

EQUALITY COMMISSION FOR NORTHERN IRELAND

ONE HUNDRED AND SIXTY EIGHTH MEETING HELD
ON WEDNESDAY 22 JANUARY 2020 AT 1.30 PM
IN EQUALITY HOUSE

PRESENT

Michael Wardlow	Chief Commissioner
Geraldine McGahey	Deputy Chief Commissioner
Neil Anderson	
June Best	
Eileen Chan-Hu	
Theresa Donaldson	
Deborah Donnelly	
Duane Farrell	
Helen Ferguson	
Hazel Francey	
Jarlath Kearney	
Stephen Mathews	
Joe McVey	
Dawn Purvis	
Katy Radford	

APOLOGIES

Robin Mullan

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Leanne Brown	Assistant Research Officer
Simon Hookham	Senior Research Officer
Lisa King	Director of Research and Investigation
Jacqui McKee	Director, Advice and Compliance
Darren McKinstry	Director, Policy and Strategic Engagement
Roisin Mallon	Senior Policy Officer
Louise Conlon	Manager, Secretariat
Adriana Morvaiova	Boardroom Apprentice

1. Introduction

The Chief Commissioner welcomed everyone to the meeting.

Minutes of the one hundred and sixty seventh meeting held on 27 November 2019.

EC/20/01/01

The minutes of the one hundred and sixty seventh meeting held on Wednesday 27 November 2019 were **signed** as a true and accurate record.

2. Matters Arising

Pg. 4 ***NI (Executive Formation etc) Act 2019***: a response to the Government consultation on a new legal framework for abortion law reform in NI was submitted in December and published on the website.

Pg 5 ***NI (Executive Formation etc) Act 2019***: Issues of concern about same sex marriage proposals were discussed with Government officials at a meeting on 10 December and followed up in writing.

Pg 6 **Paragraph 10 Investigation Reports**: these were published on 22 January 2020.

3. Conflict of Interest

No conflicts of interest were declared.

Commissioner Hazel Francey commended Adriana Morvaiova, Boardroom Apprentice, who had been nominated for the Diversity Champion award in the Legal Island Awards. Commissioners wished her good luck.

4. Policy Issues

- Draft Fair Employment Monitoring Report (2018) No. 29 EC/20/01/02

Simon Hookham, Senior Research Manager, provided an overview of the key findings from the Fair Employment Monitoring Report covering the period January to December 2018. The trends remained consistent with

those shown in previous reports. For the third year, there was a divergence between the figures for Catholics in the monitored workforce and those available to work as reported by NISRA. This was being discussed with NISRA. An increase in the Non Determined figure was noted and this was being looked at currently.

There was a query on compliance levels and it was confirmed that there was a high compliance rate by employers. The Commission had strong powers in respect to this and had a robust system in place to ensure compliance.

The additional information included on women was welcomed. It was noted that the data provided a valuable insight into the monitored workforce and could be used for projections of the future workforce too.

Other queries included in respect to appointee figures for women and the need for monitoring of ethnic origin and nationality to be introduced.

Commissioners **noted** the key findings and the planned dissemination of the report.

- Public Opinion Survey on Equality in Northern Ireland: EC/20/01/03
November 2019

Lisa King, Director Research and Investigations, presented the Public Opinion Survey undertaken by IPSOS Mori in November 2019. It was explained that the questions in the survey were developed in the context of the Commission's Corporate Plan priorities and were used to test a range of relevant issues. She highlighted the key areas and findings and also the proposed next steps for its use.

Commissioners welcomed the survey noting that the findings were interesting and provided a useful addition to the evidence base that was being collected across a number of areas of the Commission's work. There was a suggestion that it would be useful to consider having a workshop to consider this growing evidence base.

Commissioners **noted** the findings from the Public Opinion Survey on Equality in Northern Ireland.

- Maximising involvement of people with disabilities with the Independent Mechanism in Northern Ireland (IMNI): Draft Proposal. EC/20/01/04

Darren McKinstry, Director, Policy and Strategic Engagement, presented this paper noting that the proposals built upon the work already undertaken by the Independent Mechanism. He summarised the four core proposals noting the important difference between the proposed Department for Communities (DFC) Regional Disability Forum and the proposed IMNI Disability Forum. There had been engagement with a range of key external stakeholders during the development of these proposals.

The UNCRPD Joint Committee Commissioners, June Best and Stephen Mathews, welcomed the proposals noting that they were comprehensive, well thought out and a timely development given the restoration of the NI Assembly and the opportunities this presented.

Commissioners welcomed the proposals, in particular, the effort given to engagement with the disability sector during the process.

There was a query whether an invitation-based approach would allow for the appropriate diversity of voices, given some recent experiences in the Race sector. It was explained that there was a preference for this model from the disability sector, as it was considered that this would give more focus and continuity than other approaches. It was suggested that it would be important to ensure that such an approach, if chosen, be followed up to ensure that there was a wide range of stakeholders involved. It was envisaged that the range of disabilities would be represented on the group. The meeting of the Forum would be supplemented by one fully open event per year

Commissioners agreed that it was important to ensure that there was no confusion between the role of the DfC Forum and the IMNI Forum and that the Commission should continue to press for the establishment of the DfC Forum.

There was a query on whether a similar approach could be taken across the other grounds. It was explained that the Commission had a specific remit in relation to its CRPD monitoring work to ensure involvement and participation of person with disabilities and their representative organisations in the monitoring process.

Commissioners **approved** the proposed recommendations and actions outlined in the paper.

- UK's exit from the EU: Briefing Paper

EC/20/01/05

Roisin Mallon, Senior Policy Officer, updated Commissioners on key developments relating to the UK's exit from the EU. She updated on the European Union (Withdrawal Agreement) Bill, including on the Bill's passage through the House of Commons and the House of Lords. Once the Bill had received Royal Assent, it would then be presented to the European Parliament for ratification.

There was a discussion regarding the need for adequate resources to be allocated to both Commissions in order to carry out their role as the Dedicated Mechanism. Making progress on the North/South arrangements for scrutiny of the no "diminution commitment" was also important.

The Chief Executive provided an update on a meeting held by the Minister Walker with both Commissions and a number of stakeholders.

Commissioners **noted** the briefing and the planned next steps.

5. Business Reporting

- Draft Business Plan 2020/2021

EC/20/01/06

The Chief Executive presented an initial draft Business Plan 2020/2021. In light of the requirements in the Commission's Management Statement, Commissioners were asked to approve this initial draft for submission to the Executive Office by the end of January. She explained that the draft would need to be reconsidered once the Commission's budget had been allocated. It would also need to be reviewed in light of the commitments in New Decade, New Approach. At that stage, a further costed Business Plan would be presented to Commissioners.

Commissioners welcomed the draft Business Plan making a number of suggestions to be considered for inclusion. This included follow up on outworkings of the CEDAW Committee recommendations and the commitments in New Decade New Approach. The Chief Executive confirmed equality budgeting was included in the plan.

The meeting welcomed the intention to carry out a strategic review of funding legal cases noting that it was important that the Commission review its use of strategic litigation generally. There was a query regarding the number of times the Commission had removed assistance from individuals and whether, in these circumstances, the Commission should consider recouping costs.

Commissioners **approved** the working draft Business Plan for submission to TEO by 31 January 2020.

- Finance Report: 1 April 2019 – 31 Dec 2019 EC/20/01/07

Keith Brown, Head of Corporate Services, presented the Finance Report outlining the Commission's financial position as at 31 December 2019. He drew Commissioners' attention to a number of areas, noting that the budget was broadly on track to be within the Commission's spending limits by the year end. The staffing budget was slightly behind profile as there had been a delay in filling some of the vacant posts that had been identified for recruitment. The overall budget will be brought into line by the year end.

It was also noted that there has been an increase in sickness absence levels since reported previously and this would be kept under review.

Commissioners **noted** the Finance Report for the period.

- Progress Report: 1 April 2019 – 31 Dec 2019 EC/20/01/08

The Chief Executive, outlined the Business Plan progress for Q3, of the thirteen key strategic objectives, seven are on track for delivery and six are broadly on track.

Commissioners **noted** the progress as at 31 December 2019.

- Communication Report: 1 April 2019 – 31 Dec 2019 EC/20/01/09

Louise Conlon, Manager Secretariat, presented an update of the communications work being undertaken during the period 1 April 2019 – 31 December 2019.

Commissioners welcomed the report, and commended the recent coverage of Ava Moore v Debenhams.

6. Other Matters for Commission Decision

No matters for decision.

8. Chief Commissioner's Business

EC/20/01/10

The Chief Commissioner updated on a number of meetings and events he had attended, including a meeting with Civil Service Commissioners, and a joint meeting with the NIHRC with Faith Groups.

The Chief Commissioner noted that the Head of the Civil Service had rescheduled his visit to meet the Commission and was now scheduled to attend the March meeting.

There was nothing further to report with respect to Commissioner appointments.

The Chief Commissioner noted that a date would be set for a strategic discussion on transgender issues, hopefully prior to the end of February. Consideration would be given to an Away Day and further strategic discussions, including on sectarianism in due course.

Commissioner Deborah Donnelly said goodbye to Commissioners as she was not seeking reappointment to the Commission and was unable to attend the February Commission meeting. She had really enjoyed her time with the Commission including as Chair of the Audit and Risk Committee. She wished the Commission well in its future work.

9. Chief Executive's Report

EC/20/01/11

The Chief Executive added detail to her previously circulated report. She updated on a meeting on 14 January 2020 with Sue Gray, Permanent Secretary for Department of Finance and Derek Kennedy from the Reform of Property Management team, at which the bodies in Equality House were informed that they would no longer be relocating to James House. They would now be included in the second phase of the wider project of asset management in the public sector. She outlined a number of issues, which had arisen since the move had been proposed, and the lack of resolution of some of these.

She noted that despite this, the Commission would continue to consider the practical application of the NICS Agile Working principles where helpful.

The financial implications arising from this decision would also be discussed with the Commission's Sponsor Department.

The Chief Executive also noted that Deloitte, the Commission's internal auditors, was currently undertaking a Board Effectiveness survey and that the Commission would provide email addresses so they could get in

touch directly with Commissioners, if agreeable to members. This was agreed.

Commissioners **noted** the report.

10. Matters for Information

None.

11. Minutes of Committee Meetings

None.

12. Any Other Business

No further business to discuss.

13. Date of next meeting: One hundred and sixty ninth Commission Meeting on Wednesday, 26 February 2020, at 1.30 pm in Equality House.

The meeting closed at 4.25pm

Signed: _____ **Date:** _____