcomes-based approach to planning, with the Executive's draft Programme for Government.

The new approach means that we are concentrating our effort on the areas we identified arising from our statutory remit, from evidence of persistent inequality arising though our work over recent years on key inequalities, and evidence from our day to day work - across legal, advice, policy, research, investigations, and communications.

For more detail visit our website: www.equalityni.org

Employment

In 2019 – 2022, we are focusing on

More and better jobs for disabled people

Increased access for women in employment

Welcoming and inclusive workplaces

The Court of Appeal upheld a decision of a Tribunal that the claimant, a graduate who lives with Aspergers Syndrome, had been discriminated against in the failure to make sufficient reasonable adjustments and appoint him to a graduate training programme in its network design and engineering programme. It also upheld the award of £19,266 in compensation.

More and Better jobs for disabled people

This year we have worked with the Department for Communities (DfC), NIUSE and Disability Action on a programme of work on preemployment and employment support for people with disabilities.

We also highlighted the need for disability law reform, raised concerns about the possible loss of EU funding for disability employment programmes and the disability pay gap with policy makers and worked with employers to promote positive action and reasonable adjustments in employment.



Kevin Meier Outside Belfast High Court



147 EMPLOYERS

ATTENDING TRAINING ON PROMOTING EQUALITY IN EMPLOYMENT FOR DISABLED PEOPLE



31 PEOPLE ATTENDED

EMPLOYER WORKSHOPS IN PARTNERSHIP WITH THE NOW GROUP AND ORCHARDVILLE



TRAINING & POLICY REVIEWS

WE PROVIDED TRAINING AND POLICY REVIEWS FOR EMPLOYERS ON REASONABLE ADJUSTMENTS



15 LEGAL CASES

THROUGHOUT THE YEAR, WE ASSISTED
15 LEGAL CASES IN THIS AREA, INCLUDING
ONE WHICH WE WON AT THE COURT OF
APPEAL ON THE DIFFICULTIES ONLINE
RECRUITMENT CAN POSE FOR SOMEONE
WITH A DISABILITY.



160 EMPLOYERS

ATTENDED FOUR SEMINARS ON MENTAL HEALTH IN THE WORKPLACE



PROMOTING DISABILITY AT WORK

PRODUCED A RANGE OF NEW LEAFLETS FOR DISABLED PEOPLE AT WORK



COLLABORATE

WORK WITH BELFAST AND SOUTHERN HEALTH AND SOCIAL CARE TRUSTS, DERRY CITY AND STRABANE DISTRICT COUNCIL, BELFAST METROPOLITAN COLLEGE AND WATERWAYS IRELAND.



DISABILITY EMPLOYMENT

WITH OUR PARTNERS, CARRIED OUT CONSULTATION AND DEVELOPED GUIDANCE ON EMPLOYING DISABLED PEOPLE



SHOWCASING ABILITY

WORKED WITH PARTNERS ACROSS NI TO PRODUCE A VIDEO, THE RIGHT FIT, SHOWCASING WHAT DISABLED PEOPLE CAN DO IN WORK



'FEWER THAN 36% OF DISABLED PEOPLE IN NORTHERN IRELAND ARE EMPLOYED'



DISABLED PEOPLE HAVE TO APPLY FOR 60% MORE JOBS BEFORE FINDING ONE

2019-2020



44.7%

OF ALL CALLS TO ECNI ADVICE TEAM
WERE ABOUT DISABILITY DISCRIMINATION

72.3%

OF THESE CALLS WERE ABOUT DISCRIMINATION IN EMPLOYMENT

21.5%

OF DISABILITY DISCRIMINATION COMPLAINTS WERE ABOUT FAILURE TO MAKE REASONABLE ADJUSTMENTS

Increased access for women in employment

One of the biggest issues in improving women's access to employment is affordable, good quality childcare. For that reason, we welcomed the Government commitment to develop a revised Childcare Strategy and have asked for it to be progressed in a timely way.

We published our recommendations on the Gender Pay Gap Reporting Regulations and Gender Pay Strategy and have worked with DfC to encourage action on developing the strategy and introducing the Regulations.

We also used our recommendations to the UN CEDAW (Convention on the Elimination of all forms of Discrimination against Women) Committee to promote women's economic independence to the Women's Caucus in the Assembly.



171 EMPLOYERS

ATTENDED 8 SEMINARS ON THE PROMOTING GENDER EQUALITY AND EMPLOYMENT



ADVISED DEPARTMENT FOR THE ECONOMY

WE ADVISED THE DEPARTMENT FOR THE ECONOMY (DFE) ON INCLUSION OF GENDER ACTION MEASURES IN ITS EQUALITY ACTION PLAN AND ON STEM INITIATIVES



21 EMPLOYER POLICIES

WERE REVIEWED IN LIGHT OF OUR GUIDANCE ON GENDER EQUALITY



12 CASES

WE SUPPORTED 12 CASES RELEVANT TO THIS OBJECTIVE



Meeting the Women's Caucus at Stormont

Laura Gruzdaite



Catherine McCormick



Laura Gruzdaite was awarded £27,917 in a Commission-assisted sex discrimination case. The Tribunal found she had been discriminated against and dismissed for a reason related to her pregnancy. Catherine McCormick settled her case against the school where she still teaches. She believed she was overlooked for the post of temporary Head of English because she was working reduced hours for reasons of childcare, amounting to indirect sex discrimination.

Freedom from prejudice and harassment at work

A report on our survey on Welcoming and Inclusive Workplaces was published in July 2019. We gathered information from employees and employers about their perceptions, behaviours, policies and procedures and this gave us some useful insights. Further analysis of results and follow-up case studies will be used to inform our work with employers.



212 EMPLOYERS

TOOK PART IN 10 SEMINARS ON PROMOTING A GOOD AND HARMONIOUS INCLUSIVE WORKPLACE.



TRAINING SESSIONS

WE RAN 2 INHOUSE TRAINING SESSIONS FOR 46 ATTENDEES IN FE SECTOR



10 CASES

WE SUPPORTED 10 CASES RELEVANT TO THIS OBJECTIVE.





Damian Anysz was awarded £17,704 in a racial discrimination case in which the Tribunal found he had been racially harassed at work

Education

In 2019 - 2022, we are focusing on

Addressing inequalities in attainment and access

Freedom from prejudice-based bullying at school

Address inequalities in attainment and access

This year we worked to improve outcomes for newcomer and Traveller children by supporting the introduction of language resources and securing a commitment in the Children and Young People's Strategy to explore and improve the educational outcomes of newcomers, Traveller and Roma communities.



THAN 5

TRAVELLER CHILDREN
LEFT SCHOOL
WITH 5
GCSES A-C

100% of those attending our Family/Community education involvement event supported our call for the promotion of collaborative approaches between home and school. Participants highlighted 135 key asks which will inform future work.



Prof. Carol Alexander of University College London was our visiting speaker at the Equality in Education event looking at different ways of improving educational outcomes using home/school relationships.

Freedom from prejudice-based bullying at school

We secured a commitment in the final Children and Young People's Strategy 2019-2029 to 'continue to work to fully implement the Addressing Bullying in School (NI) Act 2016'.

We have worked with the NIABF and the Department of Education to promote our recommendations on tackling bullying widely in the sector. The CCEA Relationships and

Sexuality hub now includes curricular materials on LGBT issues.

We took part in the 'Are the LGBTQ+ Kids alright?' conference in May 2019, highlighting our anti-bullying policy priorities

We worked with the EA and C2k to improve the quality of equality data on bullying, and had input into training for boards of governors and training for schools on equality recording requirements.



Commissioner Duane Farrell addresses the 'Are the LGBTQ+ Kids alright?' conference.

Access and Participation

This year, partnership working has been critical to our success in this work. We are very grateful to the many individuals and organisations who have made this strand of our work really relevant and impactful.

In 2019 - 2022, we are focusing on

Participation in public and political life

Participation in public and political life

for Action on increasing the participation of women in politics and public life, and we formed partnerships with the Women's Caucus and women's sector organisations to progress this work.

We sent all political parties copies of our Priorities

Accessible facilities and services for disabled people

We have also been working with The Executive Office on a possible Central Appointments Unit and arranging for training for the independent assessors who carry out recruitment of public appointees.

Addressing housing needs and available adapted housing for disabled people

During the year, we ran two events in conjunction with the Commissioner for Public Appointments NI, one for people with disabilities and one for women. We also made a series of short videos in partnership with the Boardroom Apprentice scheme

Access to information and digital services



Kellie Armstrong, MLA, was one of the keynote speakers at 'De-mystifying public appointments', a joint event with the CPANI in September 2019.



Judena Leslie, NI's Commissioner for Public Appointments, spoke passionately and entertainingly at our 'Women Stepping Forward' event in March 2020 We used social media to promote NIO's advertisement for our own Commissioner vacancies to people with disabilities and others and supplied a brief on our policy positions to NI peers ahead of a House of Lords debate on the issue introduced by Lord Chris Holmes.

Accessible facilities and services for disabled people

We used our Every Customer Counts initiative, Disability Action Plans and Section 75 to help larger service providers improve access and participation.

For example, we followed up with the Northern Bank on the settlement of a case of disability discrimination against a profoundly deaf customer. This resulted in a review of provision for people with disabilities generally and a new telephone solution for customers with hearing impairment.

WE ADVISED 74 PUBLIC AUTHORITIES ON HOW TO IMPROVE THEIR DISABILITY ACTION PLANS SO AS TO PROMOTE PARTICIPATION IN PUBLIC LIFE TO DISABLED PEOPLE.



We followed up with the Northern Bank on the settlement of a case of disability discrimination against a profoundly deaf customer, Fiona McKendry. This resulted in a review of provision for people with disabilities generally and a new telephone solution for customers with hearing impairment.

WE TRAINED 16 DISABILITY ACTION OUTREACH WORKERS IN EVERY CUSTOMER COUNTS.

Addressing housing needs and available adapted housing for disabled people

We published our Housing and Community policy recommendations and priorities for action. One of its recommendations was the indefinite extension of mitigation on the 'bedroom tax' in line with our recommendations.

We worked to promote our recommendations to partners such as the NI Housing Executive, which reviewed streamlining of adaptations and reduction of waiting times for Disabled Facilities Grant in line with our position.

We also took opportunities to promote our policy recommendations at events such as Féile and with bodies such as the Housing Rights Service, TBUC Ministerial Panel on Shared Housing and the NIHE senior manager group.

Access to information and digital services

We have a role in monitoring and enforcing the web accessibility regulations which came into effect in September 2019.

We have agreed a memorandum of understanding with the Cabinet Office's Government Digital Service about our respective roles in relation to this.

We have done a good deal of work on auditing our own website's compliance and will continue working to improve accessibility of all our information.

Championing and Mainstreaming Equality

We worked hard to encourage the mainstreaming of equality and good relations considerations in the Programme for Government, cross-departmental delivery plans, budgets and equality frameworks. Our recommendations are being heard across Government as a result of meetings and briefings at all levels including Permanent Secretaries and the Policy Champions Network.

In a drive to encourage Government to act to protect the most vulnerable and mitigate any adverse impact from welfare reform on the promotion of equality, we were pleased that the Department for Communities extended welfare mitigation payments.

Also as part of this work, we, together with the NI Human Rights Commission, have responsibilities under the UN Convention on the Rights of Persons with Disabilities, and we called on the DfC to take account of UNCRPD in framing welfare mitigations advice to ministers. We jointly issued a review of PIP, and put recommendations concerning the implementation of the UNCRPD Welfare Reform Inquiry to the DfC.

Section 75 equality and good relations duties

Section 75 places duties on public authorities to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations when carrying out their functions.

We continued to promote the effective application of the Section 75 statutory equality and good relations duties as a way of effecting change and mainstreaming equality and good relations into public policy. For example, we advised the DoF on the application of \$75 duties to the NI budget 2020-21 and gave advice to the Education Authority on its home schooling guidance and its equality action plan.

In partnership with NISRA, we did a lot of work on data signposting guidance, as access to good and meaningful data is fundamental to improving S75 practices going forward. This has since been published and promoted to public authorities.

Section 75 training highlights



560 DELEGATES

FROM 58 PUBLIC AUTHORITIES ATTENDED 14 TRAINING SESSIONS ON IMPROVING S75 PRACTICES



TAILORED TRAINING DEPARTMENT FOR EDUCATION

4 SESSIONS OF TAILORED TRAINING WERE DELIVERED TO THE DEPARTMENT OF EDUCATION, 4 TO LISBURN & CASTLEREAGH COUNCIL, AND TO 56 DAERA STAFF, 22 SENIOR MANAGERS OF THE YOUTH JUSTICE AGENCY AND THE SHANKILL HOUSING ASSOCIATION



TAILORED TRAINING PUBLIC AUTHORITIES

IN PARTNERSHIP WITH CAL, WE DELIVERED S75 TRAINING TO 50 PUBLIC AUTHORITIES.

Advice and guidance to improve the quality of equality assessments was a large part of our work in 2019-2020.

124 public authorities had a current Disability Action Plan at the year end and 15 are exempt. We have written to each of the 19 public authorities without a current DAP and are working with them to help them comply. 22 WE ADVISED 22 PUBLIC AUTHORITIES ON IMPROVING SCREENING PRACTICES

WE GAVE FEEDBACK TO 57 PUBLIC AUTHORITIES ON THEIR S75 ANNUAL PROGRESS REPORTS

Section 75 statutory equality and good relations duties

Public authorities

158 designated authorities

144 have an equality scheme

15 are exempt

Investigations

This year, we conducted two investigations into alleged breaches of Equality Schemes by public authorities, following complaints from members of the public. Both investigations found that the public authorities involved had failed to comply with their equality scheme commitments when reviewing and developing particular policies.

The investigations were carried out under Schedule 9 of the Northern Ireland Act 1998, which sets out arrangements for investigations of breaches of Equality Schemes.

Both investigations showed the importance for public authorities of equality impact assessments of policy options and the need for these assessments to be fed into decision making. The recommendations made in the investigation reports will be followed up with the organisations concerned in 2020-2021.

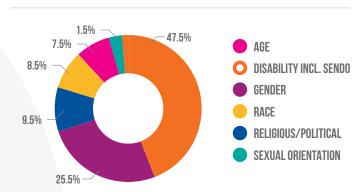
Challenging discrimination: Legal casework

Disability remains the largest area of complaint, followed by sex as in previous years.

Most of the almost 4,000 people who contacted the discrimination advice team last year were able to resolve their cases without going to court, by using our advice and information. Around 8% of these applied for assistance to pursue a legal case in the County Court or the Industrial Tribunals. Of these, around 21% were granted support under the Commission's Policy on the Provision of Legal Advice and Assistance.

ENQUIRIES	CONSIDERED AT LFC	GRANTED ASSISTANCE
3,922	337	72

What people called us about



In 2019-20 we settled 29 cases out of court and had seven decisions at court or tribunal, six in our favour.

Just over £234,000 was achieved in compensation for our claimants, and respondents committed to liaising with the Commission to address their equality issues. In settling discrimination cases, employers and service providers this year have agreed to

- commit to equality principles
- undertake to liaise with the Commission to review policies, practices and procedures
- provide training for staff and management
- · provide references
- provide reasonable adjustments (in disability cases).

Decisions

Six cases were upheld. Two involved sexual harassment at work, one involved racial harassment at work and another racial harassment in service provision. There was one pregnancy discrimination at work case. One disability discrimination employment case was successful at the Court of Appeal.

One case that was dismissed related to age and sex discrimination. Compensation totalling £105,870 was awarded in the six decisions in our claimants' favour.

Promoting equality

A key part of our work on promoting equality of opportunity is our work with employers, to make them aware of the duties imposed on them by equality law and how we can help them comply. Ultimately our aim is to create fairer and more harmonious workplaces for everyone in Northern Ireland.



EMPLOYER TRAINING

30 EMPLOYER TRAINING SESSIONS, WITH 562 ATTENDEES REPRESENTING 325 EMPLOYERS



ADVICE

2,889 REQUESTS FOR ADVICE FROM ORGANISATIONS



SETTLEMENT TERMS

WE FOLLOWED UP SETTLEMENT TERMS WITH 22 EMPLOYERS



ADVICE & FEEDBACK

WE GAVE ADVICE AND FEEDBACK ON 58 FMPI OYER POLICIES

Employers asked us most often about

Article 55 review requirements

Recruitment and selection

Absence management

Pregnancy and maternity

Reasonable adjustments

The provision of training

Employers' top web pages

The Employer Training Programme is one of the top 5 most visited pages on our website

Private sector employers were interested in:

- The Mental Health Charter
- Fair Employment
- Monitoring

Public authorities were interested in:

- Section 75 duties
- Employment issues
- Disability duties

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.

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:

- 3,719 monitoring returns received
- 3,413 returns authorised
- 122 Art.55 employer reviews requested or submitted

- 85 Art 55 reviews received, 51 audited for compliance, 95+% were compliant
- 43 Art 55 reviews were followed up with employers to help improve practices

Fair Employment Monitoring report 29 was published in February 2020, supported by additional information such as company data and analysis by sector.

99%

COMPLIANCE WITH FE REGULATIONS

Communications

Our communications supported all this year's objectives and also this year we contributed to some public interest issues in the news, notably a fiery public debate about the removal of royal portraits from the Northern Ireland Office.

Apart from the royal portraits story, all the top stories of 2019-20 were legal cases. The most covered case result by far was Ava Moore v Debenhams, where our claimant bravely spoke out about her experience as a transgender woman applying for a job with the company.

We added Instagram to our social media presence on Twitter, Facebook and Linked in









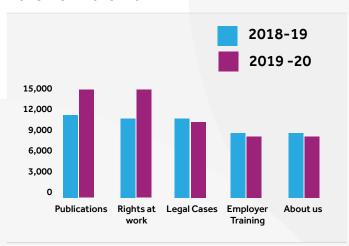


We revised and updated public information leaflets on all sorts of discrimination.

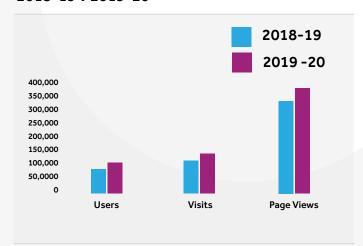
Ava Moore

Website

Top 5 sections viewed: 2018-19 v 2019-20



Web Traffic: 2018-19 v 2019-20



Top 5 stories ECNI website:

- Appointment of new Commissioners
- Transgender woman settles case against Debenhams
- Woman wins £28k for pregnancy discrimination at Tribunal
- Commission publishes two investigation reports
- Judgement in race discrimination case against John Mulholland Motors

20th Anniversary

To mark our respective 20th anniversaries, we joined with the NI Human Rights Commission to host an evening in February 2020 with Lord Patten of Barnes at Belfast City Hall, when he spoke on the politics of division. There was a great attendance and we used our recording of the event subsequently on Slugger O'Toole and part of an online Imagine Belfast festival in March.





We also produced a video marking our work and highlights over the 20 years since we were established.

Brexit

One of our key concerns in the run up to the UK's exit from the EU has been to ensure that equality protections are maintained and strengthened where possible and that there is no diminution of equality rights. We undertook extensive work with Government and interested parties in Northern Ireland on this important issue.

Law Reform

In 2019-2020, we responded to consultations on changing the law on abortion, on same sex marriage and on a review of hate crime legislation. We were pleased to see in 'New Decade, New Approach' a commitment to introduce Age GFS (goods, facilities and services) legislation, something we have called for some years.

UN Convention on the Rights of Persons with Disabilities

This year we started work to establish a stakeholder forum made up of people with disabilities as part of our work as IMNI – the Independent Mechanism for Northern Ireland. In March 2020, we livestreamed an event for UNCRPD stakeholders and departmental officials, with all who attended agreeing that the main issues were being covered and over three-quarters of those attending intending to take steps to incorporate key Commission proposals into their own work.

We have also raised the need for the Department for Communities to establish a regional disability forum and to ensure that disabled people's organisations continue to receive adequate funding.

In addition we have worked on getting Commission policy priorities included in the promised Disability Strategy and raised awareness of the UNCRPD's concluding observations with Government.



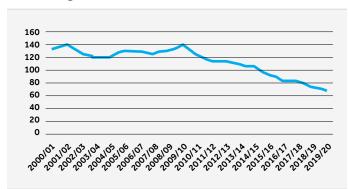
Finance and Governance

Our grant in aid in 2019-20 was £5.203m which meant our opening budget was £1,000 more than in 2018/19. While welcome, this was a cut in real terms and continues a steady downward trend. Over the past decade, the Commission's opening grant-in-aid has fallen by more than £2 million. The past two corporate planning periods have seen the Commission's opening budget allocations falling by 8.7% and 12.1% respectively. We have worked to bolster finances by increasing efficiency, sharing premises and services and using the quarterly monitoring round opportunities.

48% IN 10 YEARS

Because of the proportion of our budget that is committed to staffing, cuts in funding have the biggest impact on staffing levels. Staff numbers fell further this year to 71 average wte, down 6 from last year. The inevitable effect of this is that while we continue to meet our statutory responsibilities, we can no longer provide the scale and scope of services that we used to provide.

Staffing Levels (wte)



Of the three internal audit reviews undertaken this year, all provided satisfactory assurance. The three areas audited were Core Financial Controls, General IT Controls and the Advice and Compliance Directorate. In her Annual Report to the Audit and Risk Committee, the Head of Internal Audit's independent opinion provided a satisfactory level of assurance for 2019-20.

IIP - Investors in People - Silver

In line with a strategic commitment to staff, we completed an Investors in People assessment in April 2020 and achieved Silver accreditation in the new, more challenging IIP framework. The assessor said: "Staff had an undeniable commitment to maintaining a professional, fit for purpose organisation that provides value for money, while meeting the challenge of reduced funding." We will be taking forward a new action plan, taking account of the assessment recommendations.

£1,922 STAFF RAISED £1,922 FOR CHARITY IN 2019-20.



Equality Commission

FOR NORTHERN IRELAND

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Full details of finances, an accountability report and staff report are in the annual report and accounts 2019 - 2020 on our website **www.equalityni.org**