

**Submission on behalf of the Equality Coalition
in relation to draft Equality Schemes**

September 2016

The Equality Coalition is co convened by the Committee on the Administration of Justice (CAJ) and UNISON, it is a network of over 80 NGOs from across the nine equality categories within section 75 of the Northern Ireland Act 1998. The Equality Coalition provides a forum for unity between all sectors when campaigning for equality, while allowing for the diversity of its members' work and views. We facilitate a strong message from diverse equality groups, mutual support between members and consideration of the multiple identity aspects of equality work.

Since the advent of Section 75 the Equality Coalition has engaged extensively with public authorities in relation to their equality schemes. We issued submissions to 'second generation' equality schemes back in 2011 and in September 2014 issued a generic submission to the 11 new local Councils. This submission in 2016 builds on this work and developments since this time. In 2016 a number of reorganised public authorities are consulting on schemes, this submission is a response to them.

In general the Equality Coalition largely recommends that public authorities follow the Equality Commission's (ECNI) 'Model Scheme' of November 2010, save for a number of significant amendments and additions which reflect learning and developments since this time.

Our recommended changes largely centre on the screening questions in paragraph 4.7 of the Model Scheme and consequential amendments, in summary:

- **Making explicit the factoring in of socioeconomic and geographical/rurality considerations into assessments of equality impact;**
- **The removal of the good relations 'impact' question in screening, and the adoption of more appropriate methodology for good relations;**
- **Adding a recommended definition of good relations based on the definition of the concept in law in Great Britain and ECNI advice;**
- **A commitment to take proactive measures, and to the understanding that Section 75 provides for countering disadvantage and targeting disadvantaged groups, including gender specific services for women;**
- **The supplementing of the positive action questions on equality of opportunity and good relations with questions on positive attitudes and participation public life questions in relation to persons with disabilities and measures on linguistic diversity.**

In addition we recommend explicit inclusion of procurement and employment within the scope of policy decisions to which the scheme applies, along with a commitment to conduct equality screening at the time of preparation of a business case.

These changes and the rationale for them are detailed further below. Appendix 1 is a 'track changes' version of chapter 4 and a section of an appendix of the Model Scheme, demonstrating what the changes would look like in practice.

The proposed changes have been formulated from the experience of the Equality Coalition members, and also from the following reports:

- NICVA Centre for Economic Empowerment Research report 'Distributional Analysis and Weighting in Central Government Assessments' Williamson Consulting, 2016
- NI Anti-Poverty Network and Child Poverty Alliance 'Meeting Objective Need - Towards implementing an Anti-Poverty Strategy for Northern Ireland' 5th April 2016 (forthcoming)
- Policy Arc Limited and Kremer Consultancy Services Ltd 'Section 75 Screening and Equality Impact Assessment: A Review of Recent Practice' Equality Commission, 2016
- Bell and McVeigh 'A Fresh Start for Equality? The Equality Impacts of the Stormont House Agreement on the "Two Main Communities"' Equality Coalition, March 2016
- Equality Coalition 'Austerity and Inequality: A threat to peace?' Conference Report, October 2015
- Equality Commission 'Advice on Good Relations in Local Councils', September 2015
- McVeigh, Robbie 'Good Relations in Northern Ireland Towards a definition in law' October 2014
- CAJ 'Unequal Relations: Policy, the Section 75 duties and Equality Commission advice: has 'good relations' been allowed to undermine equality?' May 2013
- Reports of the Council of Europe Advisory Committee on the Framework Convention for National Minorities
- Reports of the Council of Europe Committee of Experts (COMEX) on the European Charter for Regional or Minority Languages
- Reports of the United Nations Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- Equality Commission and Department of Finance and Personnel 'Equality of Opportunity and Sustainable Development in Public Sector Procurement' 2008.

1. Scope of Policy Decisions and screening at business case stage

We urge the inclusion of explicit clarification within paragraph 4.1 of the scheme that policies and functions subject to section 75 include the functions of procurement and employment. We also urge explicit reference in paragraph 4.5 that among the times screening will take place is when a business case on a proposed policy decision is being developed.

The addition of the explicit inclusion of a reference to procurement as a function to which section 75 applies is aimed to remove any ambiguity that procurements decisions are covered by the scheme. This is derived from learning and the 2008 guidance produced jointly by the ECNI and the (then) Department of Finance and Personnel. Similar issues arise in relation to employment. In relation to business cases from engagement with public authorities we understand this is often a key opportunity to influence the development of a policy, yet in our experience equality screening does not necessarily take place at this stage. The inclusion of such a commitment will ensure this is the case.

2. Additions to the screening question on Equality Impacts

The first and key screening question in paragraph 4.7 of the Model Scheme is:

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)

Such an assessment on the equality limb of the duty is an explicit requirement of the legislation. We recommend it is supplemented by the following two subordinate supplementary questions, in relation to the s75 categories, namely:

*Is it likely that those on lower incomes will be disproportionately affected?
Will there be a variable impact across geographical areas?*

We then urge adding a specific commitment expressing the understanding that targeting disadvantaged groups is compatible with, and can be required by, section 75. We also urge the addition also of a specific commitment ensuring that section 75 will not be misinterpreted as providing for the restriction of support for initiatives specifically targeting women. In relation to the background rationale for including this we feel it is important to make explicit that promoting equality of opportunity involves the tackling of disadvantage. This has long been made clear in Equality Commission guidance on the duties which states:

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 groups identified in Section 75(1). The equality duty should not inhibit action to counter disadvantage among particular sections of society – indeed such action may be an appropriate response to redressing inequalities of opportunity. There should therefore be no conflict with affirmative action or positive action to counteract disadvantage or accommodate difference.¹

¹ Equality Commission 'Section 75 of the Northern Ireland Act 1998: Guide to the Statutory Duties' February 2005, paragraph 2.1.

Whilst such matters are therefore already implicit within section 75 there has been a mixed record in taking such an approach. We propose a variation on this wording is added to schemes to make this understanding explicit. This ECNI Guidance on the duties also explicitly confirms that likewise there should be no conflict between the equality duties and the specific policy initiatives to tackle poverty on the basis of objective need. This is echoed in the 2005 EQIA Practical Guidance which advises if adverse impacts are identified across different policy options the policy option which does not disadvantage those at greatest objective need should be selected.² In addition as well as assisting in the interpretation of key concepts there is a basic rule of legal policy that legislation be interpreted compatibly with treaty based commitments – which include those on socioeconomic rights under the UN International Covenant on Economic, Social and Cultural Rights (ICESCR). In this context approaches to equality are not human rights compliant if they involve making things worse for everyone, or indeed not taking forward positive action tailored at disadvantaged groups.

The adoption into screening of the above two supplementary questions to help inform thinking towards disadvantaged groups when assessing impacts across the 75 equality categories is a recommendation derived from a 2016 NICVA-commissioned report into distributional analysis. The questions relate first to socioeconomic group (using income as an indicator) and the second to geographical location which can assist rural-proofing of equalities impacts and regional distribution.

There have been misinterpretations of the scope of the Section 75 duties in relation to positive action measures. One example concerned a public authority which erroneously argued it would have to close down women’s centres in order to comply with the section 75 duties. This is not an isolated example. We have therefore urged the inclusion of a provision that public authorities ensure that their interpretation and application of Section 75 does not have an adverse impact on the provision of women-only services or restrict the activities of women’s organizations. This is drawn from the Concluding Observations of the UN Committee on the Elimination of All forms of Discrimination Against Women (CEDAW) which addressed this issue in relation to the Section 75 and related public sector duties in Great Britain.³

3. Change in relation to the good relations duty

We recommend public authorities to remove the following good relations ‘impact’ question from screening:

~~“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)”~~

² Equality Commission, ‘Section 75 of the Northern Ireland Act 1998 Practical Guidance on Equality Impact Assessment’, February 2005, paragraph 4.2.

³ UNDCOC CEDAW/C/UK/CO/6 Concluding Observations on the UK, 2008, paragraph 273.

We would urge consequential amendments to ensure that it is responses to the question on impacts on equality of opportunity that trigger a full EQIA and associated duties, as the legislation intended.

We suggest an alternative methodology is applied to good relations. We urge that the scheme maintains commitments to both limbs of the duty (equality and good relations) in the other sections of the Equality Scheme (e.g. training, consultation, action plan etc) and also commits to taking into account the desirability of promoting good relations, taking into consideration its statutory aims, at the time of a decision/policy formulation and to keep records of the same. We recommend the screening question on consideration of steps to better promote good relations be maintained, but qualified to be exercised without prejudice to the equality limb of the duty, as is intended by the legislation.

We also urge the scheme adopts a definition of 'good relations' based on the definition in legislation in Great Britain (based around 'tackling prejudice and promoting understanding') and the factors set out in ECNI guidance in 2015 (*'Equality Commission advice on Good Relations in local Councils'*).

In relation to the rationale for this it is important to note that, in addition to the good relations duty being exercised 'without prejudice' to the equality duty, schedule 9 of the Northern Ireland Act 1998, which sets out the mandatory duties to be included in equality schemes, intentionally treats the two duties differently. Some of the provisions relate to both limbs of the duty for example, general compliance, consultation, training of staff etc. Other elements of the legislation relate only to the equality limb of the duty including the duties to assess the impacts of policies, monitoring adverse impacts of policies and the concurrent duties to mitigate any adverse impact or consider alternative policies. The relevant section of the schedule reads (emphasis added):

- Paragraph 4 (2)A scheme shall state, in particular, the authority's arrangements—
- (a) for assessing its compliance with the duties under section 75 and for consulting on matters to which a duty under that section is likely to be relevant (including details of the persons to be consulted);
 - (b) for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity;
 - (c) for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity;
 - (d) for publishing the results of such assessments as are mentioned in paragraph (b) and such monitoring as is mentioned in paragraph (c);
 - (e) for training staff;
 - (f) for ensuring, and assessing, public access to information and to services provided by the authority.

Paragraph 9 then provides that when publishing the results of the aforementioned assessment on the impact on equality of opportunity of policies the public authority must take into account the assessment and also consider, mitigating measures and adverse impacts. The legislation does not apply these duties to the good relations limb of the duty.

Whilst the Equality Commission emphasises there is no legislative obligation to undertake good relations impact assessments, one recommendation contained in the 2010 ECNI Model Scheme does prompt public authorities to ask a question on good relations ‘impacts’ of a policy during equality screening. This in practice means that an EQIA and concurrent duties to consider alternative policies and mitigating measures can be triggered when there are no adverse impacts on equality, but rather where there are ‘impacts’ on good relations. This is even the case when the policy has positive impacts on equality of opportunity but can be then stalled or reconsidered by ‘good relations’ impacts considerations. Such a circumstance undermines the framework whereby good relations compliance is to be exercised ‘without prejudice’ to the equality duty.

This has been further compounded by the lack of statutory definition of ‘good relations’. At times good relations ‘impacts’ have simply been interpreted in a lay sense as anything that is politically contentious. In this context measuring subjective good relations ‘impacts’, can simply become a political veto over policies, including policies promoting equality of opportunity.

We welcome the aforementioned 2015 advice from the Equality Commission in moving to define good relations in a human rights compliant manner. The ECNI elements of definition, focus on matters such as the duty being about (as it is defined in GB) “tackling prejudice and promoting understanding” but also adds as factors “a high level of dignity, respect and mutual understanding”, “an absence of prejudice, hatred, hostility or harassment” and “a fair level of participation in society”. Rightly promoting such matters is not conducive to a simple lay notion of assessing the ‘impacts’ of good relations. As alluded to above in practice what can happen is that a policy is considered in screening as having an ‘adverse impact’ on good relations as it is politically contested. Even a policy promoting equality of opportunity could then be not taken forward by the contention that it constitutes an adverse impact on good relations as a political party objects to it, or even that there are attitudinal differentials between the ‘political opinion’ or ‘religious belief’ categories, even if attitudes are based on prejudice or intolerance.

The emergence of this problem was documented in the 2013 CAJ *Unequal Relations?* research. Concerns have also been raised, in relation to the impact on minority languages, by Council of Europe treaty bodies. One further example is a recent screening exercise by Fermanagh and Omagh Council in relation to a motion on LGBT marriage equality. This asked questions on both equality and good relations impacts. In terms of the equality duty the screening exercise rightly only finds major positive impacts on equality of opportunity. In relation to assessing good relations impacts however the screening exercise finds that

there are no impacts because the Council does not have the legislative competence to implement the decision – but essentially goes on to say that there *would be* an adverse impact on good relations in the category of ‘religious belief’ if the NI Assembly did pass the legislation. It identifies potential impacts on members of Protestant and Catholic communities “if they believe marriage should not be available to same sex couples” and a potential impact on religious belief ‘celebrants’ who ‘do not wish to solemnise a same sex marriage’. In relation to ‘political opinion’ it merely notes that the Assembly has already vetoed same sex marriage. It is contrary to the intention of the equality duty that it be used as a vehicle to obstruct an equalities measure through obliging the consideration of ‘alternative policies’ or ‘mitigating measures’ on lay good relations grounds. However such an approach is clearly risked by a screening question to assess undefined good relations ‘impacts’. A review of recent EQIA/screening practice commissioned by the ECNI itself, by Policy Arc Limited and Kremer Consultancy, also identifies some confusion among public authorities as to the meaning of ‘good relations’ with some respondents stating that the Model Scheme screening questions do not work as well for good relations as for equality.

In summary, given this we therefore recommend removing the question on the good relations ‘impact’ of policies from screening questions. We recommend maintaining the question on steps to better promote good relations in the screening exercise, a related commitment to taking into account the duty at the time of policy formulation and the adoption of the aforementioned definition of good relations to mitigate against the risk of lay definitions. It should be noted that provided the concept of ‘good relations’ is defined as recommended and an appropriate methodology adopted the Coalition would have no issue to consideration of promotional steps being given across all the section 75 categories.

Our recommendations would return schemes to a situation whereby a full equality impact assessment and the consequent duties to consider alternative policies and mitigating measures would be triggered only by the identification of adverse impacts on equality of opportunity, as the legislation intends.

4. Additional positive action questions

The mandatory screening questions under paragraph 4.7, as well as assessing equality impacts also include positive action questions on both steps to better promote equality of opportunity and good relations. We urge the continued inclusion of the equality and good relations promotion questions (with qualification of the good relations question to ensure it is exercised without prejudice to the equality limb of the duty), and also the addition of three extra positive action questions as follows:

- Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes/No

- Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? Yes/No
- Are there opportunities to promote, by appropriate measures, mutual understanding between all linguistic groups and in particular the inclusion of respect, understanding and tolerance? Yes/No

The first two additional questions– which some public authorities have already incorporated in their schemes – are derived from the general duty under the Disability Discrimination Act 1995. This General Duty, in s49A of the Act (as amended), provides that:

- (1) Every public authority shall in carrying out its functions have due regard to—
- (a) the need to promote positive attitudes towards disabled persons; and
 - (b) the need to encourage participation by disabled persons in public life.

These duties are also to be exercised ‘without prejudice’ to other statutory obligations, which would include equality of opportunity duty, yet there will be limited situations where the two come into any conflict. The inclusion of the two questions in screening helps operationalise the duties at the time of policy formulation.

The third proposed additional positive action question is derived from Article 7(3) of the European Charter for Regional or Minority Languages. The UK has ratified the Charter and is bound by it. Irish and Ulster Scots have been registered in relation to Northern Ireland, although Article 7(3) refers to promoting linguistic diversity between all linguistic groups, including English speakers and speakers of other minority languages. It reads:

Article 7(3) The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

This provision therefore is particularly relevant to communications, training and language promotion policies. It would help operationalise into policy decisions this duty under the Charter. It is aimed to provide for approaches which do not penalize provision for minority languages where there is hostility or intolerance of them, but rather enshrines a duty to promote respect, understanding and tolerance. For the avoidance of doubt the Charter is a Council of Europe treaty and is nothing to do with the EU.

September 2016

Appendix 1 - Amended Model Scheme

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, eg, ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’. [Policy decisions on procurement and employment are functions to which the equality duty applies.](#)

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 **[insert name of authority]** 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 [in so far as it relates to equality of opportunity](#), 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. [This includes committing to screening a proposed policy at the time a Business Case or similar document is prepared.](#)

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, [without prejudice to the equality of opportunity duty](#), to better promote good relations ~~between people of a different religious belief, political opinion or racial group?~~

- [Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes/No](#)
- [Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? Yes/No](#)
- [Are there opportunities to promote, by appropriate measures, mutual understanding between all linguistic groups and in particular the inclusion of respect, understanding and tolerance? Yes/No](#)

[In relation to the question on assessing impacts on equality of opportunity our consideration of this will also be informed by the following two supplementary questions, namely:](#)

[*Is it likely that those on lower incomes will be disproportionately affected?*](#)

[*Will there be a variable impact across geographical areas?*](#)

[Our approach will also be informed by the understanding that 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 groups identified in Section 75 (1). The equality duty should not inhibit action to counter disadvantage among particular sections of society – indeed such action may be an appropriate response to redressing inequalities of opportunity. There should therefore be no conflict with affirmative action or positive action to counteract disadvantage or accommodate difference.

We will ensure that our interpretation and application of Section 75 does not have an adverse impact on the provision of women-only services or on the activities of women’s organizations.

In relation to the question on promoting good relations, we commit to taking into account and recording consideration of the desirability of promoting good relations and adopt the following definition of good relations:

Good relations can be said to exist where there is:

- a high level of dignity, respect and mutual understanding
- an absence of prejudice, hatred, hostility or harassment
- a fair level of participation in society.

Good relations means, in particular, having regard to the desirability of a) tackling prejudice and b) promoting understanding.

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 mitigation⁴ 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

⁴ 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.

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 the appropriate policy lead within **[insert name of public authority]**.

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 the appropriate policy lead within **[insert name of public authority]**.

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 the appropriate policy lead within **[insert name of public authority]**.

4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on our website **[insert link]** and on request.

[insert appropriate contact details– should be in full and include a textphone/SMS number - or cross-reference]

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 on equality of opportunity 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 [insert name of authority] 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 [on equality of opportunity](#)
- 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:

Equality Coalition
c/o CAJ 1st Floor Community House
Citylink Business Park, 6A Albert Street
Belfast, BT12 4HQ

T– 028 9031 6000
E – equalitycoalition@caj.org.uk
W- www.equalitycoalition.net

- 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 [\[insert link\]](#) and by contacting: [\[insert appropriate contact details– should be in full and include a textphone/SMS number\]](#)

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 where appropriate.

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

Please state here the arrangements you have in place within your organisation to collect and analyse both quantitative and qualitative information.

While Schedule 9 focuses on monitoring of any adverse impacts, the Commission recommends that you monitor more broadly to also identify opportunities to better promote equality of opportunity and good relations.

We further recommend that public authorities - as part of the monitoring arrangements - undertake at least an annual review of EQIA monitoring information. We further recommend that all other monitoring information is reviewed on a regular basis.

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 [insert name of public authority] 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 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 [please outline your timelines]

[Please outline here any additional arrangements you have put in place for monitoring]

Our arrangements for publishing the results of our monitoring

(Schedule 9 4. (2) (d))

Equality Coalition
c/o CAJ 1st Floor Community House
Citylink Business Park, 6A Albert Street
Belfast, BT12 4HQ

T- 028 9031 6000
E - equalitycoalition@caj.org.uk
W- www.equalitycoalition.net

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 follows:

4.33 EQIA monitoring information is published as part of our Section 75 annual progress report [see 2.7]

4.34 [Please state any additional arrangements in relation to how and where the results of your monitoring is published, eg, on website, by sending to consultees by email]

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

Appendix 5: Glossary of Terms:

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'~~

Good relations can be said to exist where there is:

- a high level of dignity, respect and mutual understanding
- an absence of prejudice, hatred, hostility or harassment
- a fair level of participation in society.

Good relations means, in particular, having regard to the desirability of a) tackling prejudice and b) promoting understanding.