

1. CONTEXT OF THIS SUBMISSION

The Equality Coalition is a civil society alliance of over 100 NGOs and trade unions, co-convened by the Committee on the Administration of Justice (CAJ) and UNISON. In coming together, our aim is to promote equality and compliance with the Section 75 equality duty within Northern Ireland. The Equality Coalition provides a forum for unity between sectors when campaigning for equality, while allowing for the diversity of its members' work and views. Since the advent of Section 75, we have 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. In 2016, a number of reorganised public authorities were consulting on schemes; this submission was originally drafted in response to these consultations. It has now been updated for 2021 as a number of public bodies are once again working on new schemes.

2. HOW TO USE THIS SUBMISSION EFFECTIVELY

In general, the Equality Coalition largely recommends that public authorities follow the **Equality Commission's (ECNI) 'Model Scheme'** of November 2010 (which is available on the [ECNI website](#)), save for a number of significant amendments and additions, which reflect learning and developments since this time. The advice within this submission will therefore make the most sense if it is read and used alongside the ECNI Model Scheme.

3. RECOMMENDATIONS AT A GLANCE

Our recommended changes largely (but not solely) centre on the screening questions in paragraph 4.7 in Chapter 4 of the Model Scheme. In summary, we recommend:

- Making explicit the factoring in of socio-economic 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 demonstrates what our suggested amendments look like in practice through tracked changes made directly to the Model Scheme.

4. RECOMMENDATIONS IN DETAIL

4.1 CLARIFICATION ON THE CIRCUMSTANCES IN WHICH SCREENING TAKES PLACE

We urge the inclusion of explicit clarification within **Paragraph 4.1** in Chapter 4 of the Model Scheme to state that the policies and functions subject to Section 75 include both procurement and employment. This insertion removes any ambiguity about whether procurements and employment decisions are covered by the scheme.

We also urge explicit reference in **Paragraph 4.5** to say that one of the instances in which a screening will take place is when a business case on a proposed policy decision is being developed. From engagement with public authorities, we understand the business case stage is often an early opportunity to influence the development of a policy, yet in our experience equality screening does not necessarily take place at this point. The inclusion of such a commitment will ensure this is the case in future.

4.2. ADDITIONS TO THE SCREENING QUESTION ON EQUALITY IMPACTS

The first screening question in **Paragraph 4.7** of the Model Scheme is given as: “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)”

We recommend the question be supplemented by the following two subordinate supplementary questions, in relation to the S75 categories, namely:

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

The adoption into screening of the above two supplementary questions to help inform thinking towards disadvantaged groups is a recommendation derived from a 2016 NICVA-commissioned report into distributional analysis.¹ The questions relate first to socio-economic grouping (using income as an indicator) and, secondly, to geographical location which can assist rural-proofing of equalities impacts and regional distribution.

We then urge adding a specific commitment to **Paragraph 4.7**, which makes it clear that targeting support towards specific disadvantaged groups is compatible with, and indeed can be required by, S75. Likewise, we urge the addition of a supplementary commitment specifically stating that the application of S75 should not have an adverse impact on the provision of women-only services or restrict the activities of women’s organizations. The latter suggested insertion is to prevent any misinterpretation (or misuse) of S75 to restrict support for initiatives specifically targeting women, thus echoing prior recommendations made by the UN Committee on the Elimination of All forms of Discrimination Against Women (CEDAW) on the interpretation of equality legislation.²

Promoting equality of opportunity must involve the tackling of disadvantage. This has long been made clear in Equality Commission guidance on the duties which states:

¹ *Distributional Analysis and Weighting in Central Government Assessments:*

<https://www.nicva.org/resource/distributional-analysis-and-weighting-in-central-government-assessments>

² UNDCOC CEDAW/C/UK/CO/6 Concluding Observations on the UK, 2008, paragraph 273.

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.³

This is echoed in the 2005 *Practical Guidance on Equality Impact Assessment*, 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.⁴ Nonetheless, there have been misinterpretations of the scope of the S75 duties in relation to positive action measures. One example concerned a public authority that erroneously argued it would have to close women’s centres in order to comply with the S75 duties. This is not an isolated example so clarity around the interpretation and application of S75 within Equality Schemes is vitally important.

4.3. CHANGES REGARDING THE GOOD RELATIONS DUTY

We recommend public authorities **remove entirely** the good relations ‘impact’ question found in **Paragraph 4.7** of the Model Scheme from screening, which currently reads: “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)”

The present inclusion of this question means in practice 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. Even when a policy has positive impacts on equality of opportunity, it can nonetheless be stalled or reconsidered because of ‘good relations’ impact considerations.

On top of this, we advise the screening question on consideration of steps to better promote good relations in **Paragraph 4.7** be maintained, but qualified to be exercised without prejudice to the equality limb of the duty, as is intended by the legislation. It currently reads: “Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?”

We suggest the following alternative wording: *Are there opportunities, without prejudice to the equality of opportunity duty, to better promote good relations?*

Additionally, we would strongly urge consequential amendments within the Equality Scheme to ensure that it is only responses to the question on impacts on *equality of opportunity* (not good relations) that trigger a full EQIA and associated duties, as the legislation intends. However, Equality Schemes should still maintain a commitment to taking

³ Equality Commission ‘Section 75 of the Northern Ireland Act 1998: Guide to the Statutory Duties’ February 2005, paragraph 2.1.

⁴ Equality Commission, ‘Section 75 of the Northern Ireland Act 1998 Practical Guidance on Equality Impact Assessment’, February 2005, paragraph 4.2.

into account the desirability of promoting good relations at the time of a decision making and policy formulation, and to keeping records of this.

In relation to the rationale for these suggested changes, it is important to note that the good relations duty is intended to be exercised 'without prejudice' to the equality duty. There is also no legislative obligation to undertake good relations impact assessments. Furthermore, 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, monitor adverse impacts of policies, and mitigate against any adverse impact or consider alternative policies.

4.4 DEFINING GOOD RELATIONS

We suggest an **alternative methodology** is applied to good relations. The lack of statutory definition of 'good relations' has contributed to confusion around the concept. 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. The emergence of this problem was documented in the 2013 CAJ research, *Unequal Relations?*⁵ Concerns have also been raised, in relation to the impact on minority languages, by Council of Europe treaty bodies.

One further example is a 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 had already vetoed same sex marriage at that time.

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 outcome is clearly risked by the current approach within Equality Schemes to good relations.

We urge that Equality Schemes adopt a definition of 'good relations' based on:

⁵ See <https://caj.org.uk/2013/05/19/unequal-relations-policy-section-75-duties-equality-commission-advice-good-relations-allowed-undermine-equality/>

1. The definition found in legislation in Great Britain (based around ‘tackling prejudice and promoting understanding’).
2. The factors set out in ECNI guidance in 2015 (*‘Equality Commission advice on Good Relations in local Councils’*).⁶
3. International standards; Namely the 2017 *ECRI Policy Recommendation No.2*, which sets out that “Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance.”⁷
4. The 2021 *Code of Conduct for MLAs*, which includes, under ‘Additional Assembly Principles of Conduct, ‘Promoting Good Relations’, defined in the following terms: “Members should act in a way that is conducive to promoting good relations by tackling prejudice, promoting understanding and respect and encouraging participation between people on the grounds of different religion, political opinion, race, gender, age, sexual orientation and disability.”⁸

We would advocate the following text is added into the scheme as part of **Appendix 5: Glossary of Terms** to define good relations (replacing the current definition given there) and that public authorities apply it across all protected equality grounds:

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.

It should be noted that provided the concept of ‘good relations’ is defined as recommended, and an appropriate methodology adopted, the Equality Coalition would have no issue to consideration of promotional steps being given across all the S75 categories.

4.5 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 addition of three extra positive action questions as follows:

⁶ Available here: <https://www.equalityni.org/Footer-Links/News/Employers-Service-Providers/Equality-Commission-advice-on-Good-Relations-in-Lo>

⁷ European Commission against Racism and Intolerance (ECRI) General Policy Recommendation No. 2: Equality bodies to combat racism and intolerance at national level, Adopted on 7 December 2017, Explanatory Memorandum, paragraph 21.

⁸ The Code of Conduct and The Guide to the Rules relating to the Conduct of Members Approved by the Northern Ireland Assembly on 23 March 2021 and effective from 12 April 2021. Report Number: NIA 85/17-22Section 3, paragraph 9.

- *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 1995⁹. This General Duty, in S9A 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 the 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 (ECRML).¹⁰ 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.

⁹ <https://www.legislation.gov.uk/ukpga/1995/50/contents>

¹⁰ <https://www.coe.int/en/web/european-charter-regional-or-minority-languages>

4.6 ADDITIONAL CLARITY ON THE COMPLAINTS PROCESS

Many complainants have reported confusion regarding the process of progressing a complaint to ECNI after a public authority completes an internal investigation. They are typically not informed by the public authority that they have the option to progress their complaint. We urge the inclusion of a commitment in **Chapter 8 Paragraph 8.6** to signpost complainants to ECNI after completing an investigation of a complaint. We recommend that the language of this commitment follow the typical signposting procedure for the Northern Ireland Public Services Ombudsman.

We advocate that the following text is added into Chapter 8 of the Scheme:

You have now completed our internal complaints procedure and this is our final response. If you remain dissatisfied, you may refer your complaint to the Equality Commission for Northern Ireland (ECNI). ECNI can investigate complaints about public service providers in Northern Ireland.

ECNI's contact details are:

ADDRESS

PHONE NUMBER

EMAIL

-ENDS-

Revised and reissued 13 August 2021

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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 mitigation¹¹ or an alternative policy proposed to be adopted
3. the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.

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

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

This screening decision will be 'signed off' by 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].

¹¹ 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.

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:

- 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))

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.

CHAPTER 8 - OUR COMPLAINTS PROCEDURE

(Schedule 9 10.)

8.5 The [\[insert appropriate detail\]](#) will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period,

the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

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

When the investigation is completed and the complainant is notified, they will be signposted to ECNI and provided with contact details and information about the time limit to submit a complaint through the following statement:

You have now completed our internal complaints procedure and this is our final response. If you remain dissatisfied you may refer your complaint to the Equality Commission for Northern Ireland (ECNI). The ECNI can investigate complaints about public service providers in Northern Ireland.

ECNI's contact details are:

ADDRESS

PHONE NUMBER

EMAIL

Please note you must make your complaint to the ECNI within 12 months of the date you became aware of the matters alleged.

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.

APPENDIX 2: BIBLIOGRAPHY

The proposed changes contained within this submission have been formulated from the experience of the Equality Coalition members. They also incorporate learning 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](#)' 5 April 2016
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