

EQUALITY COMMISSION FOR NORTHERN IRELAND
ONE HUNDRED AND SEVENTY THIRD MEETING HELD
ON WEDNESDAY 24 JUNE 2020 AT 1.30 PM
BY MICROSOFT TEAMS

PRESENT

Geraldine McGahey	Chief Commissioner
Neil Anderson	Deputy Chief Commissioner
June Best	
Theresa Donaldson	
Duane Farrell	
Helen Ferguson	
Hazel Francey	
Jarlath Kearney	
Deepa Mann-Kler	
Stephen Mathews	
Carmel McKinney	
Joe McVey	
Dawn Purvis	
Katy Radford	

APOLOGIES

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Jacqui McKee	Director, Advice and Compliance
Anne McKernan	Director, Legal Services
Darren McKinstry	Director, Policy and Strategic Engagement
Louise Conlon	Manager, Communications
Adriana Morvaiova	Boardroom Apprentice

1. Introduction

Geraldine McGahey, Chief Commissioner, welcomed everyone to the Commission meeting, which was taking place by Microsoft Teams video conference due to Government guidance on the Coronavirus pandemic.

2. Minutes of the one hundred and seventy second meeting held on 27 May 2020.

EC/20/06/01

The minutes of the one hundred and seventy second meeting held on Wednesday 27 May 2020 were **signed** as a true and accurate record.

3. Matters Arising

Pg 2 Commissioner Induction: Three induction sessions on the work of the Directorates for new Commissioners were held in June 2020, the last on 22 June 2020.

4. Conflict of Interest

No conflicts of interest were declared.

5. Policy Issues

- Establishment of the dedicated mechanism: for approval EC/20/06/02

The Chief Executive updated Commissioners on the work to establish the 'dedicated mechanism'. This included providing a summary of the background to the commitment to a dedicated mechanism to oversee the implementation of the Government's commitment to no diminution of rights; an update and detail on the bid for resources; and confirmation of all island scrutiny; as well as discussions with TEO and DoF on the arrangements to be made. She also reported on a recent meeting with Andrew McCormick Director General, International Relations at The Executive Office, on related matters. She updated on planned next steps including the development of an operational plan for establishing the dedicated mechanism.

Commissioners welcomed the update and commended the Chief Executive for the expertise and diligence she had shown to guide this work over the last period. It was an important strategic success. The information provided to Commissioners regularly had been timely and clear, keeping Commissioners abreast of developments. The work and contribution of Roisin Mallon, Senior Policy Officer, was also commended.

Commissioners raised a number of queries about staffing and other resource matters and arrangements to be put in place, for example with regard to legal assistance, which were responded to.

Commissioners noted the update and **agreed formally that, in light of the resources now committed by Government**, the Commission should establish the Dedicated Mechanism

- Communications Strategy 2020 -2022 EC/20/06/03

Louise Conlon, Manager Secretariat and Communication, provided an overview of the changes to the Communications Strategy, following Commissioner input at the previous Commission meeting.

An amendment was suggested in respect to the section on accessibility and the text would be updated accordingly.

Subject to the above amendment, Commissioners **approved** the Communications Strategy 2020 - 2022.

- Response to COVID 19: Update EC/20/06/04

The Chief Executive presented an update on work undertaken in the last two months in response to the COVID-19 pandemic. This included work being done across the main functions as well as planning for a return to Equality House.

Commissioners noted the extensive work being undertaken, in particular, the work undertaken in relation to advice notes to employers and service providers. The data in respect to enquiries to the Discrimination Advice line and website traffic was also noted.

The particular impact on older people and people from the BAME community highlighted by the data collected in Great Britain was also noted. The importance of continuing to press for legislative protection on grounds of age in the provision of goods, facilities and services was highlighted.

So, too, was the importance of adequate data being collected. The pandemic had highlighted the ongoing data gaps and it was important that the Commission continued to press for the collection of disaggregated data across all equality grounds; correspondence with NISRA in relation to this was noted.

Concerns about impact of the pandemic on employment opportunities for disabled people were raised and it was noted that a recent report by the “think tank” Pivotal had a limited focus on the impact of the virus on particular groups of people and its potential to exacerbate inequalities in employment.

Commissioners **noted** the update.

6. Business Reporting

- Draft Annual Report and Accounts 2018-19: for approval EC/20/06/05

The Chief Executive presented the audited Annual Report and Accounts 2019-20; these had been considered by the Audit and Risk Committee at its meeting the previous day (23 June 2020) and agreed for submission to the Commission.

The Chief Executive explained that the annual audit had gone very well, despite being completed entirely remotely. She was pleased to report that the Annual Accounts had received a clean audit opinion from the NI Audit Office and that no priority issues had been reported in the draft Report to Those Charged with Governance. It was anticipated that to the Annual Report and Accounts would be laid in the Assembly and Westminster in early/mid July 2020.

Commissioners expressed appreciation to the Chief Executive, the Head of Corporate Services and to the finance team for the very positive outcome to the annual audit. It was considered that this was a positive reflection of the very good governance arrangements in place within the Commission.

Commissioners **approved** the Annual Report and Accounts 2019-20 for formal submission to Comptroller and Auditor General on 26 June.

- ARC Chair’s Report to the Commission EC/20/06/06

Neil Anderson, Deputy Chief Commissioner and Chair of the Audit and Risk Committee, presented the Chair’s annual report to the Commission. This outlined a summary of the main work undertaken by the Audit and Risk Committee during 2019/2020. The report was initially prepared by Deborah Donnelly, the previous Chair of the Audit and Risk Committee, whose term of office had concluded.

Mr Anderson expressed thanks to Committee members for their work during the year and he thanked the Chief Executive, the Head of Corporate Services and his team for all the work and support they had given to the Committee over the previous twelve months.

The Commission **noted** the annual report from the Chair of the Audit and Risk Committee.

- Costed Business Plan 2020-2021: for approval EC/20/06/07

The Chief Executive presented the costed Business Plan following interim approval of a draft Business Plan at the April Commission meeting. She explained that the Commission had not yet been notified of its budget and that the draft Plan was based on an anticipated budget of £5,337k, which was broadly similar to last year's budget. A further updated Plan would be presented to Commission once the budget allocation had been confirmed by The Executive Office.

Commissioners **approved** the costed draft Business Plan, with further consideration and final approval to be given by the Commission in August, in anticipation of budget being notified by then.

- Review of Legal Services 2019-2020: for information EC/20/06/08

Anne McKernan, Director Legal Services, presented a review of legal assistance work undertaken in 2019-2020.

Commissioners welcomed this review, noting that it was a reflection of the good work being carried out by the Legal Directorate.

Commissioners raised a number of issues about legal assistance work, including the extent to which no admission of liability was part of settlements, issues about anonymity, the need for data and intelligence from complaints and enquiries being used to inform a strategic approach to litigation as well as to inform consideration of the use of other powers and the Commission's priorities generally, as well as the potential for cost recovery of legal fees. It was noted that a review of the legal assistance strategy was to take place this year; these issues would be considered fully as part of this review.

The continuing low level of enquiries in respect to age and sexual orientation was also noted and there was a query on whether there could be particular outreach initiatives in respect to this.

Commissioners expressed thanks to the Legal Services team for all the work undertaken this year and **noted** the Review, which would be published in due course.

7. Other Matters for Commission Decision

- Statutory Duty Investigations Committee Terms of Reference

EC/20/06/09

Lisa King, Director Research and Investigations, presented the revised Statutory Duty Investigations Committee (SDIC) Terms of Reference as recommended by the SDIC at its meeting in June 2020

She noted that SDIC had considered and recommended that a quorum of three members, for the purposes of decision-making, should be included in the Terms of Reference and this has been included.

Commissioners **approved** the SDIC's recommendations for a revised Terms of Reference.

8. Chief Commissioner's Business

EC/20/06/10

Geraldine McGahey, Chief Commissioner, provided detail of a number of introductory meetings which had taken place with key stakeholders over the last month, including with the Chair and Chief Executive of the Community Relations Council, the Commissioner for Older People, the Chief Executive of NICVA and the Co-Convenors of the Equality Coalition.

The Chief Commissioner indicated that she was very keen to organise an away day for Commissioners and trusted that this would be possible to do in person in September/October. Dates would be sought for this shortly, so it could be held in diaries.

Lastly, the Chief Commissioner thanked the Commission's staff for their hard work and diligence which had enabled the Commission to have such a successful year as reflected by the Annual Report and the annual audit report. She thanked, in particular, the Chief Executive and the Secretariat staff for the support they had given to her in the few months since her appointment.

9. Chief Executive's Report

EC/20/06/11

The Chief Executive highlighted a number of points from her previously circulated report.

Commissioners' attention was drawn to the IIP Assessment Report appended to the report. It was noted that the Commission has attained Silver accreditation under the new Generation 6 IIP standard. The Chief Executive advised that she had met with the assessor, who had highlighted many strengths identified by the assessment and also a number of areas for improvement. It was planned to develop a new People Strategy for the organisation to further drive improvements and incorporate the learning from the assessment. The report has been shared with all staff and an all staff meeting would be held the following day, to be held remotely, to discuss the report together.

Commissioners noted the Report and plans for a new People Strategy. They thanked staff for the input they had given to the assessment and welcomed the result.

Commissioners **noted** the Report.

10. Matters for Information

- Submission to Committee for Justice on Domestic Abuse and Family Proceedings Bill EC/20/06/12

Commissioners **noted** the submission.

11. Minutes of Committee Meetings

- Minutes of the Statutory Duty Investigations Committee Meeting held on 8 April 2020. EC/20/06/13

Commissioners **noted** the above minutes.

12. Any Other Business

A Commissioner raised an issue with respect to Pet Passports post exit from the European Union; this would be looked into.

13. Date of next meeting: One hundred and seventy fourth Commission Meeting on **Wednesday, 26 August 2020, at 1.30 pm.**

The meeting closed at 3.50 pm