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A Review of Action Plans developed by public authorities in relation to their statutory equality and good relations duties

Summary Report

For

The Equality Commission for Northern Ireland



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Note: The views expressed in this report are those of the authors and do not necessarily represent the views of the Commission

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The Equality Commission for NI (Commission) has commissioned this review to examine the development of Equality Action Plans (EAPs) and Disability Action Plans (DAPS) by public authorities in Northern Ireland as part of their commitment to implement their statutory equality and good relations duties set out in s.75 of the Northern Ireland Act 1998 and 49B of the Disability Discrimination Act 1995 (as amended).

The research developed to conduct the review adopts a quantitative first stage methodology and a qualitative second stage. The first stage constructed a structured database which provided numerical data on the activity in relation to s. 75 for each of the 127 public authorities covered by the legislation. The second stage involved documentary analysis and semi-structured interviews with equality officers in 17 case study authorities. The main research findings are:

- Our main observation from the quantitative data was of variation in the development and publication of equality documentation between authorities. A small number (15%) had not met the minimum standards in publishing their equality documentation. Criminal Justice and Health had best engaged with making their equality action plans accessible online, either as an appendix to their original Equality Scheme, or as a separate document. At the time of the research the majority of EAPs were due, or overdue, for renewal.
- The qualitative data confirmed the differences between levels of engagement of public authorities with s.75 identified in the quantitative analysis. Most public authorities were highly committed to the implementation of s. 75, whilst a small number were disengaged. Most equality officers commented on the impact of budget cuts and restructuring on their ability to implement action measures, directly affecting continuity in s.75 implementation in several cases.
- Although most equality officers felt there was senior level support in their organisations for s.75, there was a feeling that equality had fallen down the list of priorities. In a minority of authorities equality officers felt that senior level support for s.75 was absent.
- The content of EAPs was quite variable between case study authorities, with some more detailed and complex than others. There was a tendency for action measures to be process oriented with performance indicators that could not be easily measured and very few with targets. There was uneven coverage of the 9 s.75 categories in action measures and between employment focussed and service delivery focussed action measures. Equality officers varied in the value they placed on the use of guidance and templates.
- DAPs were more homogenous than EAPs, reflecting the greater level of statutory direction required for their development and implementation. However, there were similar issues in relation to measurable performance indicators and lack of targets.

- The report concludes that s.75 remains influential on public authorities but the difficult political and economic context has discouraged critical self-reflection in public authorities that is key to the success of the legislation.

Based on our findings, 9 recommendations are made to improve the quality of action measures in EAPs and DAPs as follows:

- **Leadership:** At a political level it is recommended that there is a reaffirmation of the importance of s.75 to the continued success of the Belfast Agreement. At the level of public authority leadership, it is recommended that senior managers reaffirm their commitment to s.75, prioritise adequate resources for the implementation of s.75 duties and to engage actively with the process of its implementation. One example from this research identified that performance incentives for senior managers encourage this behaviour.
- **Breaking down silos:** Several equality officers noted a division of duties between their work on s.75 and the work of HR teams on compliance with anti-discrimination legislation. Since there may be a useful overlap in the data gathered, for example in Article 55 reports, and measurable objectives for EAPs/DAPs, it is recommended that closer working between HR and equality teams is established in relation to the exchange of data.
- **Availability of documentation:** The research identified that a sizeable proportion of public authorities do not make current equality documents available on their websites, although part of the commitment to develop EAPs and DAPs is that they should be published for the benefit of the communities they serve. Furthermore, the qualitative data indicate that the failure to publish documents on websites signals a weakening of commitment in the authority to implementing s.75. It is therefore recommended that public authorities implement regular monitoring to ensure that the equality documentation on their websites is current and available to all staff and service users.
- **Critical reflection, performance indicators and targets:** The guidance for action plans recommends public authorities to adopt a self-critical approach to developing and reporting on the progress of action measures. It is recommended that, when developing action measures, public authorities consider how they are meant to benefit one or more of the 9 equality categories and develop clearer, measurable performance indicators and numerical targets to demonstrate how this can be achieved over time. It is recommended that public authorities should provide statistical evidence of progress towards action measure targets in each APR.
- **Extending process based action measures:** Public authorities tend to develop process based action measures that are designed to initiate new or enhance existing internal systems (e.g. monitoring data, collecting data, reviewing policy, setting up working parties). Public authorities are recommended to link process based action measures to the impact they are intended to have on one or more of the 9 equality categories. For example, if an action measure is to collect data on one of the 9 groups, public

authorities should also identify how it is intended that the data will be used. Once the data is collected and the process action measure has been completed, a replacement action measure on the use of the data should be developed to update the EAP/DAP, providing continuity from process towards impact.

- **Measuring the progress on mainstreamed action measures:** It is recommended that evidence to support the progress on or completion of action measures should be collected by the equality officer responsible for the EAP/DAP and reported on in the APR, even if the action measure is mainstreamed to a different area of the authority.
- **Achieving a balance between service users and employees:** Public authorities are recommended to satisfy themselves that they have considered actions for all relevant functions, in particular for both public service users and employees in their EAPs/DAPs.
- **Reporting Progress:** Section 1 of the APR is often completed in a very detailed way that is not always directly related to s.75, whilst the questions on action plans in Section 2 of the APR is often completed in a perfunctory way, referring the reader to a separate document. Public authorities are recommended to ensure that activities reported in section 1 of the APR are directly related to their equality schemes and that documents referred to in section 2 are appended in the APR provided on their website and relate specifically to action measures in EAPs. The Commission should consider putting a word limit on the sections to indicate the importance that they place on each section.
- **Support for smaller authorities:** Smaller authorities may benefit from joint working with similar authorities on the development and implementation of EAPs/DAPs. It is recommended that a relevant professional body or association, where one exists, would be well placed to co-ordinate support.