

Equality Commission

FOR NORTHERN IRELAND

Summary of policy positions relating to poverty and socio- economic disadvantage

November 2020

1 Introduction

- 1.1 Whilst socio-economic disadvantage is not a specified ground under the equality legislation in Northern Ireland, the barriers and inequalities experienced by equality groups can be exacerbated by poverty and social exclusion.
- 1.2 The Commission consistently highlights the link between poverty and social exclusion, and the inequalities faced by individuals protected under the equality legislation across a number of areas of public policy (for example, areas such as education, housing and social protection).

2 Tackling key inequalities and promoting equality of opportunity

Key recommendations:

- Government actions to address poverty and social exclusion must positively impact across a range of equality groups.
- Section 75 equality screening data could be used to help shape Government plans, allowing the targeting of specific interventions and outcomes.
- Attention should be given to the potential for additional data collection across the Section 75 equality grounds.

- 2.1 The Commission supports the intention of the Northern Ireland Executive to address poverty and social exclusion experienced by a range of equality groups¹.
- 2.2 In our response to the consultation on the Programme for Government 2016-2021 (PfG), we noted that the equality screening of the delivery plan relating to poverty² set out a range of Section 75 groups adversely affected by poverty and suggested that this data could be used to help shape the plan to target specific interventions and outcomes. For example, it

¹ ECNI (2017): [Response to the proposed Delivery Plan for Programme for Government Indicators 19 & 28](#)

² Northern Ireland Executive (2017): [Programme for Government Delivery Plan Indicators 19 and 28](#), pages 22-26.

noted that minority ethnic children were more vulnerable to poverty, but specific actions to address this were not apparent.

- 2.3 We also suggested that the plan should take account of the potential for data collection across the Section 75 grounds. We stressed that there was a need to ensure that equality of opportunity and good relations for members of Section 75 groups were advanced and monitored across the PfG as a whole.

3 Recommendations and observations by key areas of public policy

- 3.1 The Commission has identified the need for urgent action to address poverty and social exclusion experienced by a range of specified equality groups across a number of key areas of public policy and service provision.
- 3.2 The text below summarises some key points. The analysis is not intended to be exhaustive, and reflects areas of recent attention by the Commission. Further information, including supporting arguments and evidence can be obtained by contacting the Commission.

Education

Action is required to³:

- Address inequalities in attainment and access
- Mainstream equality in education and in teacher development
- Advance a shared society through education
- Tackle prejudice-based bullying and challenge stereotypes
- Improve equality data and analysis
- Mitigate any negative impact of COVID 19 on equality groups, in terms of their access to, and progression in, education.

- 3.3 Whilst socio-economic disadvantage is not a specified ground under the equality legislation, it is clear that the barriers and inequalities experienced by equality groups are exacerbated by poverty and social exclusion. At every stage of schooling, Northern Ireland's poorest children are likely to do worse, and make less progress than their better-off classmates, with evidence showing that the gap has been widening⁴.

³ ECNI (2018) [Equality in Education: policy recommendations](#)

⁴ NI Assembly (2013) Public Accounts Committee Report on Improving literacy and numeracy in schools, 116 /111-15 June 2013 page 8

- 3.4 Free school meal entitlement (FSME), a strong indicator of social disadvantage⁵, is closely linked to low levels of academic achievement. For example, 47% of FSME school leavers achieve at least 5 GCSEs at A*–C standard (including English and Maths) compared to 75.8% of those without FSME⁶. Similar or worse patterns of attainment can be observed for certain equality groups when an equality lens is applied to FSME.
- 3.5 By way of illustration, although there has been some improvement in overall attainment, a trend of underachievement and lack of progression persists for those entitled to free school meals (FSME), particularly boys, notably Protestant boys. Protestant male pupils entitled to free school meals have the lowest rates of attainment in respect of GCSE and A Level results when compared to either female or Roman Catholic peers. They also have the lowest proportions of school leavers moving on to higher education.
- 3.6 A further issue impacting on educational attainment is the type of school attended. 14.3% of pupils at grammar schools are eligible for FSM, compared to 30.7% of the pupil population across all school types.⁷ Grammar schools therefore have a skewed intake of low-income children⁸. Children in grammar schools do better than those in non-grammar schools regardless of FSME status. However, in each type of school FSME pupils do worse than non-FSME⁹.
- 3.7 In 2018¹⁰ the Commission's identified the following priority areas for intervention:
- Tackling prejudice-based bullying.
 - Addressing inequalities in attainment and access experienced by Traveller, Roma and Newcomer children.

⁵ Salisbury, Robert, Sir (2015) Educational performance in Northern Ireland: the current state of play, the Policy Forum for Northern Ireland conference on Education in Northern Ireland: raising standards, school accountability and leadership, page 8

⁶ DENI (2017) Statistical bulletin 6/2016 Qualifications and destinations of Northern Ireland school leavers

⁷ DENI (2016) School meals in Schools 2016/17, Statistical Bulletin 04/17

⁸ Joseph Rowntree Foundation (2016) Monitoring Poverty and Social Exclusion in Northern Ireland

⁹ In non-grammar schools the gap is bigger: 65% of FSM pupils fail to get five good GCSEs compared with 47% of non-FSM pupils. In grammar schools the figure is 10% compared with 4% of non FSM pupils.

¹⁰ ECNI (2018) Education: [Priorities for Action](#)

- 3.8 We also considered it important to seek to ensure progress on a number of the recommendations ‘of benefit to all children’ which we considered have the potential to deliver benefits to children and young people from across the equality categories, including those also entitled to free school meals (and specific groups therein - for example, boys, including those from Protestant backgrounds). In particular, we called for prompt action to:
- advance childcare and early-years provision to meet the diverse needs of all children;
 - to drive attainment via collaborative approaches involving family and the wider community; and to
 - put in place a system for learning from successful interventions.
- 3.9 Most recently, while data from Northern Ireland regarding the equality impacts of COVID-19 is currently limited, information from elsewhere and on pre-existing inequalities in education suggests that there is a risk that the COVID-19 crisis will deepen known educational inequalities¹¹, or lead to the emergence of new inequalities, for children and young people now and over their lifecycle.
- 3.10 There may be persistent long-term impacts on equality groups, particularly on those equality groups more likely to experience poverty. There is also a need to avoid and challenge negative stereotypes related to equality grounds, and to challenge and avoid any rise in prejudicial attitudes.
- 3.11 Urgent action by Government, built on the analysis of equality-disaggregated data and on engagement with key stakeholders, families and communities, is essential to better promote equality of opportunity and avoid the emergence or widening of inequalities in the response to COVID-19.
- 3.12 The Commission’s 2020 COVID-19 Education Recommendations¹² for legislation, public policy and/or service provision, which build upon our existing (2018) calls for

¹¹ ECNI (2017) [Statement on Key Inequalities in Education in Northern Ireland](#).

¹² See <https://www.equalityni.org/Education/Covid19>. Our assessment is based on evidence available at the time and may therefore be subject to change and development.

action¹³, are that the Department for Education and related public authorities:

- **Use the equality duties** to inform decision-making.
- **Collect comprehensive equality data** to identify equality impacts and shape targeted actions to advance equality.
- **Maximise collaborative approaches** to identify and respond to barriers to education, involving the families and wider communities of key equality groups.
- Mitigate the negative impact on children of the **closure of pre-school** settings caused by the COVID-19 outbreak, including for those with disabilities, from minority ethnic communities and new residents.
- Take action to identify and mitigate potential negative equality impacts arising from **reduced access to formally taught education**.
- Address any negative equality impacts arising from the **shift to home-based learning**.
- Identify and mitigate potential negative equality impacts arising from any **move to 'blended' learning**.
- Consider the equality impacts of decisions regarding **assessment** and any opportunities to better promote equality.
- Ensure that the **benefits of sharing in education** are maintained now, when schools reopen, and as social-distancing is relaxed.
- Deliver strong and visible leadership to maintain and **promote an anti-bullying culture** within education, and combat the potential for racially motivated negative attitudes and behaviours.
- Assist schools in making effective use of **dual language resources to help Newcomer learners** access the curriculum.
- Identify and address any effects of COVID-19 that **poverty or socio-economic status** may have on the emergence or

¹³ ECNI (2018) [Equality in Education Policy Recommendations](#)

exacerbation of inequalities experienced by a range of equality groups.

Early-years provision

- 3.13 High quality early years provision plays a key role in children's development, and can have significant beneficial impacts for those children most at risk of educational underachievement. It has a significant impact on children from particular equality groups – including children from minority ethnic communities¹⁴ and children with disabilities¹⁵.
- 3.14 There is a long-standing body of evidence pointing to the importance of effective early-years provision. For example, European Commission research (2010) found that children who attended high quality provision had better performance in school, and better economic and social outcomes in later life¹⁶.
- 3.15 2010 research in Northern Ireland has found that children who did not attend pre-school showed poorer cognitive and behaviour outcomes than their peers who attended pre-school¹⁷. A number of reports from Northern Ireland have¹⁸ highlighted that early interventions are more effective and less complex than later remedial action. Save the Children (2013)¹⁹ has also argued that given the gap in children's development by the age of three, the highest priority should be given to the development of a fit-for-purpose early childhood education and care model.
- 3.16 In the context of the COVID-19 pandemic, the loss of over one term of pre-school education will have a detrimental impact on children's development, in at least the short term. Those for whom it usually has the most significant impact, including

¹⁴ DE (2017) [A compendium of evidence on ethnic minority resilience to the effects of deprivation on attainment](#)

¹⁵ DE (2015) [Study of Early Education and Development: meeting the needs of children with special educational needs and disabilities in the early years](#), page 11

¹⁶ EU High Level Group of Experts on Literacy (2012) Final Report

¹⁷ Sylva, Melhuish, Sammons et al (2010) Early Childhood Matters: evidence from the effective pre-school and primary education project, cited in Northern Ireland Assembly Research Paper (2013) Early Years Provision, NIAR 68-13

¹⁸ For example, Purvis, D., (2011) Educational disadvantage and the Protestant Working Class, A Call to Action, p 7; PUP (2015) Firm Foundations, Educational Underachievement and the Protestant Working Class Education: Getting it right for every child

¹⁹ Save the Children (2013) Too Young to Fail, Closing the educational achievement gap in NI p.3

children from minority ethnic communities and new residents²⁰, and children with disabilities²¹, will likely feel the loss most acutely²².

Employment

Action is required to:

- Address the persistent employment gap between people with and without disabilities.
- Address barriers experienced by lone parents, carers and women with dependants entering, progressing and remaining in employment.
- Address structural barriers and prejudicial attitudes experienced by people with disabilities, women, trans people, lesbian, gay and bisexual people, people from minority ethnic groups, including members of the Traveller and Roma communities, migrant workers and those of different religious beliefs.
- Mitigate any negative impact of COVID 19 on equality groups, in terms of their access to, and participation in, employment.
- Bring Section 19 of the Employment Act (Northern Ireland) 2016 ('the Act') into force, and to introduce a gender pay strategy and associated action plan, in tandem with the introduction of Gender Pay Gap Reporting Regulations in Northern Ireland.

3.17 It is generally accepted that improving access to, and progression within, employment is seen in public policy as a key driver of economic and social wellbeing, a key route to improved social mobility and inclusion as well as a route out of poverty.²³

²⁰ DE (2017) [A compendium of evidence on ethnic minority resilience to the effects of deprivation on attainment](#)

²¹ DE (2015) [Study of Early Education and Development: meeting the needs of children with special educational needs and disabilities in the early years](#), page 11

²² Whilst socio-economic disadvantage is not a specified ground under the equality legislation, the barriers and inequalities experienced by equality groups can be exacerbated by poverty and social exclusion. There is a need for urgent action to address poverty and social exclusion experienced by a range of equality groups.

²³ ECNI (2007): [Statement on Key inequalities in Northern Ireland](#) (see page 8).

3.18 In 2018, the Commission identified the following employment inequalities for Section 75 groups²⁴:

- There is a persistent employment gap between people with and without disabilities.
- People with disabilities face wider barriers such as access to transport and limited support in employment.
- People with mental health issues and/or a learning disability are less likely to be employed compared to people with other disabilities.
- Women experience a lower employment rate and a higher economic inactivity rate when they have dependents.
- Those aged 50-64 years old are less likely to be in employment and more likely to be economically inactive than those aged 25-49 years old.
- Lone parents with dependents experience barriers to their participation in employment.
- Limited availability and cost of childcare particularly creates barriers into work for women.
- Migrant workers and refugees face multiple barriers to employment in Northern Ireland; are vulnerable to exploitation and can be subject to industrial and occupational segregation (typically over-represented in low paid, low status jobs, and in low-paid industry sectors).

3.19 The Commission has also identified additional inequalities in employment impacting on people with disabilities; men; women; lone parents and carers; men, people under 25 and people with learning disabilities or mental ill health; Irish Travellers; migrant workers and refugees; people aged 18 to 24; and people aged 50 – 64.

3.20 We have called for the need to address occupational segregation with women working in lower grades and being

²⁴ ECNI (2018): [Employment Key Inequalities Statement](#) (see page iii).

concentrated in low paid occupational sectors and women's concentration in part-time work where they are at risk of low pay²⁵.

- 3.21 The Commission has recommended²⁶ the introduction of *Gender Pay Gap Reporting Regulations* and a *gender pay strategy*. Unlike in Northern Ireland, gender pay gap reporting regulations have been in force in Great Britain since April 2017.
- 3.22 Prejudicial attitudes both within and outside the workplace are experienced by people with disabilities, women, Transgender people, lesbian, gay and bisexual people, people from minority ethnic groups, migrant workers and those of different religious beliefs. These are barriers to accessing employment and to progression in employment.
- 3.23 Most recently, emerging evidence across the UK reveals that certain equality groups, including younger people, women, and minority ethnic groups, persons with disabilities, have been particularly affected by COVID 19, including job losses during the lockdown²⁷.
- 3.24 The Commission recommends²⁸ that there is a need for action to mitigate any negative impact of COVID 19 on equality groups, in terms of their access to, and participation in, employment.
- 3.25 We call for prompt action to bring Section 19 of the Employment Act (Northern Ireland) 2016 ('the Act') into force, and to introduce a gender pay strategy and associated action plan, in tandem with the introduction of Gender Pay Gap Reporting Regulations in Northern Ireland. Action is required to: require employers to publish data on gender pay gap, bonus gender pay gap, and proportion of males / females receiving bonuses and in each quartile band; consider requiring employers to publish full-time and part-time gender pay gap figures; clarify rationale for limiting requirements to publish data

²⁵ ECNI (2019) [CEDAW Shadow Report, Women in Northern Ireland](#)

²⁶ ECNI website, [Gender Pay Policy Recommendations](#), accessed 19.08.20

²⁷ IFS, R. Joyce, X. XuSector (2020), [Shutdowns during the coronavirus crisis: which workers are most exposed?](#) IFS Briefing Note BN278; Institute for Fiscal Studies (1 May 2020): [Are some ethnic groups more vulnerable to COVID-19 than others?](#), page 3; Runnymede Trust (26 March 2020): [Coronavirus will increase race inequalities; Notes from disability stakeholder roundtables held by the Independent Mechanism for Northern Ireland on 23 and 25 June 2020.](#)

²⁸ ECNI (2019) [Gender Pay Policy](#)

on ethnicity and disability; clarify the specific intent of the requirement to publish pay data on ethnicity and disability; consider data to be published versus a wider set of data that employers can collect/ analyse; clarify rationale for the focus on 'employees' and/or 'workers'; require publication of gender pay data on a common fixed date on employer / government websites; and consider coding of employers by SIC.

Housing

Action is required to:

- Address the specific housing needs of particular equality groups.
- Mitigate the long-term negative impacts of Welfare Reform.
- Ensure that everyone has access to a sustainable, secure home and enjoys the right to independent living.
- Develop shared, safe communities based on equality, dignity and respect.
- Improve equality data collection and analysis.

- 3.26 Housing is a basic human need and provides a foundation for family and community life. Good quality, affordable housing in safe, sustainable communities is essential to ensuring health, well-being and a prosperous society²⁹.
- 3.27 Action is required both to address key inequalities and to mitigate any adverse effects of Welfare Reform that in the longer term could serve to create or increase inequality across protected grounds.
- 3.28 The Commission's priority areas for intervention are:
- advancing sharing in housing while ensuring objectively assessed need is met;
 - addressing the longer social housing waiting list for Catholic households;
 - improving the provision of disability related accommodation; and

²⁹ ECNI (2019): [Housing and communities policy priorities and recommendations](#)

- tackling the under-reporting of hate incidents and crimes and increase outcome rates.

3.29 The 2019 United Nations Report of the Special Rapporteur on extreme poverty and human rights in relation to the United Kingdom³⁰ reiterated the Commission's finding that Catholics experience the longest wait times for social housing among all religious groups.

Health and Social Care

Action is required to:

- Improve accessibility of health and social care services to older people; people with disabilities; Travellers; migrant workers and new residents.
- Address gendered health inequalities impacting on both men and women.
- Address inequalities in investment in mental health and learning disability.
- Mitigate any negative impact of COVID 19 on equality groups, in terms of their access to health and social care.

3.30 The Marmot Review highlighted that health inequalities are observed along a social gradient – the lower one's social and economic status, the poorer one's health is likely to be³¹.

3.31 A number of factors can contribute to health inequalities including socio-economic and environmental circumstances; lifestyle and health behaviour; and access to effective health and social care³².

3.32 In 2017, the Commission highlighted the need to remove barriers to accessing health and social care experienced by particular Section 75 equality groups - such as older people;

³⁰ UN (2019) Report of the Special Rapporteur on Extreme Poverty and Human Rights, Visit to Great Britain and Northern Ireland

³¹ Michael Marmot (2010): [The Marmot Review - Fair Society, Healthy Lives](#), pages 15 – 16.

³² ECNI (2018): [Health & Social Care Policy Responses](#)

lesbian, gay and bisexual people; transgender people; Irish Travellers and other minority ethnic communities.³³

3.33 We have also highlighted the need to ensure investment in health care to address the specific needs of equality groups; for example, people with disabilities, including the sexual health and maternity needs of women with disabilities; as well as young people's mental health needs and to address the high suicide rates among men, Irish Travellers, and young people.³⁴

3.34 Although now dated (2007), the Commission has highlighted health inequalities across a range of groups:³⁵

- Access to health and social care services for migrant workers and new residents.
- Accessibility of health and social care services to older and disabled people.
- Inequalities in investment in mental health and learning disability.
- Gender inequalities in access to health care.
- Poor levels of health experienced by Travellers.
- Accessibility of health and social care services to older people.
- The impact of caring on health outcomes.

3.35 The Department of Health should ensure the collection of system wide data across the Section 75 grounds; and that appropriate account is taken of people's multiple identities in the targeting of actions to address poverty.

3.36 Most recently, the Commission has made a number of key health policy recommendations in response to concerns arising from the COVID-19 pandemic, including:

- that health support or social care for disabled people is not adversely impacted by the current crisis, in

³³ See: Equality Commission (2017): [PfG Priorities: Health and Social Care](#). These include barriers relating to prejudice, information, language, culture and, particularly for rural people, lack or affordability of transport.

³⁴We have also raised concerns regarding barriers to accessing health and social care, including those faced by children and young people in accessing age -appropriate health care; as well as ageist attitudes experienced by older people, and stereotypes that portray older people as cared for, rather than care givers. See: Equality Commission (2017): [PfG Priorities: Health and Social Care](#)

³⁵ ECNI (2007): [Statement of Key Inequalities](#), page 16.

compliance with anti-discrimination laws and international obligations;

- that equality-disaggregated data, including on disability, is being collected, analysed and used to inform decision making in relation to COVID-19; and
- the involvement of disabled people in decision making, both at a personal level and in the development of legislation, public policy or service provision in response to COVID-19, including through their representative organisations.

4 Austerity and Welfare Reform

- 4.1 The Welfare Reform (Northern Ireland) Order was introduced in November 2015³⁶ bringing forward significant changes to our current benefit systems.
- 4.2 Implementation of welfare reform in Northern Ireland was agreed in the 2016 'Fresh Start' Stormont Agreement³⁷. Some time-bound mitigation measures, designed to act as a buffer against some of the effects of the changes, were subsequently agreed by the Executive³⁸.
- 4.3 In February 2020, the Communities Minister committed to extending the mitigation measures beyond March 2020 when they were due to end.³⁹
- 4.4 Existing mitigation payments will continue until 30 September 2020. A draft Bill to provide for mitigation payments for people affected by the Bedroom Tax has been shared with the Executive and DfC has confirmed that it will be bringing forward new Regulations to provide for the extension of the remaining mitigation schemes⁴⁰.
- 4.5 The Commission has highlighted the need to protect the most vulnerable from the adverse impact of welfare reform including disabled people; women and lone parents; younger people; mixed aged households and people from ethnic minority backgrounds and called for mitigating measures⁴¹.
- 4.6 The Commission recommends that the review of welfare reform mitigations should take into account the recommendations of the United Nations Committee on the Rights of Persons with Disabilities Inquiry into welfare reform in the UK (2016)⁴² and

³⁶ [The Welfare Reform \(Northern Ireland\) Order 2015](#)

³⁷ DfC (2016): [A Fresh Start - The Stormont House Agreement & Implementation Plan](#), pages 22–23

³⁸ TEO (2016): [Welfare Reform Mitigations Working Group Report](#)

³⁹ Housing Rights (2020): [Minister Announces Extension Mitigations](#)

⁴⁰ Housing Rights (2020): [Welfare Mitigation Update](#)

⁴¹ ECNI (2011): [Response to the Department for Social Development's consultation on the Welfare Reform Bill \(Northern Ireland\)](#) and ECNI (2016) [Recommendations: Programme for Government \(PfG\) and Budget](#), page 2.

⁴² Committee on the Rights of Persons with Disabilities (2016): [Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention](#), paragraph 114, pages 21-22.

the Committee's concluding observations on the initial report of the United Kingdom (2017)⁴³.

- 4.7 As part of the Independent Mechanism for Northern Ireland (IMNI), the Commission made a submission to the CRPD Inquiry under the Optional Protocol of the UNCRPD⁴⁴, which focused on the impact of welfare reform on persons with disabilities.^{45 46}
- 4.8 The Inquiry⁴⁷ found that disabled people had been disproportionately affected by social security reforms and that they had resulted in a struggle for many disabled people to maintain an adequate standard of living.⁴⁸
- 4.9 The CRPD Committee recommended⁴⁹ that the UK Government ensure 'any intended measure of the welfare reform is rights-based...and does not disproportionately and/or adversely affect the rights of persons with disabilities' and recommended a human rights-based cumulative impact assessment of the social security reforms since 2010.
- 4.10 The UK Government responded stating that it "*strongly disagrees*" with the findings^{50 51}. Committee rapporteur, Mr Stig

⁴³ Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 59, page 14.

⁴⁴ CRPD Committee (2017): [Inquiry concerning the UK carried out by the Committee under article 6 of the Optional Protocol to the Convention, Report](#),

⁴⁵ UKIM (2016): [Key concerns of the UK Independent Mechanism following the release of the CRPD Committee's inquiry into the UK under Article 6 of the CRPD Optional Protocol, and the UK Government's response](#)

⁴⁶ The examination was declared by the Committee rapporteur, Mr Stig Langvad, to be "the most challenging exercise in the history of the Committee". See: Committee on the Rights of Persons with Disabilities (2017): [Summary Record of 349th meeting, CRPD/C/SR/349, para 85, page 13](#).

⁴⁷ CRPD Committee (2016): [Inquiry concerning the UK carried out by the Committee under article 6 of the Optional Protocol to the Convention, Report of the Committee](#)

⁴⁸ "It has become evident that the committee has a very different perception on how human rights should be understood and implemented within the State Party. The committee is deeply concerned that the State Party still considers itself as a champion of human rights, the lack of demonstration of the commitments following the ratification of the convention and the following inconsistency with the State Party on disability policies". See: Committee on the Rights of Persons with Disabilities (13 September 2017): [Summary Record of 349th meeting, CRPD/C/SR/349, paragraph 85, page 13](#).

⁴⁹ CRPD Committee (2016): [Inquiry concerning the UK carried out by the Committee under article 6 of the Optional Protocol to the Convention, Report of the Committee](#), page 21.

⁵⁰ CRPD Committee (13 January 2017): [Observations by the United Kingdom of Great Britain and Northern Ireland on the report of the Committee on its inquiry carried out under article 6 of the Optional Protocol, CRPD/C/17/R.3, paragraph 1, page 3](#).

⁵¹ The UK Government have subsequently announced the development of an Inter-Ministerial Group on Disability and Society. Details of how this Group will relate to devolved governments and its remit in relation to addressing the UN Committee's recommendations are unclear. See: UKIM (2018): [Briefing on Government Response to UNCRPD Report, page 2](#).

Langvad, noted⁵² the government's "*lack of recognition of the findings and recommendations of the (2016) Inquiry*" which found '*grave and systematic violations of disabled people's human rights*'.

- 4.11 The Commission welcomed the publication of the inquiry report, and we are concerned by its conclusion that the UK Government's programme of social security reform since 2010 has resulted in grave or systematic violations of disabled people's human rights. Of further concern is the UK Government's response, which suggests that it will not be taking action on any of the recommendations.
- 4.12 We recommend that the Executive consider its position in view of the continuing impact on disabled people's lives, and note that similar concerns have been raised separately by the UN Committee on Economic, Social and Cultural Rights⁵³, and the UN Special Rapporteurs on Housing, Disabilities, Poverty and Food⁵⁴.
- 4.13 The Commission has recommended that Northern Ireland Executive take a number of specific actions to protect the most vulnerable from any adverse impact of welfare reform⁵⁵. We also called for action to
- mitigate against the identified adverse impact on women, lone parents and persons with dependants.⁵⁶
 - mitigate against identified adverse impact on younger people and mixed age couples⁵⁷.
 - take action to mitigate against the identified adverse impact on people from ethnic minorities⁵⁸.
- 4.14 We recommend the eligibility condition for universal credit payment is flexible to enable lone parents to qualify. The lack of affordable childcare remains a key barrier and requiring a lone parent to meet the eligibility condition of being available for

⁵² CRPD (2017): Committee on the Rights of Persons with Disabilities (13 September 2017): [Summary Record of 349th meeting, CRPD/C/SR/349, paragraph 85, page 13.](#)

⁵³ UNESCR (2016): [UK State Party Report Concluding Observations](#)

⁵⁴ UN (2018): [Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights](#)

⁵⁵ ECNI (2017): [The Main Equality Implications of the Welfare Reform Bill](#)

⁵⁶ ECNI (2017): [The Main Equality Implications of the Welfare Reform Bill](#)

⁵⁷ ECNI (2017): [Age Policy Priorities](#) (Page 55).

⁵⁸ ECNI (2014): [Racial Equality Policy Position 2014](#) (Page 34).

work and to spend time actively seeking work could be unrealistic.

- 4.15 Further consideration should be given to the default payment of Universal Credit to the primary carer, usually the mother; a recommendation echoed by a 2018 UK Work and Pensions Committee Inquiry^{59 60}.
- 4.16 Regarding the payment of benefits online, the Commission has urged that safeguards be put in place and that the Department should consider the measures and investment necessary to ensure the digital inclusion of disabled people and older people⁶¹.
- 4.17 We have also recommended that safeguards should be put in place to ensure accurate information is conveyed to claimants in a timely manner. The proposal of moving the payment of benefits to online may have an adverse impact on claimants if information is wrongly calculated or recorded.
- 4.18 Payments received online will be outside the control of the claimant and therefore it is necessary to ensure a safeguard is put in place. All information relating to a claimant's entitlement needs to be conveyed to the claimant in a timely manner.
- 4.19 As Independent Mechanism for Northern Ireland (comprising ECNI and NIHRC) under the UNCRPD, we have recommended⁶² that the Department for Communities should consider a principles based approach to social security drawing on that established in Scotland through the Social Security Act (Scotland) 2018⁶³ and the ensuing Scottish Social Security Charter⁶⁴.

⁵⁹ The Work and Pensions Committee Inquiry (2018) has recommended that where claimants have dependent children, the entire Universal Credit payment should be made to the main carer by default. See, House of Commons Work and Pensions Committee (2018) Inquiry, Universal credit and domestic abuse: Government response to the Committee's Seventeenth Report.

⁶⁰ The UK Government has recently indicated its commitment to ensuring that household payments under Universal Credit go directly to the main carer. See speech by Amber Rudd MP, Work and Pensions Secretary, on 11 January 2019 (accessed on 11 January 2019).

⁶¹ ECNI (2019): [Housing and communities policy priorities and recommendations](#)

⁶² See: <https://www.equalityni.org/ECNI/media/ECNI/Consultation%20Responses/2019/PIP-in-NI-IMNI-020719.pdf>

⁶³ [Social Security Act \(Scotland\) 2018](#)

⁶⁴ [Scottish Social Security Charter](#)

5 Childcare

- 5.1 The COVID-19 pandemic has demonstrated the fundamental importance of childcare and early-years support - in facilitating the economic participation of parents / carers, and ensuring the development and progression of children from a range of equality categories and backgrounds.
- 5.2 High quality childcare and early-years provision can have significant beneficial impacts for children from particular equality groups and backgrounds. Childcare provision is also important in promoting equality between men and women.
- 5.3 Northern Ireland, unlike England and Wales, does not have legislation on the provision of childcare and is recognised as providing the worst childcare facilities in the UK, in terms of affordability and availability⁶⁵.
- 5.4 The Commission welcomed the New Decade, New Approach⁶⁶ commitment that the Executive would publish a Childcare Strategy and prioritise the delivery of early education and care initiatives. The Commission also welcomes the focus of the proposed Strategy on both child development and parental employment in the context of advancing equality for children, parents and families from a range of equality categories.
- 5.5 We however note the Minister for Education's July 2020 Assembly update⁶⁷ on the Childcare Strategy, including that work on the Strategy may not recommence for a number of months, and that Department of Education staff have been deployed to other areas of response to the COVID-19 pandemic.
- 5.6 We note the Minister's reference to the importance of securing Executive "commitment to significant new and sustained funding" to deliver priorities reaffirmed in New Decade, New Approach. In this context we note with concern the Minister's indication that there is "no allocation currently available for childcare within the DE budget" and that if funding is approved

⁶⁵ Employers for Childcare Charitable Group (2011): [Northern Ireland Childcare Cost Survey 2011](#)

⁶⁶ [New Decade, New Approach](#) (at page 40) commits the Executive, within its 2019/20 PfG priority actions: The Executive will publish a Childcare Strategy and will give immediate priority to developing arrangements to deliver extended, affordable, responsive, high quality provision of early education and care initiatives for families with children aged 3-4.

⁶⁷ [AQO 507/17-22](#), AQs week ending 24 July 2020

“design, planning and phased implementation will take a number of years”.

- 5.7 The COVID-19 pandemic has further demonstrated the fundamental importance of good quality and affordable childcare to families, the economy and society. The effective provision of childcare and early-years support is a necessary component of the response to COVID-19, both in facilitating the economic participation of parents / carers, and in ensuring the development and progression of children.
- 5.8 While recognising the current context, including pressures on available resources, there remains a need for prompt action. We urge the earliest prioritisation of actions that will extend appropriate, accessible and affordable early education and childcare provision.

6 Child Poverty

- 6.1 The Commission considers that all children and young people must be valued equally and given the opportunity to develop to their full potential. We reiterate our recommendations as set out above as they apply to, and impact upon, children and young people - for example with regards to education and early years.
- 6.2 Furthermore, we draw attention to our Age Policy Recommendations⁶⁸, as they relate to children and young people, which are summarised below.
- 6.3 Health, Social Care and Well-Being: Meet the specific needs of younger people across a range of equality groups. Action for younger people should include the provision of adequate age appropriate mental health support services; transition services from child to adult services; and support for young trans people.
- 6.4 Employment: Reduce the proportion of young people who are NEET. Targeted action is required, particularly for those who may face additional barriers due to Section 75 identities. Mentoring, targeted careers advice and wider support for those at, or approaching, school leaving age could help match career aspirations and skills to job prospects.
- 6.5 Education: Improve the participation young carers; looked after children; and those within the juvenile justice centre. Actions should ensure collaboration between Departments to identify young carers and provide services to both support them and improve their educational outcomes; provide tailored support to ensure the effective participation in education of every looked after child; and ensure that children and young people in the juvenile justice centre have access to an appropriate education curriculum.
- 6.6 We reiterate our recommendations as set out above at section 3 above, relating to education, and we strongly recommend that the consideration of poverty (using free school meal entitlement

⁶⁸ ECNI (2017): [Age Policy Priorities](#)

as a proxy for social disadvantage) is disaggregated by Section 75 category.

- 6.7 Participation in Public Life: Ensure the active participation of younger people; address over-arching barriers. Action is required to encourage younger people to apply for public appointments; and for public authorities to more effectively and meaningfully engage with and foster the active participation of people of all ages in public policy development and decision-making, including to tackle over-arching structural and personal barriers to active participation.
- 6.8 Prejudice and Social Attitudes: Challenge age-based negative and prejudicial attitudes, addressing their impact on individuals. We recommend training for police incorporating challenging negative and prejudicial attitudes towards children and young people; and promoting children and young people's positive contribution to society.
- 6.9 Welfare and Social Protection: Further mitigate equality impacts of Welfare Reform; address the number of looked after children within the criminal justice system. Action is required to reduce the number of looked after children subject to Police and Criminal Evidence Order (PACE) detentions, and to address their overrepresentation within the criminal justice system.

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