

Workshop 3: Ensuring compliance

Q1. What do you consider to have been the most effective levers for change on equality/good relations matters?

- Political make up of Council areas will impact and reflecting voting along party political lines.
- Leadership is key.
- Ensure Section 75 (1) & (2) are implemented.
- What has worked in the past is enforcement. Workplace is a different place because of this.
- ECNI – balance between advice and compliance/enforcement.
- Do people effect change because of enforcement?
- ECNI – Single Equality Bill would help public authorities. Responsibilities for certain aspects on different public authorities e.g. Councils.
- Key authorities develop plan and monitor – being accountable for actions.

Q2. What are your views on the balance of obligations and responsibilities in T:BUC?

- Need a definition; how it will be interpreted is important for enforcement.
- Elevation of good relations practitioners – how can we better embed equality and good relations in organisations?
- The importance of knowledge of what is happening within communities and areas for good relations work. How will ECNI build up its knowledge in this area?
- Difficulties with current compliance regime for the statutory equality duties was discussed – process? Outcome? Decision making?
- What is a breach of good relations? It is easier to say what good relations aren't; what does compliance mean?
- ECNI – good relations – relationships; what does compliance mean? Not suggesting legislative framework equating to anti-discrimination but eg. Section 75 – individuals taking complaints.

* The points recorded are the views of participants and do not necessarily reflect the views of the Commission.

- View that enforcement *has* changed attitudes in the past.
- Positive action – having a definition of good relations.

Q3. Are there examples of regulatory oversight that would be useful to consider in this context?

- Flags protocol developed over years and people working together – concern what will happen in new Councils where there are different flags policies.
- Would it assist if decision making, e.g. flags, was not in the Council remit? Variety of risks and benefits to this.
- Identify the things that cause ‘bad’ relations. Local decision making versus broader state decision making.
- Outcome based actions in good relations would be helpful?
- Where is the line between expression of cultural diversity and taking offence? That is where human rights indicators can assist. It cannot be the trivial; needs to be significant.
- Self regulation element – how to manage diversity and cultural expression.
- Can’t neutralise society.
- Equality schemes and action plans – these shouldn’t only be as good as Minister driving it.
- If EGRC (new body) monitored/had oversight of Executive plan, would that assist? How can we regulate?
- Personal accountability e.g. Where Councillors/Senior Officers personally liable.
- Councillors new Code of Conduct may assist.
- Consideration of whether current NI society is in a place to deal with some of the issues, and therefore does this confirm the need to legislate? And where does the balance lie between the power of persuasion versus legislation.
- Ministerial Code of Conduct, but can any individual complain in relation to this?
- Role of Equality Commission – not only regulatory, but could lead a public campaign; to bring public with them & put pressure on the Executive.

- Create a space in local government to reflect on decisions.