

EQUALITY COMMISSION FOR NORTHERN IRELAND

**ONE HUNDRED AND NINETY FIRST MEETING HELD ON
WEDNESDAY 27 APRIL 2022 AT 2.30 PM**

PRESENT

Geraldine McGahey	Chief Commissioner
Neil Anderson	Deputy Chief Commissioner
Theresa Donaldson	
Hazel Francey	
Helen Ferguson	
Jarlath Kearney	
Deepa Mann-Kler	
Stephen Mathews	
Carmel McKinney	
Joe McVey	[part]
Katy Radford	

APOLOGIES

June Best
Duane Farrell
Dawn Purvis

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Louise Conlon	Director, Communications
Craig Gartley	Director, Finance and Corporate Services
Lisa King	Director, Investigations & Research
Roisin Mallon	Director, Dedicated Mechanism
Jacqui McKee	Director, Advice and Compliance
Darren McKinstry	Director, Policy and Strategic Engagement
Glenda Doherty	Senior Policy Manager – DMU
Tamlyn Stinson	Boardroom Apprentice

1. Introduction

The Chair welcomed everyone to the April Commission meeting.

She had hoped that the next Commission meeting would be in person but explained that this would not be possible due to diary commitments. The June meeting would take place in person. It was expected that the forthcoming Strategic Discussion Session would be in person and this will be discussed later in the meeting.

2. Minutes of the one hundred and ninetieth meeting held on 23 March 2022.

EC/22/03/01

The minutes of the one hundred and ninetieth meeting held on Wednesday 23 March 2022 were **signed** as a true and accurate record.

3. Matters Arising

Pg 3 Fair Employment Monitoring Report: this is ready for publication and will be published after the pre-election period.

Pg 6 SPUC Pro-Life Limited Judicial Review: further to consideration of the Commission paper provided on 31 March 2022, and agreement on seeking to intervene in the SPUC Pro-Life Limited appeal of the High Court decision to the Court of Appeal, the Commission served its application to intervene on 22 April 2022.

4. Conflict of Interest

5. Policy Issues

- Draft Corporate Plan 2022-2025: For approval

EC/22/04/02

The Chief Executive presented an updated Draft Corporate Plan. The draft Plan had been further developed. It now included measures to allow performance to be tracked, set out in Section 5, and she outlined the range of measures proposed, indicating that annual business plans would align with these but be more specific. It also and detailed achievements under the last Corporate Plan in Section 7. Opportunity had also been taken to refine some areas of the draft text, following consideration by Commissioners at the last meeting. She welcomed

Commissioners' comments and sought approval of the draft Corporate Plan prior to submission to The Executive Office.

A number of Commissioners commended the approach taken in respect to performance measures, noting it was important to strike a balance and not be tied to the Outcome Based Accountability model and to develop measures relevant to the work of the Commission. The importance of having a manageable number of measures and keeping them under continuous review was also noted. There was also a suggestion that consideration should be given to communicating with those disengaged with the Commission and its work. It was noted that the Communications Strategy for the last period had taken steps to do this and this would be further developed through the next period.

Following discussion, Commissioners **approved** the update Corporate Plan noting that it would be submitted to the Executive Office for approval.

- Draft Business Plan 2022/23 EC/22/04/03

The Chief Executive noted the current draft of Business Plan for 2022-23 which now included performance measures. It had been hoped that a final costed Business Plan would have been presented, but the budget allocation was yet to be received. A final draft costed Plan would be presented when this was received, in the meantime, Commissioners were asked to note the draft Plan.

Commissioners **noted** the current updated draft Business Plan for 2022/23.

- Parliamentary Scrutiny: policy positions update EC/22/04/04

Ms Roisin Mallon, Director, Dedicated Mechanism Unit, provided an update following engagement with the NIHRC on the recommendations arising from the expert paper on "Effective Parliamentary and NI Assembly scrutiny of Article 2(1) of the Ireland/Northern Ireland Protocol". She sought Commissioner approval of the proposed next steps.

Following discussion, it was agreed that the proposed next steps were appropriate and allowed for a range of different tactics to be employed by the two organisations both individually or together. It was also agreed that, in respect of the approach to the remit of Ad Hoc Committees on Conformity with Equality Requirements, the Commission should assume it covers issues relevant to Article 2 but should the Committee take the view that Article 2 is not covered, ECNI will challenge this view.

Commissioners **approved** the proposed next steps outlined in the paper.

[Joe McVey joined the meeting]

- EU Funding: policy positions

EC/22/04/05

Glenda Doherty, Senior Policy Officer, presented proposed draft policy recommendations arising from the research report on the “Impact of Brexit on Section 75 Equality Groups: EU funding”. These would form the basis of further stakeholder engagement through an upcoming expert seminar on 12 May. She noted that final positions would then be presented to the May Commission meeting and published shortly thereafter. Commissioners’ approval of the draft policy positions was sought.

Commissioners commended the approach being proposed noting that it was an exemplary policy development process which would ensure well developed and informed policy positions. Commissioners also noted the consensus on this issue between Executive Departments and the Voluntary and Community sector and this was important.

It was agreed that the potential impact on funding was very significant and would not only impact on the third sector but also on Councils, for example, who rely on European Regional Development Funding for a range of projects. It was noted that the requirements of the S75 equality duties were important, and this currently did not seem to be recognised in any of the proposals from the UK Government although there was a mention of the duties under the Equality Act. The loss of many millions of Peace funding which Northern Ireland has benefited over the past 30+ years will be sadly missed.

Following discussion, Commissioners **approved** the draft policy recommendations for consultation.

6. Business Reporting

- Finance Report: 1 April 2021 - 31 March 2022

EC/22/04/06

Craig Gartley, Director of Finance and Corporate Services, presented the final finance report for the year 2021/2022 outlining initial information regarding the end of year outturn and budgetary position. He cautioned that figures may be adjusted in relation to near and post year end events. With this proviso, the initial year-end position was an underspend of 0.7% and the Commission drew down all of its grant-in-aid. During the year bids and requests for adjustments were requested, which resulted in a net increase of £117k in Resource, £75k in Capital and £38k in non-resource Depreciation. He explained that the draft Financial Statements for 2021/22 will be presented at the May Audit and Risk Committee and the audited Financial Statements will be presented to the June Commission meeting.

Commissioners thanked the Director who presented the finance report to Commission for the first time since he was appointed and **noted** the financial position at the year end.

- Progress Report: 1 April 2021 - 31 March 2022

EC/22/04/07

The Chief Executive presented the year end Business Plan Progress Report, outlining progress of 14 key service objectives across the outcome areas. As at 31 March 2022, of the 46 Key actions, 32 are achieved and 12 are partly achieved, with performance close to targeted outcomes, and two had progress substantially less than planned.

The Chief Executive highlighted some key achievements throughout the year.

Commissioners noted the year-end Progress Report and expressed thanks to staff for the ongoing work and progress during 2021 – 2022.

- Communications Report: 1 April 2021 – 31 March 2022

EC/22/04/08

Louise Conlon, Director, Communications, presented the Communications Report for the period 1 April 2021 – 31 March 2022, outlining highlights of the work undertaken this year.

There was a query on the viability of the Commission's website, and it was explained that resources permitting, work would commence on a new website this year as the Commission's website was aging.

Commissioners **noted** the Report and expressed thanks to the staff for the work undertaken during the period

7. Other Matters for Commission Decision

8. Chief Commissioner's Business

EC/22/03/07

[All officers except for the Chief Executive left the meeting]

The Chief Commissioner informed Commissioners that the Chief Executive had indicated her intention to retire in the autumn. The Chief Executive outlined the reasons for her decision and its timing. Commissioners expressed gratitude to the Chief Executive for her contribution and agreed to meet prior to the next Commission meeting to agree a plan for recruiting a new Chief Executive. This could take place at the same time as the proposed strategic discussion session and availability would be sought by email after the meeting.

[Officers returned to the meeting]

The Chief Commissioner updated the meeting on the forthcoming Commissioner appointments by the Northern Ireland Office, interviews were completed and a list of appointable candidates agreed for forwarding to the Secretary of State. She also outlined her meetings over the last month, which included a short visit to Westminster to meet a number of members of the House of Lords and Members of Parliament.

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

9. Chief Executive's Report

EC/22/03/08

The Chief Executive referred to her previously circulated report, providing an update on a number of engagements and meetings during the period. She also informed Commissioners of ongoing engagement on issues concerning a Health Trust with an individual.

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

10. Matters for Information

- Equality Commission response to Consultation: EC/22/04/11

Investment Strategy for Northern Ireland 2050

- Equality Commission response to Consultation: EC/22/04/12
Addressing possible gaps in the Racial Equality Directive
- DOJ response to consultation: Hate Crime Legislation EC/22/04/13
in Northern Ireland
- DOJ response to call for views: The Executive Office EC/22/04/14
Equally Safe Strategy

Commissioners **noted** the Consultation responses outlined above.

11. Minutes of Committee Meetings

- Minutes of the Statutory Duties Investigation Committee held on
Wednesday 16 February 2022. EC/22/04/15

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

12. Any Other Business

There was no other business discussed.

13. Date of next meeting: One hundred and ninety second Commission Meeting on **Wednesday, 25 May 2022.**

Meeting ended at 3.30pm