



# Equality Scheme

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

***This document will be provided in a range of accessible formats including Braille, large print, audio and a wide range of minority languages upon request. Please contact us with your requirements (see section 2.4 for contact details).***

## 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<sup>1</sup>.

In our Equality Scheme we set out how the Labour Relations Agency proposes to fulfil the Section 75 statutory duties.

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 effective 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 and board members 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, the Chair and Chief Executive of the Labour Relations Agency, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our Equality Scheme.

We realise the important role that our stakeholders<sup>2</sup>, 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.

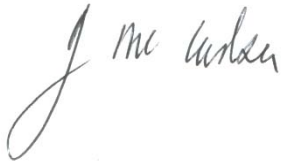
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<sup>1</sup> See section 1.1 of our Equality Scheme.

<sup>2</sup> which include employers, employees, trades unions and Government

On behalf of the Labour Relations Agency and our staff we are 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.

Signed

A handwritten signature in black ink, appearing to read 'J McCusker'.

Jim McCusker  
Chairman

Signed

A handwritten signature in blue ink, appearing to read 'W Patterson'.

Bill Patterson  
Chief Executive

*Date 10 November 2011*

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*Please note: Foreword and Appendices 3 and 4 form part of this Equality Scheme.*

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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 Labour Relations Agency 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)

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. 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). The equality duty should not deter a public authority from taking action to address disadvantage among particular sections of society – indeed such action may be an appropriate response to addressing inequalities. There is no conflict between the Section 75 statutory duties and other affirmative action measures or positive action measures which a public authority may undertake under anti-discrimination laws.

“Functions” include the “powers and duties” of a public authority<sup>3</sup>. 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.

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<sup>3</sup> Section 98 (1) of the Northern Ireland Act 1998.

## How we propose to fulfil the Section 75 duties in relation to the relevant functions of the Labour Relations Agency

1.2 Schedule 9 4. (1) of the Act requires the Labour Relations Agency 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.

1.3 The Labour Relations Agency is committed to the discharge of its Section 75 obligations in all parts of our organisation and we will commit the necessary resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our Equality Scheme can be implemented effectively.

### Who we are and what we do

The Labour Relations Agency is an executive Non-Departmental Public Body sponsored by the Department for Employment and Learning established in 1976 under the Industrial Relations (Northern Ireland) Order 1976 and continued by the Industrial Relations Order (Northern Ireland) 1992.

The Agency's principal activities are to assist employers, employees and their representatives to improve the conduct of their employment relations.

The Labour Relations Agency provides effective, impartial and confidential services to those engaged in industry, commerce and the public services in Northern Ireland, those services including:

- advice and assistance on all aspects of employment relations and employment practices
- comprehensive conciliation, arbitration and mediation facilities for resolving both individual and collective matters.

These services are available to employers, employers' associations, individual employees, trade unions and other organisations or to individuals who require assistance with any question relating to employment relations or employment matters.

Under Article 69(3) of the 1992 Order, the Agency is required to pay the Certification Officer's remuneration and allowances and to provide support services. These costs are reflected in the financial statements.

The Certification Officer's functions are contained in the Industrial Relations (Northern Ireland) Order 1992 (as amended) and in the Trade Union and Labour Relations (Northern Ireland) Order 1995 and the Employment Relations (Northern Ireland) Order 1999. The Certification Officer is responsible for ensuring that Trade Unions and Employers' Associations comply with statutory provisions relating to the regulation of Trade Unions and Employers' Associations.



## 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 as set out in the Contents page.

2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work.

2.3 The Chief Executive Officer (CEO) has primary direction on policy and resources and responsibility to ensure accountability for reporting on the delivery of the Section 75 duties.

The Director of Corporate Services is accountable to the CEO 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.

The Director of Corporate Services also has primary responsibility for sponsorship and training policy.

Primary responsibility for compliance lies with the Compliance Officer.

2.4 If you have any questions or comments regarding our Equality Scheme, please contact in the first instance the Compliance Officer at the address given below and we will respond to you as soon as possible:

The Labour Relations Agency  
2-16 Gordon Street  
Belfast BT1 2LG  
Telephone: 02890 321442  
TDD: 028 9023 8411  
Fax: 02890 330827

Email: [info@lra.org.uk](mailto:info@lra.org.uk) or [compliance@lra.org.uk](mailto:compliance@lra.org.uk)

2.5 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans<sup>4</sup>.

2.6 Employees' job descriptions and performance plans will be reviewed by August 2012 to reflect where appropriate, contributions to

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<sup>4</sup> See Appendix 4 'Timetable for measures proposed' and section 2.11 of this Equality Scheme.

the discharge of the Section 75 statutory duties and implementation of the Equality Scheme. The personal performance plans are subject to appraisal in the annual performance review.

2.7 The Labour Relations Agency prepares an annual report on the progress they 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.

Progress on the delivery of Section 75 statutory duties will also be included in our (organisational) annual report.

2.8 The latest Section 75 annual progress report is available on our website

[www.lra.org.uk](http://www.lra.org.uk)

or by contacting us using the details set out in section 2.4.

2.9 We, the Labour Relations Agency liaise closely with the Equality Commission to ensure that progress on the implementation of our Equality Scheme is maintained.

## **Action plan/action measures**

2.10 The arrangements for driving forward the implementation of the Equality Scheme are as set out in Box 1 (see prior page). Furthermore, on an annual basis, the Labour Relations Agency will (subject to target dates modified by the Equality Commission):

- Publish up to four screening reports (quarterly)
- Provide equality inclusion for the Annual Report – by end May
- Review progress and requirements of the Disability Action Plan – by end July;
- Produce Annual progress report for return to Equality Commission – by end August with Board approval
- Produce Equality Scheme inclusions for Training Plan – by end September
- Ensure equality issues included in corporate and business planning – by end October in any given corporate planning year

- Ensure all new staff inductions have a strong and explicit equality duty content.

2.11 The Labour Relations Agency has developed an action plan to promote equality of opportunity and good relations. This action plan is set out in Appendix 6 of this Equality Scheme.

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, a 'living' document, will gather and analyse information across the Section 75 categories<sup>5</sup> to identify the inequalities that exist for our service users and those affected by our policies<sup>6</sup>. Where the audit of inequalities has identified information or evidence gaps we will commission new research.

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 specific 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 Labour Relations Agency will inform the Equality 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 Equality Commission. Our Section 75 annual progress report will incorporate information on the progress made in implementing our action plans/action measures.

2.18 Once finalised, our action plan will be available from the contact points set out in section 2.4. If you require this in an alternative format please contact us on the details provided in section 2.4.

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<sup>5</sup> See section 1.1 of this Equality Scheme for a list of these categories.

<sup>6</sup> See section 4.1 of this Equality Scheme for a definition of policies.



## 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 We recognise 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 and our Consultees' 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 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)*.

Information will be made available, on request, in alternative formats<sup>7</sup>, in a timely manner, usually within five days or sooner if possible. We will ensure that such consultees have equal time to respond.

3.2.4 Those facilitating consultations will receive training as required and will be expected to keep abreast professionally of best practice with regard to consultation; thus ensuring that they have the necessary skills to communicate effectively with Consultees.

3.2.5 To ensure effective consultation with Consultees<sup>8</sup> 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 including an annual update on Section 75 requirements in the Agency's Training Plan.

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

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<sup>7</sup> See Chapter 6 of our Equality Scheme for further information on alternative formats of information we provide.

<sup>8</sup> Please see Appendix 3 for a list of our consultees.

thereafter and will review the policy as part of our monitoring commitments<sup>9</sup>.

Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our authority's 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 or endeavour to schedule the consultation period outside traditional holiday periods.

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 We make all relevant information available to Consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.2.10 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.

3.2.11 We provide feedback to Consultees in a timely manner. A feedback report is 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 is 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

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<sup>9</sup> Please see below at 4.27 to 4.31 for details on monitoring.

[www.lra.org.uk](http://www.lra.org.uk)

or by contacting the organisation as set out in section 2.4.

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 the Compliance Officer using addressing set out in section 2.4 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 /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 Labour Relations Agency 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 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. 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 mitigation<sup>10</sup> 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.

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<sup>10</sup> Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and / or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

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 an Senior Management Team (SMT) member within the Labour Relations Agency (see paragraph 4.6).

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 subject the policy to an equality impact assessment. This screening decision will be 'signed off' by the appropriate policy lead within the Labour Relations Agency

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 an SMT member within the Labour Relations Agency.

4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by an SMT member will be made available to consultees who will be informed of its on [www.lra.org.uk](http://www.lra.org.uk).

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 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 are published quarterly. Screening reports detail:

- All policies screened by the Labour Relations Agency over the three month period
- A statement of the aim(s) of the policy/policies to which the assessment 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, i.e.:

- whether the policy has been ‘screened in’ for equality impact assessment.
- whether the policy has been ‘screened out’ with mitigation or an alternative policy proposed to be adopted.
- whether the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
- 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 Chapter 6, Para 6.3.

#### **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.lra.org.uk](http://www.lra.org.uk)

or by contacting the organisation as set out in section 2.4.

4.25 We will inform the general public about the availability of this material through communications such as press releases where appropriate. In addition to the above, on each occasion that a new screening report is placed on the Agency's website, we will inform consultees, offering them information via a more effective medium if they so request.

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

4.26 Where adverse impacts of a policy are anticipated, we will scan existing research reports for relevant information and, within one year instigate a survey supported where appropriate with focus group work to assess the developing impact of the policy.

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 Labour Relations Agency follows guidance from the Office of the Information Commissioner and the Equality Commission.

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 may include:

- 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 and other monitoring information on an annual basis and all Section 75 training will be reviewed and updated accordingly.

### **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.

4.33 EQIA monitoring information is published as part of our Section 75 annual progress report [see 2.7]. However, we are committed to monitoring more broadly than this and the results of our policy monitoring may be published as occasional papers on the Agency's website ([www.lra.org.uk](http://www.lra.org.uk)).

4.34 All information published is accessible and can be made available in alternative formats on request. Please see Chapter 6, paragraph 6.3 for details.

## Chapter 5      **Staff training**

(Schedule 9 4.(2) (e))

On an ongoing basis, we aim to support an effective communication and training programme on the content of the Equality Scheme for all staff and a planned programme for the delivery of such training. It is anticipated that the training programme will include the following on an annual basis:

- Effective internal and external communication of the commitment of the Agency to the Section 75 statutory duties
- A section on the equality duties in the induction training for new staff
- More focused training for staff in management or specialised roles (such as staff involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, training, monitoring and evaluation)
- Arrangements to ensure staff have access to a copy of, and understand, the Equality Scheme
- Arrangements to ensure staff, board members and appointed arbitrators are kept up to date with Section 75 developments as well as specific training on each of the 9 categories
- Monitoring and evaluation of training.

### **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. Policy and decision makers will receive general training on Section 75 and specific training on the 9 categories to ensure all equality opportunity implications are considered.

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

To this end we have introduced an effective communication and training programme for all staff and will ensure that our commitment to the Section 75 statutory duties is made clear in all relevant publications.



## **Training objectives**

5.3 The Labour Relations Agency will draw up a detailed training plan for its staff which will aim to achieve the following objectives:

- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our 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 Labour Relations Agency's Equality Scheme with the necessary skills and knowledge to do this work effectively.

## **Awareness raising and training arrangements**

5.4 The following arrangements are in place to ensure all our staff and Board Members are aware of and understand our equality obligations.

- We will develop a summary of this Equality Scheme and make it available to all staff within 6 months from approval of scheme.
- We will provide access to copies of the full Equality Scheme for all staff; ensure that any queries or questions of clarification from staff are addressed effectively.
- Staff in the Labour Relations Agency will receive a briefing on this Equality Scheme as soon as possible after approval of scheme.
- The Section 75 statutory duties form part of induction training for new staff.
- Focused training is provided for key staff within the Labour Relations Agency 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 and Board Members 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 and Board Members are kept up to date with Section 75 developments.
- Content of the Annual Progress Report to the Equality Commission which will have had Board approval.

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 Labour Relations Agency will, where possible, work closely with other bodies and agencies in the development and delivery of training.

### **Monitoring and evaluation**

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

- We will use our existing training evaluation arrangements to 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.
- 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.

## Chapter 6 Our arrangements for ensuring and assessing public access to information and services we provide

(Schedule 9 4. (2) (f))

6.1 The Labour Relations Agency 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.
- young people may not be able to fully access or understand information.

### Access to information

6.3 In cognisance of the above, in order 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 Labour Relations Agency 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 five working days.

We will ensure that young people have professional and sympathetic support and provide interpretation support for those with learning disabilities and those from minority ethnic communities.

6.4 In disseminating information through the media we will seek to advertise in the press where appropriate.

6.5 We will seek to ensure that all public information is available on our website, [www.lra.org](http://www.lra.org) and that our website is suitably linked to other relevant websites and gateways.

### **Access to services**

6.6 The Labour Relations Agency is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories.

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

6.7 The Agency has recently improved citizens' access to the organisation by offering a room with communications capability so that visitors presenting themselves at the Agency's reception desk may contact the Helpline or access the Agency's website.

### **Assessing public access to information and services**

6.8 We monitor annually across all our functions, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.

6.9 This will be implemented through our Director (Corporate Services).

## **Chapter 7      Timetable for measures we propose in this Equality Scheme**

(Schedule 9 4. (3) (b))

- 7.1 Appendix 4 outlines our 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 and also as detailed in Appendix 6.

## Chapter 8 Our complaints procedure

(Schedule 9 10.)

The Agency is committed to having regard to promoting good relations across the categories outlined in Section 75 of the Northern Ireland Act 1998. Therefore, upon request, the Agency will ensure that sound advice and assistance will be given. The Agency will discuss with the complainant; interpreters' support, specialist transport facilities, assistance with making information available in Braille, large print, audio, and minority languages. Our commitment is that full and equal access is available to all S75 categories in the use of the Agency's complaints procedure.

*The Agency's Complaints procedure is posted on its website: [www.lra.org.uk](http://www.lra.org.uk)*

8.1 The Labour Relations Agency 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 a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority 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 Labour Relations Agency has failed to comply with its approved Equality Scheme should contact the Customer Complaints Officer by email [customercomplaints@lra.org.uk](mailto:customercomplaints@lra.org.uk).

8.4 We will in the first instance acknowledge receipt of each complaint as set out in the Complaints Procedure. We will, in the first instance, acknowledge receipt of each complaint within 3 working days.

8.5 The Labour Relations Agency will carry out an internal investigation of the complaint and will respond substantively to the complainant as set out in the Complaints Procedure available on our website [www.lra.org.uk](http://www.lra.org.uk)

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 Labour Relations Agency will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, the Labour Relations Agency 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 Labour Relations Agency will make all efforts to implement promptly and in full any recommendations arising out of any Equality Commission investigation.

## Chapter 9 Publication of our Equality Scheme

(Schedule 9 4. (3) (c))

9.1 Our Labour Relations Agency Equality Scheme is available free of charge in print form and alternative formats as set out in section 2.4.

9.2 Our Equality Scheme is also available on our website at [www.lra.org.uk](http://www.lra.org.uk)

9.3 The following arrangements are 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 within a period of 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.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the Equality Scheme, visit our website at [www.lra.org.uk](http://www.lra.org.uk) or contact us as set out in section 2.4.



## Chapter 10 Review of our Equality Scheme

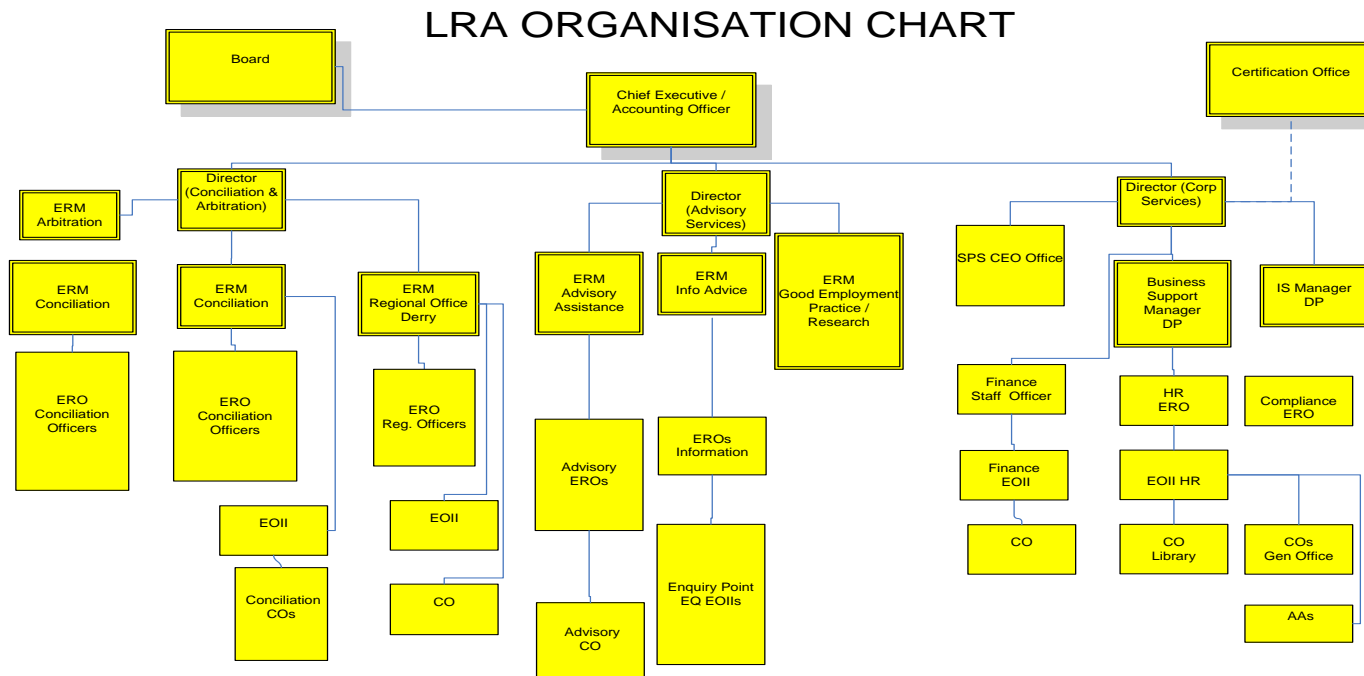
(Schedule 9 8. (3))

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this Equality Scheme. This review will take place either within five years of submission of this 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 on our website [www.lra.org.uk](http://www.lra.org.uk) and sent to the Equality Commission.

# Appendix 1 Organisational chart



## 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 &amp; Treatment (NI) Order</i><sup>11</sup>. 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 <sup>12</sup> | 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.   |

<sup>11</sup> See Section 98 of the Northern Ireland Act 1998, which states: “*In this Act...“political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.*”

<sup>12</sup> *ibid*

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

|  |   |
|--|---|
| Age NI   | NI Practice & Education Council (NIPEC) |
| Alliance Party                                   |   |
| Borough and District Councils                    | Policing Board                          |
| Committee on the Administration of Justice (CAJ) | Rainbow Project                         |
| Carers Northern Ireland                          | Royal College of Nursing (RCN)          |
| Civil Service Commissioners                      | Sinn Féin                               |
| Children's Law Centre (CLC)                      | Social & Democratic Labour Party (SDLP) |
| Coalition on Sexual Orientation (CoSO)           | Statutory Duty Network (LGSC)           |
| Child Support Agency                             | The Participation Network               |
| Democratic Unionist Party                        | Trades Unions                           |
| Departments of the NICS                          | Traditional Unionist Voice (TUV)        |
| DHSSPS   | Ulster Unionist Party (UUP)             |
| Disability Action                                | Women's Resource & Development Agency   |
| Equality Commission for Northern Ireland (ECNI)  |   |
| Family Ministry Office                           |   |
| Green Party (NI)                                 |   |
| Health and Social Services Boards                |   |
| Health and safety Executive (HSENI)              |   |
| Information Commissioner's Office (ICO)          |   |
| NI Council for Ethnic Minorities (NICEM)         |   |
| NI Human Rights Commission (NIHRC)               |   |

## Appendix 4

## Timetable for measures proposed (Schedule 9 4. (2) (a))

| Measure   | Lead Responsibility                                     | Timetable  |
|---|---|--|
| Consultation List Reviews   | Compliance Officer                                      | Review and update annually   |
| Review of Monitoring Information  | Director (Corporate Services)                           | By end of September each year  |
| Publication of Monitoring Information (EQIA and other monitoring information)                       | Compliance Officer                                      | Results published on website and by email circulation to consultees - as and when available. |
| Develop a Summary of Equality Scheme and issue to all staff   | Human Resources / Director (Corporate Services)         | Within 6 months from ECNI's approval of Scheme.  |
| Develop a Training Programme focused on S75 provisions  | Human Resources / Director (Corporate Services)         | By end of July 2012  |
| Update Training Plan on all Equality Issues   | Director (Corporate Services) / Human Resources Manager | By end of September each year  |
| Develop appropriate training evaluation feedback on Equality Scheme and Section 75 focused training | Human Resources Manager / Director (Corporate Services) | By the end of December 2012  |
| Produce Equality Scheme Content for Induction Programmes  | Director (Corporate Services) / Compliance Officer      | by end of May 2012   |
| Ensure equality issues included in corporate and business planning                                  | Chief Executive   | by end October in any given corporate planning year  |
| Ensure all new staff inductions have a strong and explicit equality duty content                    | Compliance Officer                                      | By end of May 2012   |
| Communication of Equality Scheme – public/consultees/staff  | Compliance Officer                                      | Within 1 month from ECNI's approval of LRA Equality Scheme approval                          |
| Assessing access to information & services  | Compliance Officer /Director (Corporate Services)       | Review by end of October effectiveness of Access to information                              |
| Consultation on draft action plan   | Director (Corporate Services)                           | In line with consultation on the Equality Scheme   |
| Finalised Action Plan published   | Director (Corporate Services) / Chief Executive         | December 2011  |
| Arrangements for monitoring action plan progress  | Director (Corporate Services)                           | December 2011  |
| Publish up to four screening reports  | Compliance Officer                                      | (quarterly)  |
| Publish EQIA reports  | Compliance Officer                                      | As required  |
| Provide equality inclusion for the Annual Report  | Compliance Officer                                      | by end May each year   |
| Review progress and requirements of the Disability Action Plan                                      | Compliance Officer                                      | by end July each year  |
| Produce Annual progress report for return to Equality Commission                                    | Director (Corporate Services) / Chief Executive         | by end August each year  |
| Produce Equality Scheme inclusions for Training Plan  | Director (Corporate Services) / Compliance Officer      | by end September each year   |
| Review of Equality Scheme   | Director (Corporate Services)                           | Five yearly or as required.  |

## **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.

### **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.

### **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 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 terms 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 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.

### **Equality impact assessment (EQIA)**

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 of its forms'.

## **Mainstreaming**

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.

## **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 person 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 the 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.

## **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 those 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.

The Agency has carried out an initial audit of inequalities using its risk management framework. This process considers the risk of inequality as falling under three headings:

- strategy and governance;
- processes and information; and
- people and services.

The risk assessment associated with the audit of inequalities has now been embedded within the Agency’s corporate arrangements for risk management.

The actions emanating from the risk assessment / audit are as set out in the tables below and are reportable items at Agency Audit Committee meetings (quarterly).

**Equality: Strategy and Governance**

|   |   |  |                           |
|---|---|--|---------------------------|
| <b>ADDITIONAL ACTIONS REQUIRED TO FULLY MANAGE RISK (with key milestones by which action delivered)</b> | A   | Instigate Audit Committee annual review of Inequality Risk Assessment.   | October 2011              |
|   | B   | Inequality and equality monitoring data incorporated into Research Committee Planning considerations <sup>13</sup> . | October 2011              |
|   | C   | Board awareness workshop on inequality issues and Section 75 compliance.   | March 2012                |
|   | D   | Inequality explicitly incorporated in Annual Report of the Audit Committee Chair to the Board.                       | June 2012                 |
|   | E   | Inequality built into checklists and guidance used for Corporate Planning.   | August 2013 <sup>14</sup> |
| <b>TARGET(s) / RESPONSIBILITIES</b>   | Chief Executive: B, E<br>Director (Corporate Services): A, C, D |  |                           |

<sup>13</sup> E.g. Social Return on Investment work.

<sup>14</sup> Or in advance of the next Corporate Planning development exercise

## Equality: Processes and Information

|   |  |   |               |
|---|--|---|---------------|
| <b>ADDITIONAL ACTIONS REQUIRED TO FULLY MANAGE RISK (with key milestones by which action delivered)</b> | A  | Key performance indicators for equality agreed with the Senior Management team for monitoring on a monthly basis. | November 2011 |
|   | B  | Bi-monthly report to the Board includes a key performance indicator for equality.                                 | December 2011 |
|   | C  | Review of operational guidelines for equality content completed.  | December 2011 |
|   | D  | Consultation group identified <sup>15</sup> and operational.  | June 2012     |
|   | E  | Newly developed computer specifications / applications have in-built equality fields.                             | July 2012     |
| <b>TARGET(s) / RESPONSIBILITIES</b>   | Director (Corporate Services) / Compliance Officer |   |               |

<sup>15</sup> Canvassing CSA, ECNI, DEL, DEL NDPBs, INI etc. for set up

## Equality: People and Services

|   |  |   |                     |
|---|--|---|---------------------|
| <b>ADDITIONAL ACTIONS REQUIRED TO FULLY MANAGE RISK</b> | A  | Mandatory Equality training inclusion in annual training plan.  | July 2011           |
|   | B  | Annual review of staff experience and salary to identify and if possible resolve any significant equal pay anomalies.     | August 2011         |
|   | C  | Fire Risk accompaniment procedure for people attending Agency seminars etc. who need Evac Chair facilities.               | August 2011         |
|   | D  | Staff survey includes opportunity for staff to input information if they belong to any of the Section 75 categories.      | September 2011      |
|   | E  | All ensuing HR policy revisions take account of staff survey information relating to the Section 75 categories.           | October 2011 onward |
|   | F  | Formalisation of a flexible working policy.   | November 2011       |
|   | G  | Review of premises to see if technology offers equality opportunities (e.g. closed loop, bigger screens, acoustics etc.). | December 2011       |
| <b>TARGET(s) / RESPONSIBILITIES</b>                     | Director (Corporate Services) / Compliance Officer |   |                     |