

EQUALITY COMMISSION FOR NORTHERN IRELAND

ONE HUNDRED AND EIGHTY FOURTH MEETING HELD
ON WEDNESDAY 25 AUGUST 2021 AT 1.30 PM
BY MICROSOFT TEAMS

PRESENT

Geraldine McGahey	Chief Commissioner
Neil Anderson	Deputy Chief Commissioner
Duane Farrell	
Helen Ferguson	
Hazel Francey	
Jarlath Kearney	
Deepa Mann-Kler	
Carmel McKinney	
Dawn Purvis	
Katy Radford	

APOLOGIES

June Best
Theresa Donaldson
Stephen Mathews
Joe McVey

IN ATTENDANCE

Evelyn Collins	Chief Executive
Claire Bethel	Senior Promotions Officer, Dedicated Mechanism
Keith Brown	Head of Corporate Services
Louise Conlon	Manager, Communications
Jacqui McKee	Director, Advice and Compliance
Anne McKernan	Director of Legal Services
Lai Pang	Boardroom Apprentice

1. Introduction

The meeting was taking place by Microsoft Teams video conference due to Government guidance on the Coronavirus pandemic.

2. Minutes of the one hundred and eighty third meeting held on 23 June 2021.

EC/21/07/01

The minutes of the one hundred and eighty third meeting held on Wednesday 23 June 2021 were **signed** as a true and accurate record.

3. Matters Arising

Pg 4 Annual Report: this was laid in the Houses of Parliament and the NI Assembly on 15 July. The subsequent press release received a small amount of media pickup.

4. Conflict of Interest

No conflicts of interest were declared.

5. Policy Issues

- Draft Article 2 Communications Strategy: for approval

EC/21/07/2

Claire Bethel, Senior Promotions Officer, presented the proposed Article 2 Communications Strategy. This set out the proposed strategic approach to be taken by both the Commission and NIHRC to promote understanding and awareness of Article 2 (1) of the Ireland/Northern Ireland Protocol. She outlined the promotional work undertaken to date and some upcoming work also.

Commissioners welcomed the proposed Strategy and the work done to date. It was agreed that efforts need to be made to explain the UK Government's commitment and the provisions of Article 2 in simple and easily understood language rather than technical language.

It was also agreed that the Commissions needed to emphasise the instrumental and central role they played in ensuring that equality and human rights commitment was made by Government and securing legislative powers and duties in relation to this.

It was also agreed that engagement at European level, such as MEPs and European Commission officials, needed to be clearly identified in the

audience map. It was noted that the Commission remained a member of Equinet, the European Network of Equality Bodies, and this was important in terms of engagement with European equality bodies and information on progress on equality rights at a European level.

It was suggested in the Performance Measures section the word “positive” needed inserted at page 21.

Subject to the above amendments, Commissioners **approved** the proposed Article 2 Communications Strategy 2021-2023 and noted the planned next steps.

6. Business Reporting

- Review of Legal Services 2020-21

EC/21/07/03

Anne McKernan, Director, Legal Services, presented the report on the provision of legal advice and assistance during 2020-2021. The COVID-19 pandemic had impacted initially on the number of enquiries to the Discrimination Advice (DAO) advice line, which was unsurprising given that many businesses were closed, with their staff furloughed. She noted that calls to the DAO line had returned to normal levels over recent months.

During the period, the Review of Policy for the Provision of Legal Advice and Assistance had been approved by Commissioners and was currently out for public consultation with a closing date of 18 September 2021. Submissions will be reviewed, and a new policy finalised for Commissioners’ consideration.

Commissioners welcomed the report noting that the work in supporting individual cases was very important as it provided real examples of the human impact of discrimination. The low level of discontinued cases was also noted, which gave reassurance to legal funding Commissioners.

There was a query on the level of enquiries regarding potential sexual orientation discrimination. The level of calls in this area had remained consistently quite low over the last number of years despite the high profile of some of these cases. It had always been recognised that there may be an element of underreporting in this area and the Commission undertakes outreach initiatives from time to time. The low level of complaints about transgender discrimination was also discussed in this context.

A number of queries were raised about the links being made between legal complaints and other work being done across the Commission;

whether there are more ‘no admission of liability’ settlements now than previously; and how much questions of budget availability drive legal funding decisions which were dealt with by the Director, Legal Services and the Chief Executive.

Commissioners thanked the legal services staff for the very good support they give Legal Funding Commissioners and **noted** the report.

- Training and Employer Engagement Report 2020-21 EC/21/07/04

Jacqui McKee, Director, Advice and Compliance, provided an overview of training and employer work in the 2020-2021, noting the impact of the COVID 19 pandemic on the delivery of the advice and training services.

The Advice team had focussed on providing employers and service providers with short advice notes on relevant topics, such as furlough, facemasks, or redundancy. These had been well received and accessed by employers and service providers. All training provision had moved online with the training team staff developing new skills quickly and adapting training content for online delivery. Evaluation showed that this new delivery approach was well received by users with high level of satisfaction; increased number of sessions delivered; increased number of employers attending and more SME employers attending sessions. This would be further developed over the coming period with some face-to-face engagement added as appropriate. A range of partnerships had been developed and these had also been fruitful bringing another dimension to the work. This would continue over the next period.

Commissioners welcomed this update and **noted** the training and employer work undertaken during 2020-2021.

- Finance Report: 1 April 2021 – 30 June 2021 EC/21/07/05

Keith Brown, Head of Corporate Services, presented the Finance Report and outlined the budgetary position as at 30 June 2021. He noted that expenditure was behind budget profile in some areas, with the largest variances being in the Projects budgets. Budgets had been reviewed and re-profiled by budget holders and a number of internal reallocations are being made. The October monitoring round was ongoing, a number of adjustments had been requested but no bids or easements had been made.

He also reported that a rent reduction and lease extension for Equality House until end July 2026 had been agreed, following negotiations

between Reform of Property Management and the landlord.

Commissioners raised some queries including in relation to recruitment of staff into the Dedicated Mechanism Unit. It was noted that good progress had been made with the majority posts filled or in the process of being filled.

Commissioners **noted** the financial position as at 30 June 2021.

- Progress Report: 1 April 2021 – 30 June 2021

EC/21/07/06

The Chief Executive presented the Business Plan Progress Report for the first quarter of the business year. She noted that the revised format sought to report information against the performance targets and as a result be more focussed on outcomes than activities. This would continue to be developed, there was further work to be done in data gathering in some areas for example, and she sought Commissioners' feedback on the approach and whether they had any specific queries on the detail.

Commissioners welcomed the report noting that it was improved by being less activity driven and more focussed on outcomes.

There were specific queries on the work being undertaken to develop a People Strategy for the Commission. The Chief Executive explained that this was an important piece of work providing a framework for improvement and modernisation, with four identified People Priorities. She explained that staff across the Commission had been involved in developing recommendations to deliver on these priorities through a staff Working Group supported by an external facilitator. The senior team was prioritising these and allocating resources and timescale for delivery on them, with work now well advance with a view to sharing a final draft of a three-year People Strategy with staff in September.

Commissioners welcomed the reporting of progress against performance measures for delivery of the key actions and **noted** the progress to date.

- Communications Report: 1 April 2021 – 30 June 2021

EC/21/07/07

The Manager, Communications, presented the Communications Report for the period 1 April 2021 – 30 June 2021, noting that the format had revised so that it more clearly linked back to the business plan objectives. She highlighted the work undertaken during this period including media and social media.

Commissioners welcomed the Report and **noted** its content.

- Legal Services Report: 1 April 2021- 30 June 2021 EC/21/07/08

Anne McKernan, Director, Legal Services, noted that she intended to present quarterly reports on the patterns and trends within the work of Legal Services. She presented briefly the report for the first quarter of the current business year, which contained information on complaints received and applications for assistance considered.

Commissioners **noted** the contents of the report.

7. Other Matters for Commission Decision

There were no other matters for Commission decision.

8. Chief Commissioner's Business EC/21/07/09

- Boardroom Apprentice

The Chief Commissioner thanked Lai Pang for her participation as the Commission's Board Room Apprentice. She thanked Katy Radford for taking time to be Lai Pang's Boardroom Buddy. Ms Pang thanked the Commission and, in particular, her Boardroom Buddy Katy Radford for the opportunity and support during the period. Commissioners also thanked Lai Pang for her contribution and wished her well for the future

The Commission's new apprentice would be Tamlyn Stinson and Jarlath Kearney had volunteered to be her Boardroom buddy for the year.

- Draft Dates of Commission/Committee Meetings 2022

The Chief Commissioner asked Commissioners to **consider and note** in their diaries the proposed dates for meetings in 2022. Any difficulties should be raised with the Secretariat in the next short while, so that, final dates for 2022 could be agreed in September.

- Commission Away Day

Commissioners were reminded that the Commission 'away day' will take place on Wednesday, 22 September 2021, 9.30 am – 4.30 pm, La Mon Hotel. The Chief Commissioner looked forward to meeting everyone together after such a long time. She had also been meeting Commissioners individually over the last while and was pleased that the

Deputy Chief Commissioner was able to join some of these.

The Chief Commissioner updated on a number of engagements during the month, including a meeting with Lilian Seenoi, SDLP Councillor regarding monitoring. She and the Chief Executive had met with the Chair and Chief Executive of the LRA and noted that dates in early December were being proposed for a joint Board meeting with the Labour Relations Agency, to be confirmed

She had participated in photos/recording for the Féile, BITC Race Charter and Mela events. She had also taken part in a number of media interviews in relation to the recent settlement in the case of Natasha McNicholl v Bank of Ireland. She had also been interviewed for a UTV documentary on Ethnic Minorities in Northern Ireland.

Commissioners **noted** update from the Chief Commissioner.

9. Chief Executive's Report

EC/21/07/10

The Chief Executive referred to her previously circulated report noting that she was content to answer any queries on it.

In addition, the Chief Commissioners noted that the Commission and NIHRC had been asked to facilitate a lunch with European Commission Vice President Maros Sefcovic and representatives from civic society during his two-day visit to Northern Ireland, to take place on 9 September. This would be a good opportunity to highlight the importance of the Article 2 commitment and the Commissions' work in this regard as well as to hear directly from stakeholders.

The Chief Executive noted that we are working with colleagues in NIHRC and IHREC to identify a date for a meeting of all Commissioners to meet to review progress in relation to the Article 2 Protocol commitments. This would be the inaugural annual meeting as agreed in the Memorandum of Understanding between the three Commissions, likely to take place in November A date and venue would follow by email.

She also provided an update on the Judicial Review proceedings in which the Commission is intervening, noting that the hearing was scheduled for early October with our submission required by 14 September.

10. Matters for Information

There were no matters to note.

11. Minutes of Committee Meetings

There were no minutes to note.

12. Any Other Business

13. Date of next meeting – Commission Away Day: One hundred and eighty fifth Commission Meeting on Wednesday, 22 September 2021, La Mon Hotel and Country Club 41 Gransha Rd, Comber, Belfast, Newtownards BT23 5RF

Close at 3.25pm