

**EQUALITY COMMISSION FOR NORTHERN IRELAND**

**ONE HUNDRED AND EIGHTY FIRST MEETING HELD  
ON WEDNESDAY 28 APRIL 2021 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	

**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
Anne McKernan	Director of Legal Services.
Darren McKinstry	Director, Policy and Strategic Engagement
Simon Hookham	Senior Research Officer
Leanne Brown	Assistant Research Officer
Kathryn McNickle	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.

The Chief Commissioner welcomed Kathryn McNickle, who had recently joined the Commission as a Policy Officer, as observer to the meeting. She noted that Dawn Purvis had indicated that she would be join the meeting slightly late and Jarlath Kearney needed to leave slightly early.

## 2. Minutes of the one hundred and eightieth meeting held on 24 March 2021.

EC/21/04/01

The minutes of the one hundred and eightieth meeting held on Wednesday 24 March 2021 were **signed** as a true and accurate record.

## 3. Matters Arising

**Pg 3: Bill of Rights:** a Commissioner discussion had taken place on 15 April 2020.

**Pg 3: The Programme for Govt response:** this was submitted on 25 March and subsequently published on Commission website.

**Pg 4: Mental Health Strategy response:** this was submitted on 2 April and subsequently published on Commission website.

**Pg 6: Scope of Article 2 session:** this session was scheduled for 5 May at 3pm.

## 4. Conflict of Interest

No conflicts of interest were declared.

## 5. Policy Issues

- Fair Employment Monitoring Report (2019) No. 30      EC/21/04/3

Simon Hookham, Senior Research Manager, provided an overview of the key findings from the Fair Employment Monitoring Report covering the period January to December 2019.

The trends in this year's report remained consistent with previous years, with another increase in the Non-Determined figure although not as marked as the previous year. For the fourth year, there was a divergence between the figures for Catholics in the monitored workforce and those available to work as reported by NISRA. This had been discussed with NISRA and it was not considered to be outside the expected limits.

There was a query on whether COVID 19 and Brexit had impacted on employers complying with the monitoring requirements or whether any impact on the data was observable. It was noted that, to date, there was a high compliance rate by employers although there was a delay in presenting the Report, as some employer returns were delayed due to impacts of the Covid 19 pandemic and extra time had been given to allow these to be completed. Additional analysis would be required to look at any impact of pandemic and Brexit on employment generally and on the composition of the workforce.

There was a query on whether there was an explanation for the continued rise in the Non-Determined figure. The Chief Executive advised that some analysis was being done internally to examine this and it would be useful to have a Commissioner strategic discussion on monitoring generally at some stage during the next period, to consider a number of issues arising in respect of monitoring.

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

[Dawn Purvis joined the meeting]

- Evidence to the Ad Hoc Committee on a Bill of Rights: Update and proposed approach EC/21/04/2

Roisin Mallon, Director, Dedicated Mechanism, presented the updated policy positions following consideration at previous meetings and prior to the Chief Commissioner giving evidence to the Ad Hoc Assembly Committee on a Bill of Rights on 29 April 2021, with the NIHRC, on the implications of Brexit for human rights.

Commissioners commended the paper, noting that it and the previous papers provided a good analysis of the policy positions in respect to this complicated area. The recent Commissioner discussion on this with Counsel had also helped understanding.

It was suggested that a user-friendly briefing on the Commission's position on a Bill of Rights for NI could be prepared for the Commission website.

Following discussion, Commissioners noted the update and approved the proposed approach in terms of evidence to the Ad Hoc Committee on 29 April 2021.

The Chief Executive updated Commissioners on considerations relating to the ongoing Judicial Review action seeking to challenge the NI Protocol and undertook to keep Commissioners informed.

- Political Engagement Strategy 2021 - 2023: for approval EC/21/04/4

Louise Conlon, Manager, Communications, presented the updated draft Political Engagement Strategy, previously considered at the March Commission meeting.

Commissioners suggested two changes to particular wording in the draft Strategy, and it was agreed that these would be amended prior to finalisation.

Subject to these amendments, Commissioners **approved** the draft Political Engagement Strategy.

## 6. Business Reporting

- Financial Position 1 April 2020 - 31 March 2021 EC/21/04/3

Keith Brown, Head of Corporate Services, provided a summary of the initial end of year budget outturn for 2020/21. He advised that these figures would be adjusted, and a final outturn provided in the audited annual accounts. The interim budget outturn currently showed a small underspend in both Commission core budget and DMU budget. The underspend in the core budget were currently within the Commission's permitted limits.

Commissioners **noted** the interim financial position at the year-end and looked forward to considering the audited Annual Report and Accounts which would be on the Commission agenda for the June meeting.

The Chief Executive presented the year end Business Plan Progress Report, outlining progress of 13 key service objectives across the outcome areas. She noted that the current format of the progress report had become unwieldy and that a review of progress reporting arrangements was underway. She anticipated that this would lead to changes to enable Commissioners to more easily to measure performance against the Business Plan objectives.

The draft Business Plan was also being reviewed and a costed Business Plan would be presented to the next meeting, as the budget allocation for the incoming year had just been received.

The Chief Executive took the opportunity to highlight some key achievements throughout the year, a year in which significant changes had to be made to address the impact of Covid 19. As at 31 March 2021, all 13 objectives were met. There was some discussion about the nature of the objectives and the importance of ensuring the objectives were focused and meaningful.

Commissioners welcomed the review of reporting. The meeting commended the ongoing work by staff to ensure that Commission continued to deliver its statutory functions throughout the Covid 19 pandemic and the range of achievements. It was also noted that the experiences of remote working provided some very useful learning going forward.

Commissioners **noted** the year-end Progress Report.

[Jarlath Kearney left the meeting]

Louise Conlon, Manager, Communications, presented the Communications Report for the period 1 April 2020 – 31 March 2021, noting the highlights of the work this year.

Commissioners **noted** the Report.

## 7. Other Matters for Commission Decision

## 8. Chief Commissioner's Business

EC/21/03/06

The Chief Commissioner provided an update on a number of engagements during the month, including her recent appearance at The Executive Office Assembly Committee regarding Article 2 and the work of the Dedicated Mechanism with NIHRC and IHREC.

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.

As indicated earlier in the meeting, she confirmed that an indicative budget allocation for 2021/22 from the Department had been received and a costed Business Plan for 2021-22 would be on agenda for consideration at the May Commission meeting. She also reported that the Business Plan for 2020/21 and the Corporate Plan 2019 – 22 had received Ministerial Approval.

The Chief Executive provided an update on ongoing discussions with staff in respect to both a draft Hybrid working proposal and on the development of a People Strategy. The Chief Executive provided detail on a recent survey undertaken regarding staff wellbeing, which had positive results.

She also reported on initial discussions with NICS Reform of Property Management project team in respect of the next stage of the public sector relocation project (Belfast 2), with which the Commission will be involved.

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

## **10. Matters for Information**

## **11. Minutes of Committee Meetings**

- Minutes of the Statutory Duty Investigations Committee EC/21/04/ held on 10 February 2021.

Commissioners noted the Minutes of the SDIC Committee meeting outlined above.

## **12. Any Other Business**

- 13. Date of next meeting:** One hundred and eighty second Commission Meeting on **Wednesday, 26 May 2021, at 1.30 pm** via Microsoft Teams.

**The meeting ended at 3.15 pm**