

# **Terms of Reference**

## **IMNI Disability Forum**

**Maximising the involvement of people with disabilities in the realisation of the UNCRPD in Northern Ireland.**

FINAL

1 July 2020

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# 1 Summary Overview

- 1.1 The Equality Commission (ECNI) and the NI Human Rights Commission (NIHRC) have a specific role in promoting, protecting and monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in Northern Ireland. Jointly working as the Independent Mechanism in Northern (IMNI) they undertake this role as part of the UK-wide Independent Mechanism (UKIM).
- 1.2 This document sets out the Terms of Reference for the IMNI Disability Forum, a Forum to provide a dedicated space to ensure disabled people and their representative organisations are at the core of IMNI's work in promoting, protecting and monitoring the implementation of the UNCRPD in Northern Ireland. It builds on the previous engagement and involvement of disabled people and their representative organisations in IMNI's UNCRPD-related work.
- 1.3 The Forum comprises approximately 10 members, each for a three-year term, with a limit of two consecutive terms. Membership criteria includes expertise, experience, representation and diversity.
- 1.4 The background and context leading to the establishment of the Forum is summarised in a separate document. Both the Terms of Reference and background document can be provided upon request in alternative formats including braille, easy read, sign language and audio.
- 1.5 The IMNI Disability Forum is not a replacement for the direct involvement of disabled people in the work of Government to implement the UNCRPD and the rights contained within this Convention a reality across Northern Ireland. We continue to call for the creation of a regional disability forum by the Department for Communities (DfC), as was committed to in the 2016 Programme for Government.
- 1.6 We also call on Government to ensure the sufficient funding of Disabled Persons Organisations and disabled people, to enable their full and effective involvement in the work of Government, including to implement the UNCRPD.

## 2 IMNI Disability Forum: Terms of Reference

2.1 The Forum shall be organised and convened jointly and equally by the ECNI and NIHRC, as IMNI.

2.2 IMNI officials shall be Secretariat to the Forum.

### ***Purpose and Remit***

2.3 The IMNI Disability Forum will involve Disabled Persons Organisations (DPOs), representative organisations, and individual persons with disabilities or their carers, to advise and assist IMNI to deliver its Article 33 independent monitoring role. The Forum will also inform wider engagement to support and challenge Government to give effect to the UNCRPD in Northern Ireland.

2.4 The IMNI Disability Forum is not a replacement for the proposed DfC Central Regional Disability Forum.

2.5 The remit of the IMNI Disability Forum is to:

- a) advise and assist IMNI officials in their work to fulfil IMNI's UNCRPD Article 33 independent monitoring role;
- b) inform and co-ordinate engagement with the State Party towards supporting and challenging government to give effect to the UNCRPD in Northern Ireland.

### ***Aims***

2.6 It is intended that the IMNI Disability Forum will assist all participants to better:

- monitor the implementation of the UNCRPD, including in support of UKIM / IMNI's Article 33(2) independent monitoring role;
- support and challenge the UK Government, NI Executive, DfC and wider Ministers, and departmental officials to fully realise the UNCRPD;
- understand, promote and raise awareness of the UNCRPD, associated rights and responsibilities, and key reports and findings;

- build mutual capacity and encourage wider stakeholders to use and engage with the UNCRPD and its examination processes.

### ***Composition of Forum Membership***

- 2.7 The criteria for Forum membership centres around expertise, experience, representation and diversity. IMNI Disability Forum members must also have a commitment to UNCRPD principles.
- 2.8 IMNI shall extend membership invitations to those considered to best meet the criteria set out in this Terms of Reference.
- 2.9 IMNI shall adopt a semi-flexible approach whereby it may issue invites at any time in order to address any key gaps in expertise, experience, representation or diversity within the IMNI Disability Forum membership.

### **Expertise and Experience**

- 2.10 IMNI Disability Forum members should collectively have expertise and experience comprising:
- barriers and enablers to participation;
  - awareness raising (of rights issues) and strategic engagement;
  - data collection, analysis, and dissemination;
  - knowledge of the UNCRPD.

### **Representation**

- 2.11 The UNCRPD refers both to Disabled Person's Organisations (DPOs) and disability related NGOs.
- 2.12 To maximise representation on the Forum, membership will principally be drawn from organisations - DPOs and disability related NGOs, including carers' representative organisations. Consideration can also be given to inviting representatives of academic institutions specialising in disability-related issues.
- 2.13 IMNI shall encourage all invited organisations to put forward a person with a disability as their organisational representative. Due regard will be paid toward ensuring that overall external forum membership is weighted towards a majority (3/4 or higher) representation of persons with disabilities.

- 2.14 In addition to members representing organisations, up to two individuals may be appointed as Forum members where this is considered the most effective means to address any key gaps in expertise, experience, representation or diversity within the IMNI Disability Forum membership. Individual membership is restricted to persons with disabilities or carers.

### Diversity

- 2.15 IMNI recognises the importance of diversity and will seek to ensure that IMNI Disability Forum membership is as diverse as possible.
- 2.16 Regard will also be paid towards ensuring that the IMNI Disability Forum membership is representative of a range of disabilities or their carers – spanning physical disability, sensory disability, people with mental health issues, and learning/cognitive disability.
- 2.17 IMNI will seek to ensure that IMNI Forum members reflect and/or represent diversity within society (of persons with disabilities, e.g. age and gender); as well as by geographical area (Belfast urban area and beyond).

### ***Length of Term***

- 2.18 Membership of the IMNI Disability Forum will operate in 3-year fixed terms.
- 2.19 To allow for the refreshment of the membership and to maximise the diversity of contributions over time, each member (organisation or individual) is limited to two consecutive terms (i.e. maximum 6 years in a row). In such cases, after a break of one term (i.e. 3 years) a previous member (organisation or individual) can be invited to re-join.

### ***Chair***

- 2.20 The IMNI Disability Forum will be chaired by a DPO representative.
- 2.21 All DPO representatives on the IMNI Disability Forum will be invited, but are not obliged, to self-nominate for consideration as Forum Chair. The Forum Chair will be elected, by a majority vote of all Forum members, from those that have self-nominated.
- 2.22 The Chair of the IMNI Disability Forum serves a fixed term of 2 years.

- 2.23 An IMNI Disability Forum member can serve a maximum of two terms as Chair (i.e. 4 years) where re-elected by Forum members.

### ***Forum Size***

- 2.24 To balance effectiveness with expertise and diversity, and maximise the potential for a range of stakeholders to participate over time, the IMNI Disability Forum will comprise approximately 10 members.
- 2.25 Expansion (up to a maximum of 15 members) is an option where IMNI forms the view that increasing membership size is the only reasonable means to ensure that the forum as a whole reasonably delivers on criteria relating to: expertise and experience; representation: and diversity, while ensuring a (3/4 or higher) representation of persons with disabilities.
- 2.26 IMNI Disability Forum meetings will be attended by IMNI officials and one or more Commissioners from the IMNI Joint Committee. The Joint Committee comprises Commissioners from both ECNI and NIHRC and oversees the planned actions and activities of IMNI.

### ***Frequency and Timing of Meetings***

- 2.27 There will be two IMNI Disability Forum meetings per year.
- 2.28 Where reasonable and necessary, additional meetings of the Forum may be arranged. This may include full Forum or sub-group meetings on specific topics.
- 2.29 Where appropriate, IMNI Disability Forum meetings will be coordinated to align with meetings of the DfC Central Regional Disability Forum.
- 2.30 To maximise the widest involvement of stakeholders, one IMNI Disability Forum meeting per year will be hosted in conjunction with a wider stakeholder engagement meeting or event.

### ***Focus of Meetings***

- 2.31 The specific focus of the meetings / events in any given year will reflect local circumstances and the formal UNCRPD examination timeline.
- 2.32 Aligned to the above, the following will provide a broad guide for the focus of meetings:

- **Post-examination phase:** Focus on supporting and challenging Government to implement Concluding Observations (COs)
- **Pre-examination phase:** Focus on informing the development and content of formal IMNI parallel (monitoring) reports and facilitating coordination regarding stakeholder shadow reports.

### ***Locations / Venues***

- 2.33 The IMNI Disability Forum will meet in venues which are fully accessible to Forum members. This can include the premises of DPO or NGO organisations.
- 2.34 Where possible, meetings each year will be held both within and beyond Belfast.
- 2.35 Consideration will be given, where appropriate, to the use of video or telephone conference technology. This is either in hosting a fully virtual meeting or facilitating individual member(s) virtual participation in a physical meeting.

### ***Training***

- 2.36 IMNI Disability Forum members will be consulted about training needs relevant to the Forum's remit. Training that is identified as necessary and reasonable will be provided.
- 2.37 Where reasonable and appropriate, any such training will also be made available to wider stakeholders.

### ***Expenses and remuneration***

- 2.38 IMNI Disability Forum members will be eligible to claim reasonable expenses that are:
- a) for round-trip travel to attend forum meetings or events; or
  - b) associated with reasonable adjustments.
- 2.39 To enable reasonable adjustments to be facilitated, requests should be raised with IMNI in advance and in reasonable time to accommodate the request.
- 2.40 Where reasonable and necessary, IMNI may be able to arrange for reasonable expenses to be paid directly by IMNI to the provider.



Such requests should be raised with IMNI as soon as possible in advance and in reasonable time to accommodate the request.

- 2.41 Where IMNI Disability Forum members are seeking reimbursement for reasonable expenses, receipts must be provided along with relevant form(s). If required and requested, reasonable adjustments can be made to the reimbursement process.
- 2.42 IMNI Disability Forum membership is on a voluntary basis. No remuneration beyond the above reasonable expenses is provided.

### ***Transparency***

- 2.43 IMNI is committed to transparency in all of its work, including how the IMNI Disability Forum operates.
- 2.44 IMNI will publish and circulate IMNI Disability Forum-related information, as appropriate. Various methods to host and communicate this information will be used including, but not limited to, social media, websites and e-zines.
- 2.45 The IMNI Disability Forum will be consulted on the best methods for publishing and circulating this information and what reasonable adjustments are required in terms of ensuring all IMNI Disability Forum information is fully accessible.
- 2.46 Information on the IMNI Disability Forum that is published and circulated will include, but is not limited to, the Forum's Terms of Reference; Forum membership; and summaries of Forum meetings.

### ***Review***

- 2.47 These Terms of Reference and how the IMNI Disability Forum is operating will be reviewed by IMNI, with the support of Forum members, after two, but not more than three, years from the date of the Forum's first meeting.
- 2.48 Subsequent reviews on how the IMNI Disability Forum is operating will take every three years thereafter.

**July 2020**