

EQUALITY COMMISSION FOR NORTHERN IRELAND

ONE HUNDRED AND NINETY EIGHTH MEETING HELD ON
WEDNESDAY 25 JANUARY 2023 AT 1.30 PM

PRESENT

Geraldine McGahey	Chief Commissioner
Neil Anderson	Deputy Chief Commissioner
Maureen Brunt	
Siobhan Cullen	
Deepa Mann-Kler	
Duane Farrell	
Ellen Finlay	
Helen Ferguson	
Jarlath Kearney	
Colin Kennedy	
Carmel McKinney	
Sheena McKinney	
Monica Fitzpatrick	
Harry Robinson	Boardroom Apprentice

APOLOGIES

John McCallister
Preeti Yellamaty

IN ATTENDANCE

Evelyn Collins	Chief Executive
Keith Brown	Head of Corporate Services
Louise Conlon	Director, Communications
Glenda Doherty	Senior Policy Officer, DMU
Lisa King	Director, Investigations and Research
Roisin Mallon	Director, Dedicated Mechanism
Jacqui McKee	Director, Advice and Compliance
Eoin O'Neill	Director, Legal Services

1. Introduction

The Chair welcomed all to the Commission meeting.

2. Minutes of the one hundred and ninety seventh meeting held on 23 November 2022

EC/22/11/01

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

3. Matters Arising

Page 2: Divergence of Rights Report and draft policy recs: the stakeholder event on 10 January 2023 and final policy recommendations on agenda today.

Page 2 Equality and Rights on the Island of Ireland after Brexit: Annual Joint Report launched on 29 November 2022 at the three Commission Board meeting.

Pg 3 Scope of Article 2 (1) of the Ireland/Northern Ireland Protocol: launched 1 December 2022.

4. Conflict of Interest

No conflicts of interest were declared.

5. Policy Issues

- The Impact of Brexit on the Divergence of Rights: final Policy Recommendations

EC/23/01/02

Glenda Doherty, Senior Policy Officer, DMU presented the final Policy Recommendations, arising from the expert research paper. This follows the three Commissions' expert seminar on 10 January 2023, where the Commissions engaged with key stakeholders on the research report and draft recommendations. She noted that the draft recommendations were positively received by those in attendance thus only minor amendments to the final recommendations. Once approved, the final report and policy recommendations will be published.

Commissioners noted how well attended the event was, as well as the high level of engagement. Commissioners requested that the team responsible for

the paper be congratulated on their work. Commissioners **approved** the final policy recommendations and noted the proposed next steps.

- Policy for the Provision of Legal Advice and Assistance EC/23/01/03
For Complaints relating to Article 2(1) of the
Ireland/Northern Ireland Protocol: proposed amendments

Roisin Mallon, Director, DMU presented the proposed amendments to the Policy for the Provision of Legal Advice and Assistance on complaints relating to Article 2 (1). This will align the Art 2 Policy with the Commission's updated Policy for Legal Advice and Assistance.

There was a query with respect to management of Article 2 related enquiries through the Commission's discrimination advice line. It was noted that the number of Article 2 enquiries remained at low levels and if this changed the processes would be reviewed and amended if necessary.

Following discussion, Commissioners **approved** the proposed Policy and planned next steps.

- Draft Business Plan 2023/2024 EC/23/01/04

Keith Brown, Head of Corporate Services, presented the Draft Business Plan 2023/2024. He updated Commissioners on the initial draft, outlined the key performance indicators/targets, noting that there is considerable continuity with the objectives for last year. This would be submitted to TEO, in line with the Management Statement, by end of January. Once the Commission was provided with a 2023/24 opening budget, the draft Business Plan would be reviewed.

Commissioners discussed the potential for budget reductions and also the impact of the Executive being restored and agreed that it is important to be cautious in terms of business planning. It was noted that it was important that the Commission started planning for a new website.

It was agreed that this draft Plan should be submitted with the provision that upon receipt of the opening budget allocation, a fully costed plan will be prepared and submitted for further consideration.

Commissioners **approved** the working draft Business Plan for submission to TEO by 31 January 2023.

6. Business Reporting

- Finance Report: 1 April 2022 – 31 Dec 2022

EC/23/01/05

Craig Gartley, Director, Finance and Corporate Services presented the Q3 Finance Report and outlined the budgetary position as at 31 December 2022. He advised that the final budget position had been notified earlier this month. Since then, an additional 80k resource budget had been received. He further advised that the total resource allocation was committed and the projects and services budget was expected to be fully utilised. An in-depth financial review had been undertaken of forecasts for the remainder of the financial year to ensure compliance with the TEO financial targets and the forecast figures in this Report would be updated to reflect this review. The business case for funding the Article 2 responsibilities in 2023/25 was still with the NI Office.

In response to a question regarding an increase in sickness absence, the Chief Executive explained that this was being monitored closely and was in the main due to a small number of long-term absences. She also detailed several wellbeing initiatives, including a staff day which had taken place the previous week. It was noted that the recent recruitment exercises were nearing completion and it was hoped to have staff in post shortly.

Commissioners **noted** the financial position at 31 December and ongoing actions to address any variances.

- Progress Report: 1 April 2022 – 31 Dec 2022

EC/23/01/06

Evelyn Collins, Chief Executive outlined the progress as contained in the Business Plan 1 April 2022 – 31 December 2022, pointing out that of the 38 Key actions, 27 are on track for delivery; 5 are broadly on track and 6 were showing that progress is less than planned and actions are being taken to address these. She detailed some of the projects which were behind target.

There was a discussion on whether it would be appropriate to note whether a project was on track internally but slowed because of external factors. It was agreed to bear this suggestion in mind for future progress reports.

Commissioners also requested that successes and achievements be highlighted and that their thanks be conveyed to the staff for the work represented in the report.

Commissioners **noted** the progress to date.

- Communications Report: 1 April 2022 – 31 Dec 2022 EC/23/01/07

Louise Conlon presented this report, outlining media, social media and website engagement for the period 1 April 2022 – 31 December 2022.

Commissioners **noted** the content of this Report.

- Legal Services Report: 1 April 2022- 31 Dec 2022 EC/23/01/08

Eoin O'Neill, Director, Legal Services presented the report on the provision of legal advice Services from 1 April and 31 December 2022, outlining the work undertaken and the patterns and trends for the period.

Commissioners **noted** the report.

7. Other Matters for Commission Decision

8. Chief Commissioner's Business

EC/23/01/09

The Chief Commissioner updated on recent discussion with the NIO with respect to Commissioner appointments, advising that NIO had communicated that this was still under consideration and had undertaken to provide an update as soon as possible.

She outlined the meetings/engagements she had attended since the last meeting which included attending the TEO's ALB Chairs meeting and speaking at the Divergence policy event. She had also attended the NIHRC Annual Statement launch on 12 December 2022.

The Chief Commissioner advised that dates for appraisals were being sought and she hoped to meet with all Commissioners shortly.

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

9. Chief Executive's Report

EC/23/01/10

The Chief Executive referred to her previously circulated report.

She provided an update on the Court of Appeal hearing of the appeal of the

High Court decision by SPUC Pro-Life Ltd in its Judicial Review case, which was being heard that week. She also updated on a number of meetings including reporting on a meeting with CCMS regarding the Fair Employment (School Teachers) Act (NI) 2022 and on a meeting of the equality and human rights bodies in the UK. She updated on a letter from the Head of the Civil Service regarding her resignation.

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

10. Matters for Information

- Census 21: Briefing

EC/23/01/11

Commissioners **Noted** the Census 21 Briefing.

11. Minutes of Committee Meetings

12. Any Other Business

On behalf of Commissioners, the Chief Commissioner thanked the Chief Executive for the commitment and dedication she had shown in leading the work of the Commission over the past 25 years as Chief Executive and championing equality.

The Chief Commissioner expressed particular thanks to Evelyn for her invaluable personal support.

In response, the Chief Executive expressed thanks to the Chief Commissioner, Deputy Chief Commissioner and Commissioners for their commitment, dedication to their roles and for their support and guidance over the years, which was much appreciated.

All Commissioners expressed thanks to the Chief Executive and wished her well for the future.

13. **Date of next meeting:** One hundred and ninety ninth Commission Meeting on **Wednesday, 22 February 2023.**

Meeting ended at 3.30 pm