



Special EU Programmes Body
Foras Um Chláir Speisialta An AE
Boord O Owre Ocht UE Projects

Equality Scheme

Equality Scheme

The Special EU Programmes Body

***Drawn up in accordance with Section 75 and
Schedule 9 of the Northern Ireland Act 1998***

This document is available in a range of formats on request. Please contact us with your requirements (see 2.9 for contact details).

**The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP**

The Equality Scheme was approved by the
Equality Commission of Northern Ireland on 4 October 2011.

Foreword

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act.

As the Chief Executive of the Special EU Programmes Body, I am fully committed to effectively fulfilling our Section 75 statutory duties across all our functions which apply to our work in Northern Ireland (including service provision, employment and procurement) through the effective implementation of our Equality Scheme.

We will commit the necessary resources in terms of people, time and money to make sure that the Section 75 statutory duties are complied with and that the Equality Scheme is implemented effectively and on time.

We commit to having effective internal arrangements in place for ensuring our successful compliance with the Section 75 statutory duties and for monitoring and reviewing our progress.

We will develop and deliver a programme of communication and training with the aim of ensuring that all our staff are made fully aware of our Equality Scheme and understand the commitments and obligations within it. We will develop a programme of awareness raising for our consultees on the Section 75 statutory duties and our commitments in our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our Equality Scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with our Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our Equality Scheme, can make complaints.

We have also undertaken an Audit of Inequalities and prepared a Section 75 Action Plan to cover the period of our corporate plan as a means of ensuring effective implementation of our duties through our internal reporting systems. These documents are separate from the Equality Scheme and there will be more than one action plan period during the life of this scheme.

On behalf of the Special EU Programmes Body and our staff I am pleased to support and endorse this Equality Scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.



Chief Executive
The Special EU Programmes Body

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Chapter 1 Introduction

Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires the Special EU Programmes Body (SEUPB) to comply with two statutory duties:

Section 75 (1)

In carrying out our functions relating to Northern Ireland we are required to have due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

Section 75 (2)

1.2 In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. This commitment will include ensuring equity of access, respect of diversity and encouragement of independence between the different groups.

“Functions” include the “powers and duties” of a public authority. This includes our employment and procurement functions. Please see below under “Who we are and what we do” for a detailed explanation of our functions.

1.3 The section 75 statutory duties require that a public authority must have due regard to the need to promote equality of opportunity, while it must also have regard to the desirability of promoting good relations. There is an inter-relationship between the two duties. Both duties have to be discharged in all circumstances. What the Section 75 statutory duties provide is that the discharge of the good relations duty cannot be an alternative to or cannot set aside the equality of opportunity duty.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to facilitate the promotion of equality of opportunity between the categories identified in Section 75 (1).

It is important that, when considering the impact of policies on the promotion of equality of opportunity, due regard is given to the need to promote equality of opportunity for all categories of people specified in Section 75. Individuals do not neatly fit into one Section 75 category or another, and individuals will invariably be members of a number of Section 75 categories. Thus Section 75 enables multiple identity issues to be considered as well as issues regarding particular categories of people.

1.4 This includes the preparation and submission of a revised Equality Scheme to the Equality Commission by 1st August 2011.

How we propose to fulfil the Section 75 duties in relation to the relevant functions of the Special EU Programmes Body (SEUPB)

1.5 Schedule 9 4. (1) of the Act requires the Special EU Programmes Body (SEUPB) as a designated public authority to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This Equality Scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation. It will also be used within SEUPB as an operational management policy, thus ensuring that its staff are made fully aware of, and comply with, the duties of the Act.

1.6 SEUPB is committed to the discharge of its Section 75 obligations in all parts of the organisation and will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that the Equality Scheme can be implemented effectively.

Who we are

1.7 SEUPB is a North South Body, established under the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland (the Agreement) on 8 March 1999. The Agreement stipulates that the SEUPB will implement the policies directed by the NSMC as specified by the North South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 and the British-Irish Agreement Act 1999, as amended.

1.8 The Body operates within a complex legislative and financial environment, and as the governmental sponsors of the SEUPB, departmental responsibility rests with the Department of Finance and Personnel (DFP) in Northern Ireland and the Department of Finance (DOF) in Ireland. The Body carries out its functions in compliance with the provisions of the Financial Memorandum and any other agreements with these Departments.

1.9 There are three directorates within the SEUPB which currently operates with a staffing complement of 65 posts. The SEUPB's Headquarters is located in Belfast and a further two offices are situated in Omagh and Monaghan.

1.10 The Mission Statement of the Special EU Programmes Body is:

“To effectively manage and implement funding programmes on behalf of the two Governments aimed at delivering social and economic improvements to the people in Northern Ireland, Ireland and parts of Western Scotland through cross-border, transnational and inter-regional co-operation.”

1.11 The Vision Statement of the Special EU Programmes Body is:

“The SEUPB will work as a trusted agent of both Governments and the European Commission in the management and delivery of programmes that contribute to the economic and social well being of the region. Its work will be imbued by the values of openness, transparency and accessibility.”

1.12 As an agent of both governments the SEUPB has acted as the Managing Authority for both PEACE II and INTERREG IIIA Programmes 2000-2006 and also as the Paying Authority in relation to INTERREG IIIA. The programmes had a combined value of €1,176 million. PEACE II funded 7,103 projects, whilst INTERREG IIIA funded 435 projects. Since the beginning of 2007, the SEUPB has acted as Managing Authority, Certifying Authority and provided the Joint Technical Secretariat (JTS) for the PEACE III and INTERREG IVA Programmes. The two programmes have a combined value of €589 million. In its capacity as Managing Authority, the SEUPB chairs both of the Monitoring Committees for these two programmes.

What we do

1.13 As outlined with the SEUPB’s mission and vision statements, the SEUPB is responsible for managing and implementing European funding programmes on behalf of the two Member States, aimed at delivering social and economic improvements to the people of Northern Ireland, the Border Region of Ireland and western parts of Scotland through cross-border, transnational and inter-regional co-operation. The two programmes each possess a distinct identity and have been specifically designed to address different aspects of the social and economic challenges facing the region.

Current Programmes (2007-2013)

1.14 The two current programmes (2007-2013) are the European Union’s Programme for Peace and Reconciliation (the PEACE III Programme) and the European Union’s Cross Border Programme for Territorial Co-operation (INTERREG IVA Programme). The SEUPB also supports North South participation in transnational (INTERREG IVB) and inter-regional (INTERREG IVC) Programmes. A brief overview of each of these programmes is provided below.

PEACE III

1.15 The EU Programme for Peace and Reconciliation for Northern Ireland and the Border Region of Ireland 2007-2013 (PEACE III) has an overall financial allocation of €333 million, including €225 million EU ERDF funds. The overarching aim of the PEACE III Programme as well as key priorities and impacts are identified in the table below.

Overarching Objective:	<i>Reinforce progress towards a peaceful and stable society and to promote reconciliation in Northern Ireland and the Border Region of Ireland.</i>	
Priority 1:	Reconciling communities	
Themes:	1. Building positive relations at the local level	2. Acknowledging and dealing with the past
Key Activities:	Will facilitate relationships at a cross-community and/or cross border basis to assist in addressing issues of trust, prejudice and intolerance.	Will aim to provide advice, counselling and support services for victims and their relatives. Activities will aim to build the capacity of individuals to deal with the transition to peace and reconciliation and enable them to deal with the past on their own terms.

Priority 2:	Contributing to a shared society	
Themes:	1. Creating Shared Public Spaces	2. Key institutional capacities are developed for a shared society.
Key Activities:	Will address the physical segregation and polarisation of places and communities in Northern Ireland and the Border Region of Ireland. It will aim to reclaim public spaces for all sections of the community enabling the emergence of vibrant, economically active and social cross-border and cross-community engagement.	Will aim to develop the capacity of key institutions to deliver services in a manner that contributes to a shared society in Northern Ireland and the Border Region of Ireland.

INTERREG IVA

1.16 The Cross-Border Territorial Co-operation Programme 2007-2013 (INTERREG IVA) has an overall financial allocation of €256 million which includes €193 million EU ERDF funds. The overarching objective, priorities and outputs of the INTERREG IVA Programme are outlined below.

Overarching Objective	<i>Supporting strategic cross-border co-operation for a more prosperous and sustainable region.</i>	
Priority 1:	Co-operation for a more prosperous cross border region.	
Themes:	1. Enterprise	2. Tourism
Key Activities:	Will promote innovation and growth in new and existing businesses; Invest in business infrastructure for enterprise development; and support clusters and networks that encourage cross-border co-operation between firms and raise competitiveness.	Will develop the tourism product and marketing offering in ‘thematic areas’ – culture, language and heritage, natural resources, rural, marine and water based tourism. The theme will also aim to enhance the tourism product including visitor services, accommodation for niche tourism activities, venues visitor events and activities.

Priority 2:	Co-operation for a sustainable cross-border region.	
Themes:	1. Collaboration	2. Infrastructure
Key Activities:	<p>Strategic collaborative approaches that will promote innovative ways of addressing specific cross-border problems and delivering public services within border areas.</p> <p>Exchange of information, expertise and best practice in cross-border co-operation.</p>	<p>Will develop cross-border infrastructure in the areas such as ICT, transport, telecommunications, energy, waste, utilities and environmental protection.</p>

TRANSNATIONAL & INTERREGIONAL

1.17 The SEUPB has a role to promote and facilitate project participation in the INTERREG IVB Transnational Programmes which are relevant to Northern Ireland and the Border Region of Ireland. These programmes include the Northern Periphery Programme, the Atlantic Area Programme and the North West Europe Programme. In addition, the SEUPB promotes the INTERREG IVC Programme. This work involves communicating the aims and objectives of the programmes to a range of potential project applicants and providing project development support at pre and post application stages. In addition, the SEUPB acts as First Level of Control for all NI participation in the Transnational and Interregional Programmes and this involves managing and carrying out the verification of expenditure for all project partners in Northern Ireland.

Chapter 2 Our arrangements for assessing our compliance with the Section 75 duties (Schedule 9 4. (2)(a))

2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this Equality Scheme. Details on monitoring arrangements and assessment of impact of policies arrangements are included in Chapter 4. Details on consultation are outlined in Chapter 3, publications in Chapter 9 and Complaints in Chapter 8.

In addition, we have the following arrangements in place for assessing our compliance.

Responsibilities and Reporting

2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work. The SEUPB will ensure that there are effective internal arrangements in place to ensure that the statutory duties are effectively complied with and that progress on policies is monitored and reviewed. To this end the SEUPB will allocate the necessary resources in terms of people, time and finance in order that the revised Equality Scheme can be drawn up and implemented effectively. The implementation of the Equality Scheme will be monitored and reviewed following the existing reporting mechanisms through a monthly Senior Management Team Meeting.

2.3 Responsibility for the effective implementation of the Equality Scheme lies with the Chief Executive. The Chief Executive is accountable to the North South Ministerial Council (NSMC) for the development, implementation, maintenance and review of the Equality Scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.

2.4 If you have any questions or comments regarding our Equality Scheme, please contact in the first instance the Director of Corporate Services, on whom is placed the duty to co-ordinate the implementation of the Equality Scheme. They also have the responsibility as point of contact with the Equality Commission for Northern Ireland, and for all groups and individuals concerned about issues relating to the implementation of the Equality Scheme. They can be contacted at the address given below and will respond to you as soon as possible:

The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence West Building
Belfast
BT2 7GP

Telephone: +44 (028) 90 266663

Fax: +44 (028) 90 266661

Textphone: +44 (028) 90 266668

E-mail: Gina.McIntyre@seupb.eu

The Director of Corporate Services will have specific responsibility for all equality issues, including the drafting of policies, consultation process, monitoring and review, and reporting on progress. They will be assisted by the HR Manager and the Research and Information Officer who will have responsibility for conducting Equality Impact Assessments, handling complaints and for the provision of a quarterly report to the Senior Management Team.

2.5 Objectives and targets relating to the statutory duties will be integrated into the SEUPB's strategic and operational business plans.

2.6 Job Descriptions and Annual Performance Review Plans (FJPS) of staff who have specific responsibilities in relation to the implementation of the Scheme will reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme, where relevant. These personal performance plans are subject to appraisal in the Annual Performance Review.

2.7 In line with current practice, objectives and targets relating to the statutory duties will be monitored through monthly line management reviews and reported on a monthly basis to the Senior Management Team and on a quarterly basis to the Chief Executive.

2.8 Progress on the delivery of Section 75 statutory duties will also be included in our Annual Report.

2.9 The SEUPB prepares an annual report on the progress we have made on implementing the arrangements set out in this Equality Scheme to discharge our Section 75 statutory duties (Section 75 Annual Progress Report). The Section 75 Annual Progress Report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission.

The latest Section 75 Annual Progress Report is available on our website

www.seupb.eu

or by contacting:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669

Fax: +44 (028) 90 266661 Textphone: +44 (028) 90 266668

E-mail: Clíodhna.Steele@seupb.eu

2.10 The SEUPB liaises closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

Action plan/action measures

2.11 The SEUPB has developed an action plan to promote equality of opportunity and good relations.

2.12 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories to identify the inequalities that exist for our service users and those affected by our policies.

2.13 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.

2.14 We will develop any action plans for a period of between one and five years in order to align them with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

2.15 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.

2.16 We will monitor our progress on the delivery of our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work.

2.17 The SEUPB will inform the Commission of any changes or amendments to our action plan and will also include this information in our Section 75 Annual Progress Report to the Commission. Our Section 75 Annual Progress Report will incorporate information on progress we have made in implementing our action plans/action measures.

2.18 Once finalised, our action plan will be available from the SEUPB's main equality contact, and on our website, as below:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669

Fax: +44 (028) 90 266661

Textphone +44 (028) 90 266668

E-mail: Clíodhna.Steele@seupb.eu

www.seupb.eu

If you require it in an alternative format please contact us, as above on the details provided.

Chapter 3 Our arrangements for consulting

(Schedule 9 4.(2)(a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted).

(Schedule 9 4.(2)(b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.

3.1 The SEUPB recognises the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our Equality Scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's guidance "*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*").

3.2.1 All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.

Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our consultees and resources, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include, for example, regional or local consultations, sectoral or thematic consultation etc.

3.2.2 Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Methods of consultation could include:

- Face-to-face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires
- Information/notification by email with an opportunity to opt in/opt out of the consultation
- Internet discussions or
- Telephone consultations.

This list is not exhaustive and we may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

3.2.3 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given as to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities. We take account of existing and developing good practice, including the Equality Commission's guidance "*Let's Talk Let's Listen – Guidance for public authorities on consulting and involving children and young people (2008)*".

The consultation process will include separate meetings with young people and youth organisations focusing on delivery of services to young people in Section 75 categories. SEUPB will also, where appropriate, involve representative groups of disabled people in its consultation processes.

Information will be made available, on request, in alternative formats, in a timely manner, usually within a fortnight. We will ensure that such consultees have equal time to respond.

3.2.4 Specific training will be provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees. This training will be developed in consultation with the affected groups.

3.2.5 To ensure effective consultation with consultees on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our equality scheme by undertaking the following:

- Ensuring that staff involved in consulting have the necessary skills.
- Ensuring that those engaged on the Special EU Programmes Body's behalf to facilitate consultation are skilled in interacting with specific groups.
- Ensuring that consultees are aware of specific consultation exercises.

3.2.6 The consultation period lasts for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments.

Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our control, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.

3.2.7 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, we will give consideration to the feasibility of allowing a longer period for the consultation.

3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in

particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.

3.2.9 The SEUPB will take all necessary steps to ensure that sufficient timely and appropriate information will be available to consultees in appropriate formats to enable all affected groups and individuals to consider the full implications of proposals and ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.2.10 The SEUPB is committed to capacity building for those consultees who are traditionally disengaged or hard to reach, for example through awareness raising in order to develop their capacity to engage effectively in the process.

3.2.11 In making any decision with respect to a policy adopted or proposed to be adopted, we will take into account any assessment and consultation carried out in relation to the policy.

3.2.12 We will provide feedback to consultees in a timely manner. A feedback report will be prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of our consideration of and response to consultees' input. The feedback will be provided in formats suitable to consultees. (Please see also 6.3).

3.3 A list of our consultees is included in this Equality Scheme at Appendix 3. It can also be obtained from our website at:

www.seupb.eu

or by contacting:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669

Fax: +44 (028) 90 266661

Textphone +44 (028) 90 266668

E-mail: Clíodhna.Steele@seupb.eu

3.4 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact Stephanie Galbraith, Research & Information Officer (as above), to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

Chapter 4 Our arrangements for assessing, monitoring and publishing the impact of policies

(Schedule 9 4.(2)(b); Schedule 9 4.(2)(c); Schedule 9 4.(2)(d); Schedule 9 9.(1); Schedule 9 9.(2))

Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (Schedule 9 4.(2)(b))

4.1 In the context of Section 75, “policy” is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this Equality Scheme, the term policy is used for any (proposed, amended or existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g. ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’.

4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9.9.(2) of the Northern Ireland Act 1998.

4.3 The SEUPB uses the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:

- the guidance on screening, including the screening template, as detailed in the Commission’s guidance “*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*” and
- on undertaking an equality impact assessment as detailed in the Commission’s guidance “*Practical guidance on equality impact assessment (February 2005)*”.

Screening

4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.

4.6 Screening is carried out by a designated team who will consult with the policy decision maker. Where possible we will include key stakeholders in the screening process.

4.7 The following questions are applied to all our policies as part of the screening process:

- What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
- Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
- To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)
- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

4.8 In order to answer the screening questions, we gather all relevant information and data, both qualitative and quantitative. In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.

4.9 Completion of screening, taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

1. the policy has been “screened in” for equality impact assessment
2. the policy has been “screened out” with mitigation⁹ or an alternative policy proposed to be adopted
3. the policy has been “screened out” without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening concludes that the likely impact of a policy is “minor” in respect of one, or more, of the equality of opportunity and/or good relations categories, we may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

Where we mitigate we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy.

This screening decision will be “signed off” by either the Chief Executive or Director of Corporate Services within the SEUPB.

4.11 If our screening concludes that the likely impact of a policy is “major” in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to an equality impact assessment. This screening decision will be “signed off” by either the Chief Executive or Director of Corporate Services within the SEUPB.

4.12 If our screening concludes that the likely impact of a policy is “none”, in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a policy is “screened out” as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken. This screening decision will be “signed off” by either the Chief Executive or Director of Corporate Services within the SEUPB.

4.13 As soon as possible following the completion of the screening process, the screening template will be signed off and approved by the Chief Executive or Director of Corporate Services and will be made available on our website (www.seupb.eu)

or on request from:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

4.14 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

4.15 Our screening reports are published quarterly [see below at 4.20 – 4.22 and 4.23 for details]

Equality impact assessment

4.16 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.

4.17 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.

4.18 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).

Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity (Schedule 9 4.(2)(d); Schedule 9 9.(1))

4.19 We will make publicly available the results of our assessments (screening and EQIA) of the likely impact of our policies on the promotion of equality of opportunity and good relations.

What we publish

4.20 Screening Reports

These will be published quarterly. Screening Reports detail:

- All policies screened by the SEUPB over the three month period
- A statement of the aim(s) of the policy/policies to which the screening relates
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity
- Screening decisions
- Where applicable, a timetable for conducting equality impact assessments
- A link to the completed screening template(s) on our website

4.21 Screening templates

For details on the availability of our screening templates please refer to 4.13.

4.22 Equality impact assessments

EQIA reports are published once the impact assessment has been completed. These reports include:

- A statement of the aim of the policy assessed
- Information and data collected
- Details of the assessment of impact(s)
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity
- Consultation responses
- The decision taken
- Future monitoring plans.

How we publish the information

4.23 All information we publish is accessible and can be made available in alternative formats on request. Please see 6.3 below.

Where we publish the information

4.24 The results of our assessments screening reports and completed templates, the results of equality impact assessments) are available on our website www.seupb.eu

or by contacting:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

4.25 In addition to the above, screening reports (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 3 month period are also sent directly to all consultees on a quarterly basis.

4.26 We will inform the general public about the availability of this material through communications such as press releases or website where appropriate.

Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity (Schedule 9 4.(2)(c))

4.27 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, the SEUPB follows guidance from the Office of the Information Commissioner and the Equality Commission for Northern Ireland.

4.28 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.29 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:

- The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories on an ongoing basis.
- The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis.
- An audit of existing information systems within one year of approval of this Equality Scheme, to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions.
- Undertaking or commissioning new data if necessary.

4.30 If over a two year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy is revised to achieve better outcomes for relevant equality groups.

4.31 We review our EQIA monitoring information on an annual basis. Other monitoring information is reviewed in line with the specific targets as outlined in our action plan.

Our arrangements for publishing the results of our monitoring (Schedule 9 4.(2)(d))

4.32 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as specified at 4.30 and 4.31

4.33 EQIA monitoring information is published as part of our Section 75 Annual Progress Report [see 2.7]

4.34 The results of our monitoring are published on our website

www.seupb.eu

or by contacting:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

4.35 All information published is accessible and can be made available in alternative formats on request. Please see 6.3 for details.

Chapter 5 Staff training (Schedule 9 4.(2)(e))

Commitment to staff training

5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.

5.2 Our Chief Executive wishes to positively communicate the commitment of SEUPB to the Section 75 statutory duties, both internally and externally.

To this end the SEUPB will prepare an effective communication and training programme in order that every member of staff, including new staff, is given the appropriate level of awareness of equality issues and Section 75 duties, and understands the implications on their role within the organization. The SEUPB will also ensure that its commitment to the Section 75 statutory duties is made clear in all relevant publications.

Training objectives

5.3 The SEUPB has already provided detailed training for staff during the five year period of its first Equality Scheme. We will draw up a further detailed training plan for our staff which will aim to achieve the following objectives:

- to raise and maintain awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our revised Equality Scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff fully understand their role in implementing the scheme.
- to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively.
- to provide those staff who deal with complaints in relation to compliance with our equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively.
- to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively.
- to provide those staff involved in the implementation and monitoring of the effective implementation of the SEUPB's Equality Scheme with the necessary skills and knowledge to do this work effectively.

Awareness raising and training arrangements

5.4 The following arrangements will be enhanced or developed to ensure all our staff are aware of and understand our equality obligations:

- We will develop a summary of this Equality Scheme and make it available to all staff

- We will provide access to copies of the full Equality Scheme for all staff and ensure that any queries or questions of clarification are addressed effectively.
- Staff in the SEUPB will receive a briefing on this Equality Scheme within six months of its approval.
- The Section 75 statutory duties will form part of induction training for new staff.
- Focused training will be provided for key staff within the SEUPB who are directly engaged in taking forward the implementation of our Equality Scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
- Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups.
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments, including this revised Scheme.

5.5 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and our staff.

In order to share resources and expertise, the SEUPB will, where possible, work closely with other bodies and agencies in the development and delivery of training. Training delivery will be provided through a variety of sources, which will be co-ordinated through the SEUPB's Human Resources Department.

Monitoring and evaluation

5.6 Our training programme is subject to the following monitoring and evaluation arrangements:

- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives. This will be evaluated through the current Annual Performance Appraisal.
- The extent to which training objectives have been met will be reported on as part of the Section 75 Annual Progress Report, which will be sent to the Equality Commission.

5.7 All staff have already received training on Section 75 and professional staff on the specific skills they need during the tenure of the first Equality Scheme. All new staff receive training on Section 75 as part of their induction programme. All staff will receive training on the revised Scheme and be made fully aware of the SEUPB's Action Plan. Refresher training will be provided on an on-going basis as required.

Chapter 6 Our arrangements for ensuring and assessing public access to information and services we provide (Schedule 9 4.(2)(f))

6.1 The SEUPB is committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.

6.2 We are aware that some groups will not have the same access to information as others. In particular:

- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
- Children and young people may not be able to fully access or understand information.

Access to information

6.3 To ensure equality of opportunity in accessing information, we provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met we will ensure a reasonable alternative is provided.

Alternative formats may include Easy Read, Braille, audio formats (CD, mp3 or DAISY), large print or minority languages to meet the needs of those for whom English is not their first language.

The SEUPB liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice. We will respond to requests for information in alternative formats in a timely manner, usually within a fortnight.

Where we provide information to children and young people, people with learning disabilities and minority ethnic communities we will contact representative groups or experts to establish the most effective and practicable approaches for contact.

6.4 In disseminating information we will use different communication methods as far as possible e.g. television, radio, press, social media, billboard advertising, leaflets etc. as appropriate.

Access to services

6.5 The SEUPB is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories.

The SEUPB also adheres to the relevant provisions of current anti-discrimination legislation.

Assessing public access to information and services

6.6 The SEUPB monitors annually across all our functions, in relation to access to information and services, to ensure equality of opportunity. The Body will also have due regard to its duties on the promotion and encouragement of good relations between people of different racial groups, religious beliefs and political opinions. The SEUPB will ensure, where possible, that all literature promoting the Programmes will display role models from different ethnic backgrounds. The SEUPB reports on the assessment of public access to information and services as part of our Section 75 Annual Progress Report to the Equality Commission.

Chapter 7 Timetable for measures we propose in this equality scheme (Schedule 9 4.(3)(b))

7.1 Appendix 4 outlines the SEUPB's timetable for all measures proposed within this Equality Scheme. The measures outlined in this timetable will be incorporated into our business planning processes.

7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our Equality Scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.18.

Chapter 8 Our complaints procedure (Schedule 9 10.)

8.1 The SEUPB is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to the Body if the complainant believes he or she may have been directly affected by an alleged failure of the Body to comply with its approved Equality Scheme. If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

8.3 A person wishing to make a complaint that the SEUPB has failed to comply with its approved Equality Scheme should contact:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

www.seupb.eu

8.4 We will in the first instance acknowledge receipt of each complaint within 10 working days.

8.5 The SEUPB will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

8.6 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.

8.7 In any subsequent investigation by the Equality Commission, the SEUPB will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, the SEUPB will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.

8.8 The SEUPB will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

Chapter 9 Publication of our equality scheme (Schedule 9 4.(3)(c))

9.1 The SEUPB's Equality Scheme is available free of charge in print form and alternative formats from:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

9.2 Our Equality Scheme is also available on our website at www.seupb.eu

9.3 When approval has been given by the Equality Commission to the revised Equality Scheme the following arrangements will be in place for the publication in a timely manner of our Equality Scheme to ensure equality of access:

- We will make every effort to communicate widely the existence and content of our Equality Scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
- We will email a link to our approved Equality Scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the Scheme is available on request. We will respond to requests for the Equality Scheme in alternative formats in a timely manner, usually 10 working days
- Our Equality Scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats (CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.
- The SEUPB will liaise with representative groups and experts in response to specific requests for special communication of the Scheme to children and young people and people with disabilities.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the Equality Scheme or visit our website at www.seupb.eu

or contact:

Clíodhna Steele
Personnel Officer
The Special EU Programmes Body
7th Floor, The Clarence West Building
2 Clarence Street West
Belfast
BT2 7GP

Tel: +44 (028) 90 266669
Fax: +44 (028) 90 266661
Textphone +44 (028) 90 266668
E-mail: Clíodhna.Steele@seupb.eu

Chapter 10 Review of our equality scheme (Schedule 9 8.(3))

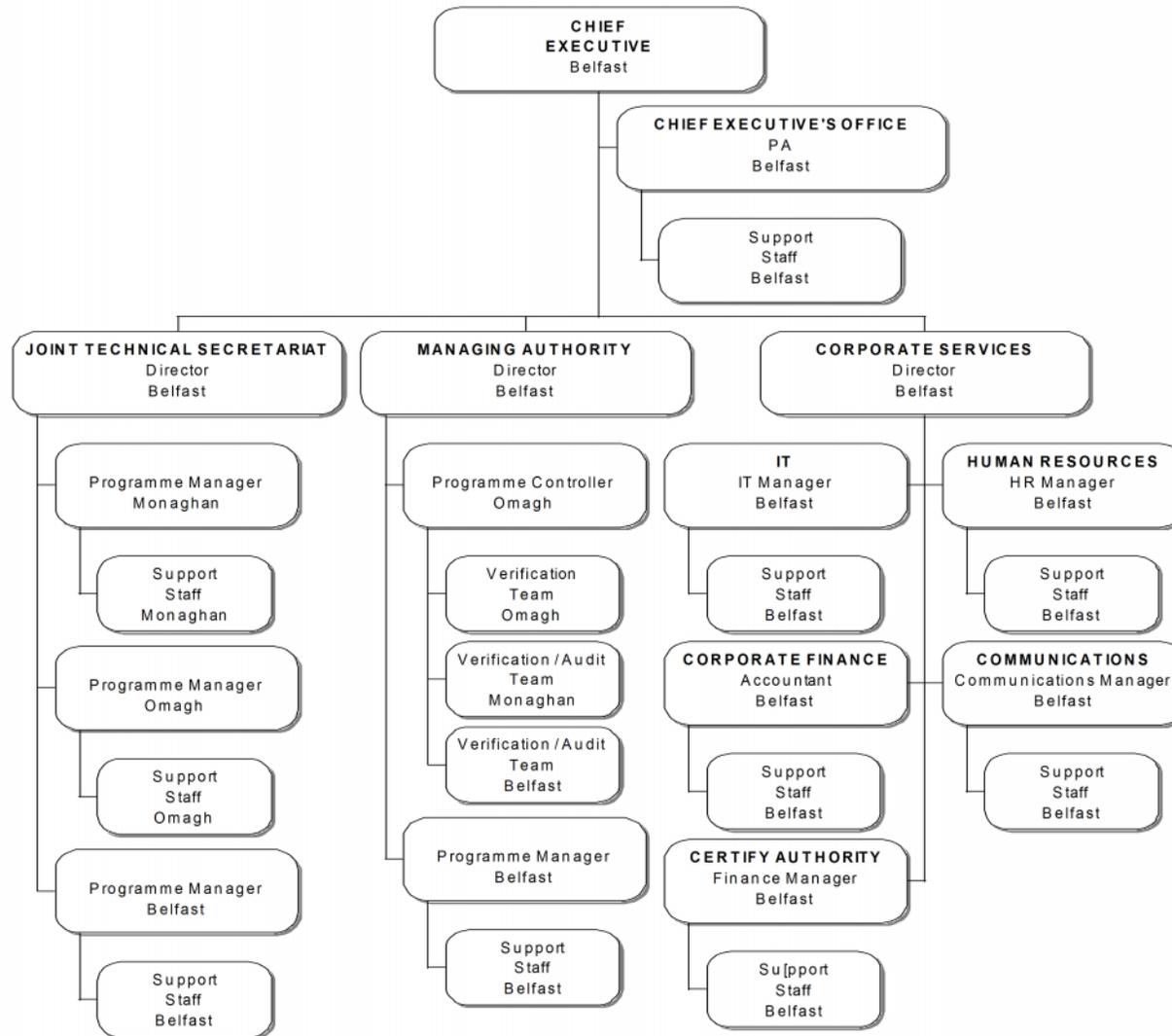
10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 the SEUPB will conduct a thorough review of this Equality Scheme. This review will take place either within five years of submission of this revised Equality Scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.

The review will evaluate the effectiveness of our Scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.

10.2 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public through our website www.seupb.eu and sent to the Equality Commission.

THE SPECIAL EU PROGRAMMES BODY

APPENDIX 1



Appendix 2 Example groups relevant to the Section 75 categories for Northern Ireland purposes

Please note, this list is for illustration purposes only, it is not exhaustive.

Category	Example groups
Religious belief	<p>Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.</p> <p>For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment & Treatment (NI) Order</i>. Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “<i>similar philosophical belief</i>”.</p>
Political opinion	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

Appendix 3 List of consultees (Schedule 9 4.(2)(a))

This is a list of individual and groups with which the SEUPB will consult, as appropriate, as part of its Section 75 responsibilities. It is an indicative rather than exhaustive list, which will be reviewed on an annual basis to ensure it remains relevant to our functions and policies.

The SEUPB will ensure that consultation with regards to matters relating to the Section 75 duties, the Equality Scheme, screening and impact assessments will take place with the following relevant interest groups, the Equality Commission, other public authorities, community, voluntary and trade union groups, other groups with a legitimate interest in the matter. This will include those directly affected by the policy to be assessed, whether or not they have a direct economic or personal interest.

The SEUPB will, from time to time, contact consultees in advance to establish if they are interested in receiving correspondence in relation to specific exercises to prevent the generation of unnecessary documentation and minimise waste. The SEUPB will also from time to time ask consultees if they wish to be retained on the consultation list if they have not responded to consultation exercises in the previous two years.

The SEUPB consultation list is indicative and not exhaustive, and is reviewed on an annual basis to ensure it remains relevant to the Body's functions and policies.

List of Consultees:

GOVERNMENT STAKEHOLDERS

Department of Finance and Personnel (NI)

EXTERNAL STAKEHOLDERS

District Councils (26)

European Commission

Members of the European Parliament

North / South Implementation Bodies (6)

North / South Ministerial Council

Northern Ireland Assembly Members

Office of First Minister and Deputy First Minister

Dept. of Enterprise Trade and Investment

Dept. of Health, Social Services & Public Safety

Dept. of Environment

Dept. of Employment and Learning

Dept. of Agriculture & Rural Development

Dept. of Regional Development

Dept. of Social Development

Dept. of Education

ORGANISATIONS REPRESENTING A WIDE RANGE OF INTERESTS

Arts Council NI

Assoc. Of Independent Advice Centres

Belfast Regeneration Office

Big Lottery

CFNI

Committee on the Administration of Justice

Community Relations Council (NI)

Community Workers Co-operative

Council for Nature Conservation and the Countryside

Disability Action

Early Years

Employers' Forum on Disability

Equality Coalition

Equality Commission for Northern Ireland

Heritage Lottery Fund

International Fund for Ireland

Northern Ireland Anti-Poverty Network

Northern Ireland Assoc of Citizen Advice

Bureau

Northern Ireland Committee ICTU

Joint Business Council

NICVA

NIEA

NILGA

Northern Ireland Housing Executive

Northern Ireland Human Rights Commission

Northern Ireland Inter-Faith Forum

NISRA

Playboard

Pobal

Rural Community Network

Sports Council Northern Ireland

The Local Govt. Staff Commission for NI

Training for Women Network

Workers Educational Association

Youth Council NI

Youthnet

TARGET GROUPS

Age NI

An Munia Tober

Barnardo's

Belfast Islamic Centre

Belfast Unemployed Resource Centre

Bryson House

Carers NI

CAWT

Chinese Welfare Association (NI)

Coalition on Sexual Orientation

Commission for Victims and Survivors Northern Ireland

Co-operation Ireland

Gay and Lesbian Youth NI

Gingerbread NI

Indian Community Centre

MENCAP

Multi-Cultural Resource Centre (NI)

NIACRO
NICMA
Northern Ireland African Cultural Centre
NICEM
Northern Ireland Council for the Homeless
Northern Ireland Filipino Association
Northern Ireland Gay Rights Association
Northern Ireland Women's Aid Federation
NSPCC (NI)
Rainbow Project
RNIB
RNID
Shelter NI
Simon Community
Sustainable Northern Ireland
The Cedar Foundation (formerly NICOD)
The Corrymeela Community
The HIV Support Centre
The Moderator, Presbyterian Church
The Most Reverend, Archbishop Eames,
Church of Ireland
The Most Reverend, Archbishop Seán Brady
The President, Methodist Church of Ireland
Traveller Movement NI
Voice of Young People in Care (VOYPIC)
WRDA
Youth Action NI
Youth Initiatives

Appendix 4 Timetable for measures proposed (Schedule 9 4.(3)(b))

The following table lists the Special EU Programmes Body's programme and timetable for action emerging from this revised Equality Scheme:

Measure	Lead Responsibility	Timetable
Section 75 Annual Progress Report Including: - monitoring results - Disability Action Plan results [2.9]	Director of Corporate Services	31 st August annually
Action plan / action measures Consultation on draft action plan [2.15] Finalised action plan published [2.18] Arrangements for monitoring progress in place [2.16]	Director of Corporate Services Director of Corporate Services HR Manager	April – July 2011 July 2011 September 2011
Consultation Consultation list reviewed and updated [3.4]	Director of Corporate Services/ HR Manager / Communications Team	In line with consultation on Equality Scheme by April 2011 and then July annually
Screening Screening timetable [4.4] Screening Reports [4.19]	Directors / HR Manager Directors / HR Manager	On-going – Reported on in Annual Progress Report annually on 31 st August Reported on quarterly on website and notified to consultees
EQIA EQIA timetable [4.16]	Directors / HR Manager	On-going – Reported on in Annual Progress Report annually on 31 st August
Monitoring Review of monitoring information [4.29] Publication of monitoring information [4.30,4.31]	CEO / Director of Corporate Services / HR Manager / Senior Management Team	Reported on in Annual Progress Report on 31 st August and also reported on in website

<p>Training <i>Development of summary revised scheme</i> [5.4] <i>Briefing on revised scheme</i> [5.4] <i>Development of overall training programme</i> [5.5] <i>Focussed training</i> [5.4] <i>Refresher training</i> [5.4] <i>Evaluation of training</i> [5.6]</p>	<p>Director of Corporate Services / HR Manager HR Manager HR Manager HR Manager HR Manager HR Manager</p>	<p>October 2011 November 2011 September – October 2011 As Required As Required Reported annually to SMT</p>
<p>Access to information and services <i>Assessing access to information and services</i> [6.6]</p>	<p>Director of Corporate Services/ HR Manager / Communications Team</p>	<p>On-going through the lifetime of the Equality Scheme Reported in Annual Progress Report on 31st August annually</p>
<p>Communication <i>Communication of equality scheme</i> [9.3] <i>Notification of consultees</i> [9.3]</p>	<p>Director of Corporate Services/ HR Manager / Communications Team</p>	<p>Within 1 month of Scheme approval – September 2011 Within 1 month of approval</p>
<p>Review of Equality Scheme [10.1]</p>	<p>Chief Executive</p>	<p>Before end of Spring 2016</p>

Appendix 5 Glossary of terms

Action plan

A plan which sets out actions a public authority will take to implement its Section 75 statutory duties. It is a mechanism for the realisation of measures to achieve equality outcomes for the Section 75 equality and good relations categories.

Action measures and outcomes

Specific measures to promote equality and good relations for the relevant Section 75 and good relations categories, linked to achievable outcomes, which should be realistic and timely.

Adverse impact

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.

Affirmative action

In general terms, affirmative action can be defined as being anything consistent with the legislation which is necessary to bring about positive change. It is a phrase used in the Fair Employment and Treatment Order (NI) 1998 to describe lawful action that is aimed at promoting equality of opportunity and fair participation in employment between members of the Protestant and Roman Catholic communities in Northern Ireland.

Article 55 Review

Under the Fair Employment and Treatment (NI) Order 1998, all registered employers must conduct periodic reviews of the composition of their workforces and of their employment practices for the purposes of determining whether members of the Protestant and Roman Catholic communities are enjoying, and are likely to continue to enjoy, fair participation in employment in each employer's concern.

These reviews, which are commonly known as Article 55 Reviews, must be conducted at least once every three years.

Audit of inequalities

An audit of inequalities is a systematic review and analysis of inequalities which exist for service users and those affected by a public authority's policies. An audit can be used by a public authority to inform its work in relation to the Section 75 equality and good relations duties. It can

also enable public authorities to assess progress on the implementation of the Section 75 statutory duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

Consultation

In the context of Section 75, consultation is the process of asking those affected by a policy (i.e., service users, staff, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Council of Europe

The Council of Europe, based in Strasbourg, covers virtually the entire European continent, with its 47 member countries. Founded on 5 May 1949 by 10 countries, the Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

Desk audit

An audit of a draft equality scheme to ensure that the scheme conforms with the requirements on form and content as detailed in the Commission's Guidelines (the Guide).

Differential impact

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

Discrimination

The anti-discrimination laws prohibit the following forms of discrimination:

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats

(or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless: (a) in an age discrimination case, the decision can be objectively justified, or (b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

Indirect discrimination

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

- (a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person’s disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.
- (b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

Victimisation

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

Harassment

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

Economic appraisal

An economic appraisal is a systematic process for examining alternative uses of resources, focusing on assessment of needs, objectives, options, costs benefits, risks, funding and affordability and other factors relevant to decisions.

Equality impact assessment

The mechanism underpinning Section 75, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

Equality of opportunity

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

Equality scheme

A document which outlines a public authority's arrangements for complying with its Section 75 obligations. An equality scheme must include an outline of the public authority's arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

Good relations

Although not defined in the legislation, the Commission has agreed the following working definition of good relations: 'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'.

Mainstreaming equality

The integration of equal opportunities principles, strategies and practices into the everyday work of public authorities from the outset. In other words, mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end. Mainstreaming can help improve methods of working by increasing a public authority's accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

Mitigation of adverse impact

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems.

Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

Northern Ireland Act

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

Northern Ireland Human Rights Commission

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

Northern Ireland Statistics & Research Agency (NISRA)

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP). They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

OFMDFM

The Office of the First Minister and Deputy First Minister is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

PAFT

The Policy Appraisal and Fair Treatment (PAFT) Guidelines constituted the first non-statutory attempt at mainstreaming equality in Northern Ireland in January 1994. The aim of the PAFT Guidelines was to ensure that issues of equality and equity informed policy making and activity in all spheres and at all levels of government. PAFT has now been superseded by Section 75 of the Northern Ireland Act 1998.

Policy

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as ‘a course or principle of action adopted or proposed by a government party, business or individual’. In the context of Section 75, the term **policies** covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

Positive action

This phrase is not defined in any statute, but the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.

Positive discrimination differs from positive action in that *positive action* involves the taking of lawful actions whereas *positive discrimination* involves the taking of unlawful actions. Consequently, *positive action* is by definition lawful whereas *positive discrimination* is unlawful.

Qualitative data

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis. Consultations are more likely to yield qualitative than quantitative data.

Quantitative data

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is often analysed by either using descriptive

statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine 'significance' either in relationships or differences in the data.

SACHR

The Standing Advisory Commission on Human Rights (SACHR) has now been replaced by the Northern Ireland Human Rights Commission. SACHR, as part of its review of mechanisms in place to promote employment equality and reduce the unemployment differential, recommended that the PAFT Guidelines should be made a statutory requirement.

Screening

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies. Screening requires a systematic review of existing and proposed policies.

Schedule 9

Schedule 9 of the Northern Ireland Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an equality scheme.

Section 75

Section 75 of the Northern Ireland Act provides that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:-

- persons of different religious belief, political opinion, racial group, age, marital status and sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Section 75 investigation

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme.

There are two types of Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved equality scheme;
2. An investigation initiated by the Commission, where it believes that a public authority may have failed to comply with its approved equality scheme.