

EQUALITY COMMISSION FOR NORTHERN IRELAND

ONE HUNDRED AND EIGHTY THIRD MEETING HELD
ON WEDNESDAY 26 May 2021 AT 1.30 PM
BY MICROSOFT TEAMS

PRESENT

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

APOLOGIES

Duane Farrell

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Lisa King	Director, Research and Investigations
Jacqui McKee	Director, Advice and Compliance
Darren McKinstry	Director, Policy and Strategic Engagement
Deborah Howe	Senior Policy Officer
Paul Noonan	Senior Policy 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.

2. Minutes of the one hundred and eighty second meeting held on 28 April 2021.

EC/21/05/01

The minutes of the one hundred and eighty second meeting held on Wednesday 28 April 2021 were **signed** as a true and accurate record.

3. Matters Arising

Pg 3: Monitoring Report: this was being prepared for publication and was expected to be published in early June.

4. Conflict of Interest

The Chair noted that June Best was currently the Chair of the Co Design Working Group in respect to the Department for Communities Disability Strategy and had declared a potential conflict of interest. The Chair noted that the paper on the agenda was for information and discussion, no decision was required and thus she did not consider that there is a conflict of interest and Commissioner Best would remain in the meeting and contribute to the discussion.

No other conflicts of interest were declared.

[Katy Radford joined the meeting]

5. Policy Issues

- Draft Business Plan 2021/2022: for approval EC/21/05/02

The Chief Executive presented a revised draft Business Plan. She noted that Commissioners considered a draft Plan in January 2021, prior to the budget notification. Since then, it had been reviewed and revised to ensure improved performance measures; she anticipated that this would improve quarterly reporting throughout the year. The draft Plan had now been costed and this was set out in the Annex to the Plan.

The Chief Executive advised that work on performance measures and report cards would continue over the coming period this would be important particularly in the context of planning for the next Corporate Plan.

Commissioners welcomed the revised draft, noting that it was improved in terms of performance measures which should improve quarterly reporting.

There was a query with respect to the People Strategy including the issue of succession planning, in respect of knowledge management. The Chief Executive advised that work on a new People Strategy had commenced, with the identification of four themes. A working group of staff from across Directorates and grades, with the assistance of an external facilitator, is developing proposals for priority actions under these themes. While succession planning per se was not part of these core themes, it was identified in the Risk Register and always under active consideration.

Commissioners **approved** the draft Business Plan for submission to TEO for its approval.

- Social Inclusion Strategies: update

EC/21/05/03

Darren McKinstry, Director Policy and Strategic Engagement, updated Commissioners on progress regarding the development of the Department for Communities' Disability, Gender, Sexual Orientation and Anti-poverty Strategies, and on the process involved more generally. He provided an overview of the work of each of the groups including some of the challenges being experienced across the various strategy groups.

The Chief Commissioner noted that the information in the paper was not in the public domain generally and Commissioners were asked to be mindful of this. She also noted that the anti-poverty Expert Advisory Panel report includes recommendations relating to a public sector duty on socio-economic status and legislation to make discrimination on grounds of socio-economic status unlawful. The Commission had considered these issues previously and she suggested that these might be discussed in the future, particularly if the recommendations were carried forward into the final Strategy.

It was noted that the Minister appeared keen to progress these Strategies prior to the end of the mandate of the current Assembly. It was important that, given experience with strategies, effective actions are designed and delivered, and that real progress made.

A Commissioner expressed the view that strategies are generally well intentioned, but delivery is often lacking and that, whilst it was important that the Commission had involvement and influence in the development of these Strategies; it was also important to be in the position to challenge vigorously if actions were not effectively delivered.

Commissioners shared several reflections from their engagement around the Co-design groups and highlighted several points, for example that this was an important opportunity to raise the need for a Single Equality Bill to protect rights rather than relying on Strategies, that this presented a good opportunity to consider and update some policy positions and that it was important that victims and survivors were considered as specific group within disability and age.

Commissioners thanked the staff for their work on the noted the content of this update paper.

6. Business Reporting

- ARC Chair's Report to the Commission EC/21/05/04

Neil Anderson, Deputy Chief Commissioner and Chair of the Audit and Risk Committee, presented the ARC Chair's annual report to the Commission.

He outlined a summary of the main work undertaken by the Audit and Risk Committee during 2020/2021, noting that Committee attendance was excellent. The Chair advised that the Committee worked well and that governance within the organisation was exemplary. This was borne out by the recent outcomes of annual accounts audit and internal audits. He expressed thanks to the Chief Executive, the Head of Corporate Services, and the team for all the work and support they had given to the Committee over the previous twelve months. He thanked his fellow Committee members for their work during the year.

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

- Risk Management and Corporate Risk Register EC/21/05/05

Keith Brown, Head of Corporate Services, updated Commissioners on changes to the Risk Management Framework and the Corporate Risk and Business Continuity Register and Corporate Risk Register.

This had presented to the Audit and Risk Committee at its meeting on 12 May 2021.

On the Risk Management Framework, he advised that a number of additions had been included, relating to access to additional information and risk monitoring, risk escalation and project management risks. These additions were welcomed. Commissioners also confirmed the risk appetite statement.

On the Risk Register, he advised that although the risk ratings for CR1 and CR2 remain unchanged, the focus and actions have been amended. Given the 2020-21 outturn and slightly increased opening budget for 2021-22, as well as the initiation of engagement around the proposed 2024 relocation, the ratings for both CR3 and CR4 had been reduced. The ratings for CR5 and CR6 had been increased in the context of ongoing work in relation to data breaches and on business continuity. Attention was drawn to the review of data breaches being undertaken by the Data Protection Officer. He also advised that Data protection had been added to the internal audit schedule for the current year.

Commissioners noted the data breaches and asked whether there had been discussion with the Information Commissioners Office (ICO) about what to refer to it. The Head of Corporate Services referred to the ICO guidance on this and outlined the approach taken by the Data Protection Officer. The Chief Executive emphasised the importance of encouraging all staff members alerting the DPO to any data breaches, even if in some cases the breach was relatively minor.

Commissioners **approved** the updated Risk Management Framework and the updated Corporate Risk Register.

7. Other Matters for Commission Decision

8. Chief Commissioner's Business

EC/21/05/06

The Chief Commissioner reminded colleagues of the upcoming Judicial Review training and noted a slight change in timings for the first session.

The Chief Commissioner updated on engagements during the month. This included speaking at an event organised by the Centre for Cross

Border Studies in partnership with the Commission, NIHRC and IHREC on Rights after Brexit. It was an excellent event with some very good inputs from attendees. She had also given evidence to the Seanad Special Select Committee on UK Exit from the EU.

Together with Chief Commissioners of NIHRC and IHREC, she had participated in a panel discussion event organised by the Shared Island Unit of the Department of the Taoiseach on *Equality on a Shared Island* and spoken at a Trinity College event looking at the principle of the common good and race equality in Northern Ireland.

The Chief Commissioner had also recorded a webinar for the NI Assembly Education team on the work of the Commission and spoken at an event organised by the North West Migrant Forum to mark the Anniversary of George Floyd's death

The Chief Commissioner advised Commissioners of recent engagement with an individual about the BBC and use of racist language on air.

Commissioners **noted** the Chief Commissioner's update.

9. Chief Executive's Report

EC/21/03/07

The Chief Executive referred to her previously circulated report. She noted the recent meeting with TEO officials; a number of governance issues, including agreement of the internal audit programme; good coverage of a recent Briefing on the Teachers' exception to FETO in a recent Assembly debate on the issue; and ongoing work with Senior Management colleagues in respect to hybrid working.

The Chief Executive also updated Commissioners on the recent Judicial Review challenge to the Ireland/NI Protocol. This had now been heard and decision was awaited.

Commissioners **noted** the Chief Executive's Report.

10. Matters for Information

None

11. Minutes of Committee Meetings

- Minutes of the Audit and Risk Committee Meeting held on 3 February 2021. EC/21/05/08

Commissioners **noted** the minutes outlined above.

12. Any Other Business

- 13. Date of next meeting:** One hundred and eighty third Commission Meeting on **Wednesday, 23 June 2021, at 1.30 pm** via Microsoft Teams.

Close – 3.05 pm