

EQUALITY COMMISSION FOR NORTHERN IRELAND

ONE HUNDRED AND SEVENTY SIXTH MEETING HELD
ON WEDNESDAY 28 OCTOBER 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	
Dawn Purvis	
Katy Radford	(part)

APOLOGIES

Joe McVey

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Lisa King	Director, Research and Investigations
Roisin Mallon	Director, Dedicated Mechanism
Jacqui McKee	Director, Advice and Compliance
Simon Hookham	Manager, Research
Glenda Doherty	Senior Research Officer
Louise Conlon	Manager, Communications
Lai Pang	Boardroom Apprentice

1. Introduction

The meeting was taking place by Microsoft Teams video conference due to Government guidance on the Coronavirus pandemic. It was noted that the agenda was being taken in a slightly different order to facilitate Commissioners' participation.

2. Minutes of the one hundred and seventy fifth meeting held on 23 September 2020.

EC/20/08/01

The minutes of the one hundred and seventy fifth meeting held on Wednesday 23 September 2020 were **signed** as a true and accurate record.

3. Matters Arising

Pg 2 Commissioner Away Day: following consideration of the updated public health advice, plans for the Commissioner "away day" had been postponed. Timing for this would be reviewed in the New Year.

Pg 2 Joint Board meeting with LRA: this will take place on Thursday 29 October 2020.

Pg 4 Engagement with First Minister and deputy First Minister: following correspondence with the First Minister and deputy First Minister, a meeting is scheduled for 2 November 2020.

Pg 5 SEN and COVID 19: officers were following up on the query on regarding the impact of COVID 19 on the ability to provide school places for SEN children.

Pg 6 Paragraph 11 Investigation: the Report of the Commission's Investigation into the Department of Finance's compliance with its Equality Scheme was published on 2 October 2020 and received some media coverage.

4. Conflict of Interest

Commissioner Katy Radford had declared an interest in respect to item on Hate Crime policy positions. She would leave the meeting at this stage.

No other conflicts of interest were declared.

5. Policy Issues

- Measuring Equality Framework

EC/20/09/03

Lisa King, Director, Research and Investigations, provided an overview of the proposed framework and approach for regular measurement of equality in Northern Ireland. It was envisaged that the outcome of this work would be a statement on equality outcomes for equality groups, in key areas, based on key domains, or themes, identified as most important for people's lives in Northern Ireland. This work would align with the Commission's corporate planning cycles. Involvement of a Commissioner for the project's advisory group was sought.

Commissioners welcomed this interesting and important initiative noting that it had the potential to build a conversation around very important themes affecting the lived experience of many people in Northern Ireland.

It was also an opportunity to use important data that the Commission already holds, including employment monitoring data and legal enquiries. The project would also provide opportunity to build on the work already carried out in respect to key inequalities in such areas as employment, education and housing. The Director envisaged that it was likely that the project would draw mostly on secondary data but obviously data already held by the Commission would form part of considerations.

Commissioners noted the importance of involving key stakeholders in this project going forward and it would be important to form strategic partnerships as the project developed. It was confirmed that stakeholder engagement would form part of the project plan. It was also noted that it would be important to consider information being gathered to support the work of the Commission as the Dedicated Mechanism to oversee the Government's Article 2(1) commitment.

There was a query on whether data analysis skills currently existed in house and was there sufficient resource generally to undertake the work. It was confirmed that the project had been carefully planned taking into account the resources available to complete it. This would be reviewed as the project progressed.

Following discussion, Commissioners **approved** the proposed approach, noting the aims and objectives outlined in the Report.

Commissioners **agreed** to email the Chief Commissioner/Chief Executive if they were interested in participating on the advisory group.

[Carmel McKinney left the meeting]

- Dedicated Mechanism: update

EC/20/09/04

Roisin Mallon, Director, Dedicated Mechanism, updated Commissioners on developments relating to the establishment of the Dedicated Mechanism since the last Commission meeting, as well as planned next steps. This included reporting on recent engagements with the NIO, The Executive Office, and the NIHRC and Irish Human Rights and Equality Commission (IHREC). She also updated on activity raising concerns about aspects of the Internal Market Bill.

A Commissioner asked for more information on work in relation to the Internal Market Bill and this was provided.

The Director confirmed that there had also been engagement with the Department for Agriculture and Rural Affairs (DAERA) on the issue of pet passport arrangements post Brexit and it was confirmed that officials were keen to have the issue resolved.

Following discussion, Commissioners **noted** the update and planned next steps.

[Katy Radford left the meeting]

- Hate Crime: Proposed Policy Position

EC/20/09/02

Darren McKinstry, Director, Policy and Strategic Engagement presented this paper outlined the proposed policy positions in the context of tackling and preventing hate crime. He explained that the paper draws on a number of largely pre-existing recommendations, beyond the scope of the law reform consultation, that would be relevant to informing wider actions to prevent and tackle hate crime. The plan was to publish this paper following approval. Publication of the review of hate crime legislation was imminent.

A Commissioner raised the issue of multiple identities and it was noted that this was covered in the paper.

Following discussion, Commissioner **approved** the proposed Policy Positions and noted the planned next steps.

6. Business Reporting

- COVID19: Internal Audit Report

EC/20/09/05

Keith Brown, Head of Corporate Services, updated Commissioners on the outcome of recent Internal Audit review of the Commission's response to COVID-19, including arrangements put in place for identifying, assessing and responding to the risks resulting from the rapid transition to remote working and new ways of operating required. The advisory review was added to the 2020/21 Internal Audit Plan, to provide the Accounting Officer and Commission with additional and independent assurance in relation to the actions taken in response to the COVID 19 emergency and to identify and lessons learned in preparing for its return to Equality House and responding to similar emergencies in the future.

Commissioners **noted** the report and commended all involved for the actions taken in response to the COVID 19 situation and noted the findings and recommendations outlined.

7. Business Reporting

- Finance Report: 1 April 2020 – 30 Sept 2020

EC/20/09/06

Keith Brown, Head of Corporate Services, presented the Finance Report and budgetary position as at 30 September 2020. He explained that the Budget figures have been based on the anticipated post-October monitoring round position. It was noted that the financing for the Dedicated Mechanism Unit (DMU) will not be transferred until the receipt of the October monitoring outturn, recruitment and salary costs incurred to date will then be reallocated to the DMU budget.

He noted that there was reduced expenditure across all areas throughout Quarter 2 and that remedial action was being taken, including in relation to the staffing budget. The Projects and Services budget was also behind profile. This is mainly due to a reduction in legal services expenditures caused by disruption to the courts and tribunals system; the projected expenditure on legal services has fallen by almost 60%. This was being closely monitored and remedial action would be taken as soon as possible.

The Head of Corporate Services updated on the outcome of considerations in relation to January monitoring.

A Commissioner raised a query in respect to legal fees incurred by the Commission and it was confirmed that the Commission procured legal advice based on scale fees.

Commissioners **noted** the financial position at 30 September and ongoing actions to live within budget limits.

Progress Report: 1 April 2020 – 30 Sept 2020

EC/20/09/07

Evelyn Collins, Chief Executive, outlined progress as contained in the Business Plan 1 April 2020 – 30 September 2020, noting that of the 13 key service objectives, 10 are on track for delivery and 3 are broadly on track and there is justifiable confidence of getting close to target outcomes. She highlighted a number of areas of interest.

There were queries raised in respect of the type of employers attending online training sessions and it was confirmed that these continued to be well attended by a range of employers including a number of SMEs.

Commissioners **noted** the progress report

Communications Report: 1 April 2020 – 30 Sept 2020

EC/20/09/08

The Manager, Communications, presented the Communications Report for the period 1 April 2020 to 30 September 2020, noting the highlights of the work undertaken during the period.

Commissioners welcomed the revised format and suggested some further improvements in relation to the media report.

Commissioners **noted** the updated Report and welcomed the proactive work being undertaken during this period.

8. Other Matters for Commission Decision

There were no other matters for Commission decision.

9. Chief Commissioner's Business

EC/20/08/07

The Chief Commissioner explained that she was keen to have the Commissioner "away day" in person and she hoped it would be possible to arrange a date in the New Year.

She reminded Commissioners that the joint meeting with the Board of the Labour Relations Agency was taking place the following day.

The Chief Commissioner updated on a number of meetings including with Naomi Long, Leader of the Alliance Party and with Emma Sheerin, Sinn Fein. She had chaired a Race Sector meeting on 22 October 2020 which was an interesting and lively engagement.

Together with the Chief Executive, she had an introductory meeting with the newly appointed Chief Commissioner and the Chief Executive of the Irish Human Rights and Equality Commission.

Dates were in the diary for meetings with the First Minister and deputy First Minister and the Secretary of State for the following week.

10. Chief Executive's Report

EC/20/08/08

The Chief Executive presented her report and updated on her close involvement towards the establishment of the dedicated mechanism and associated arrangements. This included discussions with TEO regarding the arrangements for receipt of the allocated funds for the dedicated mechanism work.

She noted that approval had been granted for the recruitment of Grade 7 post of Director Finance and Corporate Services.

The Chief Executive reported on a number of engagements and noted that she would be meeting the incoming Chief Executive of the Labour Relations Agency when he took up his post.

The Chief Executive also provided an update in respect to correspondence with an MLA in respect to underrepresentation of Protestants in some areas of the Northern Ireland Civil Service. She noted that there had been discussions with NICS officials in the context of its Article 55 Review.

Commissioners **noted** the report.

11. Matters for Information

No matters for information.

12. Minutes of Committee Meetings

No minutes for consideration.

13. Any Other Business

14. Date of next meeting: One hundred and seventy seventh Commission Meeting on **Wednesday, 25 November 2020, at 1.30 pm.**

The meeting closed at 3.25 pm